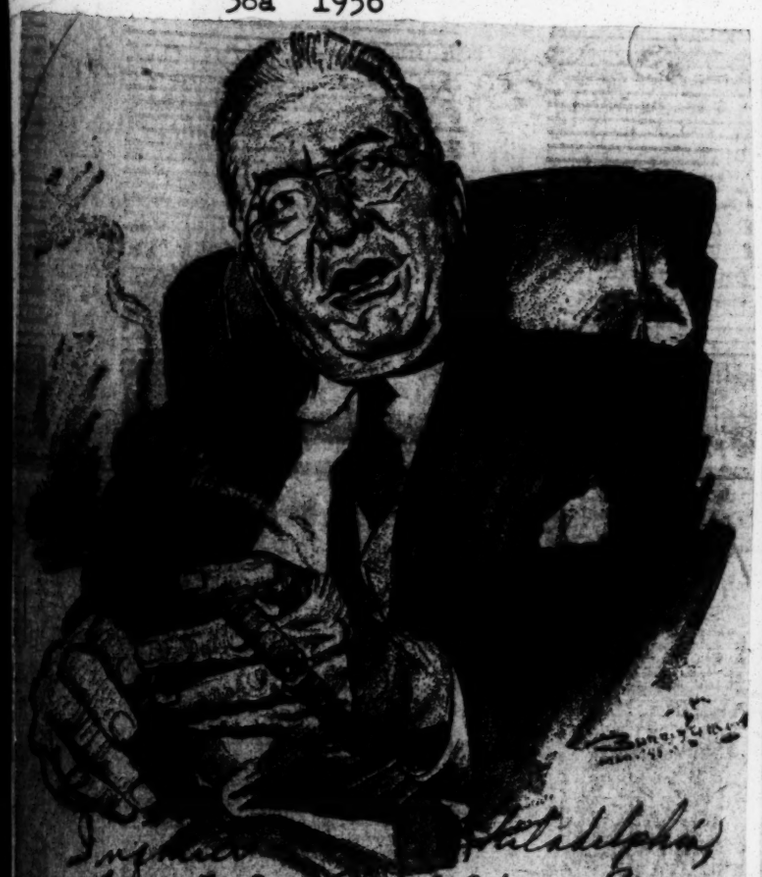

Inquirer Phila. Phila. Tues. 3-20-56 P.1 Pa.

"The South," says Judge Perez, "is being used as a whipping boy. There are Communist votes . . ."

Thunder Over Dixie

New Orleans Hears Many Voices Raised In Segregation Debate

Inquirer Tues. 3-20-56 Philadelphia, Pa. P.1

Third of a Series

By JIM BISHOP

NEW ORLEANS, March 19.

THIS is a city of many voices, glib, grim, gay, smart, sinister, sullen. The voices pull in many directions. The voice of the Federal Court intones that the white man shall, and will, accept Benny Bush, a tall, timid Negro, in his schools. The voice of Leander Perez, unctuous and deadly, wets you with smiles as it says that it would be ideal—and impossible—if all Negroes moved to Liberia.

The tired voice of an old Archbishop says flatly that segregation is a sin. Over on Burgundy st, a young Negro preacher says that the deceased in that powder blue casket would not be deceased if he had not been caught in the wrong apartment by the right woman.

Voices. How do you weigh a voice? The babble is lost in the dragging cry of the Dixieland bands, the sinuous snap of the stripteasers on Canal Street, the prayers of a handful of Negroes in St. Louis Cathedral.

It is night and, from the skyscraper office of Judge Perez, New Orleans is on its back in spangles. The judge used to be a county judge. Now he is a district attorney, and a handsome one with snowy hair and dark glittering eyes. He is also two other things. The judge is a big politician. He is one of the important men in the New Orleans Citizens Council. The Council says it does not want to hurt the Negro. It just wants to keep him in his place—which is right where he is. The Council in New Orleans claims 7000 members.

* * *

"THE South," says the judge, tapping his cigar holder, "is being used as a whipping boy. There are a group of Communist votes and other foreign votes and these people use the South as a whipping boy." His lips blow outward as he speaks. He is very sure that white is white and black is black and that there are no grays.

"There is no fear that white women will ever marry Negroes. The fear is that when the Negro attains power, that he will want white women."

The judge sighs. "Everybody would be happier if we had an all white South." It is as though he is remembering how his forebears brought these people here a century and a half ago, and that now, sadly, the genie is out of the jug because the Supreme Court has pulled the cork.

"The greatest menace to the country is the United States Supreme Court." Perez has been a district attorney for 30 years. "There is no doubt about that. The Supreme Court has adopted Communist literature to use in interpreting our Constitution."

Inquirer P.9

THIS man is a Catholic who disagrees with his hierarchy. He is one of thirteen children, a graduate of Louisiana State University. "Of course," he says slowly, "the liberal thinking in the Catholic Church is the result of work in the National Conference of Christians and Jews. They had a meeting in the South—Atlanta, maybe — and they wrangled over the question of racial integration. When most of the people had left the meeting—" (he points the D.A.'s indicting finger) — "a Negro preacher is credited with standing up and putting this thing over. A vote was taken, and they voted for integration. Later, I heard that a priest said that the Catholic Church was bound by the decision because they had a representative at the meeting."

You ask the judge what kind of people he came from, and he says: "English, Irish, Dutch, Italian, French and Spanish. I'm a creole."

The judge does not answer the the Sunday greetings of Msgr. H. C. Bejou. In matters of education, the Monsignor is the voice of Archbishop Rummel; he is, in fact, superintendent of all Catholic schools. He too is a voice, and his tongue speaks in favor of integration. The Bejous have been here for two centuries and the Monsignor, in his tall homeliness, has a pride in Southern tradition.

"There has been a small amount of integration in the Catholic schools," he says. "It isn't much. No one has complained about it. Of course, our seminaries have been integrated for years. The Negro who wants to study for the priesthood prays and studies beside the white seminarian." The palms of his hands open outward with a how-could-it-be-otherwise gesture. "A Negro bishop was consecrated in Bay St. Louis a few years ago. Here in New Orleans, our Xavier College is the only all-Negro Catholic college in the country."

The Monsignor picks up his Archbishop's pastoral letter and he reads from it and he knows that it applies to him and all his work as it paplies to Judge Perez and all his work: "Racial segregation is morally wrong and sinful because it is a denial of the unity and solidarity of the human race as conceived by God. . ."

There is the matter of intermarriage, which worries so many white men. The monsignor permits himself a small smile and erases it with the palm of his hand. "Marriage," he says, "is a private affair. Whether we have integration or not, the sacrament of marriage will remain the same. Marriage entails a high degree of compatibility"—he emphasizes this word—" and I do not worry that intermarriage will ensue on a large scale." He looks for a paper he cannot find. "Marriage between the races is permitted in Boston and in Los Angeles and what are the figures? About one-seventh of one percent."

* * *

THE archdiocese controls 132 elementary schools and 45 secondary schools. Of these, 36 are solely for Negroes. In New Orleans and around it, 74,000 children go to parochial Negro churches. In a Catholic white church, no usher can tell a Negro where to sit. He sits where he pleases. The color line has never applied either to the confessional or to the altar rail.

A voice. One more voice.

You drive out to North Villere, and you can hear another voice. There is a small awkward house which starts out as a one-story job and then goes to a second story at the back. In the dimples of the unpaved street lays yesterday's rain.

This is the home of Oliver Bush, 45, very dark father of 13 Negro children. He sells life insurance, and he owns his home and a car. His son is Earl "Benny" Bush, 17, a student in the 12th grade of a Negro High School. Benny is the symbol of all Louisiana Negroes who want to get into white schools. The white lawyers and the Negro lawyers fought all over the Federal District Court because of Benny, and now the court has said that the white schools must enroll Benny.

The boy doesn't talk much. He is tall and slender and he hangs his head and watches out of the tops of his eyes. Benny's father is a member of the National Association for the Advancement of Colored People and he went to the NAACP a year and a half ago and offered Benny as the test case. There were others, but Benny, through the NAACP, sued the thing out, and won.

* * *

THE father, Oliver, has frank self-assurance. He is president of a Negro PTA and he attends studies and lectures. He has two children in college and he might never have sued Benny's case except that he heard that the Clark High School was going to teach the children in two platoons. Besides, Oliver felt that the white man was ready for a change.

"When I was a boy," he says, studying the faded rug, "if a Negro went to the polls, they beat him half to death. Now the politicians come to our meetings and talk to us."

He thinks that the white man's fear of intermarriage is largely a political device. "They talk about sex and other matters," he says, "oh, just to play up this thing. Personally, I think a man should be allowed to marry anybody he pleases. If I liked a light-skinned person, I'd marry her, but I can't imagine myself doing it."

Over on Burgundy st., the Negro preacher stuffs a white kerchief inside his collar and closes the sermon on the deceased, who was knifed by a Negro woman because of another Negro woman. The preacher listens to the shrill screams of the women, and watches approvingly as the Negro nurses in the starched white hats carry the faintees feet first out of the Morning Star Baptist Church. The Negro preacher has said all that he is going to say, and that is, if there is any justice at all, every last one of us is going to have to account for what he has done before the throne of God.

He, too, is a voice. A small one.

(Continued tomorrow)

Published In Askelon—V

Ala Advertiser P. 2-B

In Baltimore, Birmingham Race Strife is Big News, But The Harry Belafonte Incident Is Played Down

Montgomery, Ala

Sun. 5-13-56

Edward P. Morgan, The American Broadcasting Company

[The following is a transcript from the broadcast of news commentator Edward P. Morgan, over ABC, May 7, 1956—Ed.]

IN A SPEECH in New York City recently, the editor-in-chief of *The Montgomery Advertiser*, Grover C. Hall, Jr., accused the North of preaching piously and acting hypocritically on the segregation issue. In a telling indictment of information media (and it must be assumed he was including radio and television), Hall said: "There is an exasperating failure by the American press to present a faithful, unsparing picture of American race disharmony from New York to Los Angeles."

The day before Hall spoke, a hotel in Baltimore refused accommodations to Harry Belafonte, the Negro singing star. Baltimore, of course, embraces many traditions and sentiments of the South but as a so-called border state metropolis it must be eligible for Hall's criticism. The more so when it develops that Baltimore newspapers and broadcasters almost completely ignored the Belafonte incident, although they had given top attention to the Nat King Cole affair in Birmingham.

Although conceding that Baltimore has made "considerable progress" in improving race relations, Chairman Una Corbett of the local ADA chapter's race relations committee reports that according to a recent survey, Baltimore has a worse record in the discriminatory policy of local hotels than any other large city in the country. Yet little is said about it.

EDITOR HALL, who found himself reluctantly playing host to scores of northern reporters sent down to cover Montgomery's bus boycott, wondered who had been left behind to deal with the stories on discrimination at home. He decided to have his own reporters do some checking on the story in the North.

Hall found even *The New York Times* remiss. Only once in 125 years, he said, has the *Times* printed a picture of a Negro bride in its society section.

"Out across the continent at *The Los Angeles Times*," Hall said. "Jim Crow is society editor, but he wears a different hat—the *Los Angeles Times* refuses to run (pictures of) Chinese brides. And since there is a great deal of race friction in Los Angeles, I assume that a Negro bride's picture hasn't got a Chinaman's chance."

Hall turned to the city of Dearborn, Mich., hard by Detroit with its big Negro population. He quoted the mayor of Dearborn as saying "Negroes can't get in Dearborn. We watch it. Every time we hear of a Negro moving in. . . we respond quicker than you do to a fire. Our Italians and Poles are so anti-colored—much more than you in Alabama." Detroit papers, Hall found, gave only the vaguest inside-page coverage to a suburb's mob action against a Cherokee Indian family, thought to be Negro, but the Nat King Cole incident was Pg. 1 news in Detroit.

The Alabama editor said that in Chicago there is a "code agreement among the newspapers and radio stations to muffle . . . race strife stories lest they incite more riots."

SOME of Hall's examples may be picayune. On the cumulative record, *The New York Times* with a mass of factual reporting and on the whole responsible opinion probably has contributed more than any other American newspaper to the understanding and therefore the improvement of racial tensions. With its huge Negro population swelling almost daily—due in part to an exodus from Mississippi and other parts of the deep South—Chicago has an enormous problem in housing alone. Yet its once explosive Trumbull Park public housing development is yielding slowly but surely to intelligent treatment. And although to be sure cruel evidences of hypocrisy and prejudice can be found in almost any northern community, the Negro, in most cases, has the law—and the vote—to protect him.

But Editor Hall has made a major contribution in pointing out that "race disharmony" as he puts it is a national problem and not just a provincial peculiarity of the South.

This is Edward Morgan saying good night from New York.

Published In Askelon—IV

Advertiser Sat. 5-12-56

The North's Hypocrisy On Negroes

Montgomery, Ala. P. 4-A

George S. Schuyler In The Manchester (N.H.) Union Leader

[The following article was bannered across the top of Pg. 1 in the Manchester *(New Hampshire)* Union Leader. *The writer is George S. Schuyler, editor of the* Pittsburgh Courier, *nationally circulated Negro newspaper. Schuyler is the best known Negro journalist in the U.S.—Ed.]*

THE Achilles heel of the non-Southern white "liberals," both Christian and Jew, is the colored brethren. Whatever its editorial motives may be, that excellent newspaper, *The Montgomery Adveretiser*, deserves applause for exposing the Northern (and Eastern and Western) hypocrisy, and impaling Yankee sham on the poignard of ridicule, in a series of articles by staff member Tom Johnson. *I hope* The Advertiser *publishers imitate the sanctimonious* New York Times *and publish a special supplement on Brother Johnson's findings for nationwide distribution.* [Italics his.] As one who was born, reared and live in the Northeast (and have been everywhere in the U.S.), I can attest to the accuracy of *The Montgomery Advertiser's* series. For my 60 years I have been sickened by the self-righteous squawks of professional white liberals and do-gooders moaning lugubriously over Southern Negrophobia, racial prejudice and discrimination, and have done my utmost to expose it. I certainly detest these practices and prejudices in the South, but I hate them no less in the rest of the country. *The Southerners at least are frank and forthright, which is more than I can say for their Yankee brethren.* [Italics his.]

THE cities outside the South where a decent Negro family can move out of the black ghetto without great difficulty are as rare as an Arab official in Tel Aviv. Frequently the white neighbors opposing the "invasion" have said it with violence, and, that failing, have fled elsewhere to avoid social contamination. Is this not true?

Prior to 1945, the number of hotels, restaurants, motels and such establishments that solicited or welcomed Negro patronage outside the South was infinitesimal. I exposed this situation in "Traveling Jim Crow" *(American Mercury*, August, 1930), "Vacation Daze" (*Common Ground*, spring, 1943), and "Jim Crow In The North" *(American Mercury*, June, 1949). Before me is a report made last year by Andrew F. Jackson and Associates of Washington, D. C., showing that Negro travelers are "welcome in not more than 6% of the nation's better hotels and motels." Jackson surveyed 2,500 of the best such establishments, mostly non-Southern.

The Advertiser series exposes the Color Curtain on social news about Negroes maintained by all daily newspapers in the U.S., including the "liberal" ones. It is true and disgraceful.

THE National Bar Association has exposed the racial exclusion prevalent throughout the West from the Mississippi River to the Pacific Coast and sought vainly to do something about it.

Pious disavowals of Negrophobia by distinguished white politicians, publicists, clergymen, pedagogues, etc., mean nothing when jim crowism and racial exclusion is nationwide. So I'm glad that *The Advertiser* has exposed this shameless hypocrisy no matter what its intentions. Let's have the truth from whatever source.

Published In Askelon—III(A)

Advertiser

The editor rejoices that, speaking to a New York audience last month on the grotesque failure of the American press to report Northern race strife along with the Southern, he concluded —"But the American press will land on its feet."

Montgomery, Ala.

Had we failed to foresee that, we would now be embarrassed by the balancing endeavor now in evidence among the more alert and sensitive Northern newspapers.

Sun. 5-11-56

Particularly does this apply to *The Des Moines Register*, whose editorial is reprinted in adjoining columns. It had often struck us that the Midwestern papers were the most obscurate and uncomprehending about race matters, probably because they are more isolated from the centers of Negro population. The New York editors are romantics about the glamorous dispensa-

P. 4-A

Published In Askelon—III.

Advertiser P. 4-A
Montgomery, Ala.
Fri. 5-11-56

'This Southern Journalism Is Good'

Editor Lauren Soth In The Des Moines Register

THERE is much that is negative and backward-looking in the South's reaction to the series of recent U.S. Supreme Court decisions on human rights.

But by no means all. There has been a lot of hard thinking and a lot of originality shown in meeting the startling new situations the South is beginning to have to face.

In Montgomery, Ala., first capital of the old Confederacy, two creative responses to the new situation have appeared.

One was the disciplined effort of the Negro community of Montgomery to carry out its boycott against the local transit bus system in a spirit of Christian love and Gandhian non-violence.

The other is the continuing newspaper campaign by *The Montgomery Advertiser* under the title, "Publish It Not In The Streets Of Askelon."

Grover C. Hall Jr., editor-in-chief of the daily paper, felt that in the Autherine Lucy case and in the bus boycott newspapers in the North were playing up the South's racial difficulties and concealing their own. He has a theory that Negroes encounter rejection wherever they migrate in sufficient numbers.

But instead of just asserting it and letting it go at that, he set his able staff to gathering facts—and printing them. He embarrassed a number of Northern editors and publishers by smoking out the fact that few of them publish pictures of Negroes in their "Society" sections — and perhaps accelerated a reform that is long overdue. He found suburbs of Detroit where Negroes are effectively prevented from buying or renting living quarters. He found fiery crosses and school segregation in Ohio, bombings and a heavy police guard over Negroes in the Trumbull Park housing development in Chicago.

He attracted attention throughout the nation to the complex, rapidly-changing facts of what is actually a national problem of human adjustments, not just a Southern problem of "race."

We don't suppose either Hall or very many white readers of his paper see this problem as one of adjustment. So far they are just finding additional "proof" for their original contention that Negroes are objectionable and Northerners hypocritical or ignorant.

But since the bus boycott, Montgomery whites are no longer so sure they "know" their own Negro neighbors. By the time *The Advertiser* finishes its "Publish It Not" series, a good many brash generalizations that flourish North and South will be subtly infiltrated with stubborn, complex, contradictory facts.

tion of the U.S. Supreme Court, but they seem to be listening even when they have snapped off their hearing aids.

But now to hand is the *Des Moines Register* editorial. It is a handsome editorial, much appreciated by us. *The Register* is one of the foremost American newspapers, but it is owned by the Brothers Cowles, proprietors of *Look*—without question the dizziest of publications when reporting the Negro. The editor of *The Register* is Lauren Soth, winner of this year's Pulitzer Prize for the finest editorial writing in 1955.

At the risk of claiming more than is our due, *The Register* editorial reminded us of our April meeting in Washington with Soth. We exchanged pleasantries about *The Advertiser's* series on Northern Jim Crow and we asked our friend why he didn't vary his menu with some revelation of Iowa race discrimination. Soth said that none such existed. We told him about sending for a research document by an Iowa professor revealing the standard American discrimination in Iowa. Soth appeared to think his Alabama colleague was pulling his leg, shook hands and moved on. We reflected: "Those Midwesterners know how to grow corn and feed cattle, but that's all you can penetrate their skulls with."

That was erroneous. Hardly had we returned to Montgomery than we read a *Register* editorial on Iowa discrimination against the Negro, and it revealed comprehensively just what we had it in mind to reveal. Soth was responsible for that. Further, we understand *The Register* ran the recent *New York Times* series on Northern race discrimination.

Then, on top of that, *The Register* comes through with today's editorial. This is the handsomest thing Iowa has done since 1939 when a deputation of Iowa legislators traveled to Montgomery to return the Alabama battle flags captured by Iowa soldiers in the Civil War.

But what Southerners must understand is that the Northern press is not cold to truth and reason. We cannot make much time with lustful Northern politicians, but we can make time with the Northern press. It simply has to catch up with the story that the Negro has migrated to the North and that he is encountering rejection. And eventually the Northern press will be asking itself, What is the basic difference in the emotional nature and morality of the Northerner and the Southerner?

It will not—*The Advertiser* must say again—relieve the South of its problem to reveal that Northern citizens react to Negroes en masse the same as Southerners, for despite the spectacular migration now in progress, the South will continue to have the mass of the Negro citizenry.

But truth is always worth revealing for its own sake, and more than that, if the Northern press is led to tell its readership the facts, it will diminish the ignorant, impatient clamor that the South conform immediately if not sooner.

Enlightenment of Northern editors is an essential. They must cease to associate the South and race prejudice as inevitably as spaghetti & meat balls, and see that it exists wherever the Negro migrates in significant numbers.

It would be interesting to have the editor of *The New York Times* and the *Los Angeles Times* estimate how many Negro citizens they have ever met and talked to. The number probably would be piddling.

38a 1956

SERIES - by- ELGIN WILLIAMS

Road To Integration

Informer Houston, Tex.

(Eleventh In A Series)

By ELGIN WILLIAMS

Sat. 1-14-56

Last week I had an interesting experience. I asked a member of the board of directors of the Austin Civic Theatre whether he had integrated or not. Usually one finds that actors are among the most progressive people and the least socially prejudiced in any given city. However, this man was an exception. He immediately began to throw facts and figures at me. He said that the people of Austin, including the members of his own theatre, would not approve of integrating its civic theatres which existed to minister to the social and artistic needs of the city. He said furthermore the Austin population would support good plays such as those of Sean O'Casey, Federico Garcia Lorca, and Barrie Stavis.

He went on to state as his sixty-four dollar argument that really good plays by playwrights such as I have named would not be attended by the people of Austin because most of the people are illiterate, uneducated Negroes and Mexicans.

He told me with a straight face that one third of Austin's population of 100,000 is Negro, one third is Mexican and the remaining one third is "white" — all of this as if he were an authority on statistics. In other words, this gentleman likes to have his argument both ways. On the one hand, he wants to be able to say that most of the people in Austin are white and will not tolerate a mixed theatre which would among other things produce modern progressive plays. On the other hand, he wants to be able to say that most of the people of Austin are not "white" and therefore presumably uncultured and therefore the civic theatres can't produce anything except Broadway junk and melodrama.

In fact there are about 32,000 Negroes in Austin and an equal number of Mexicans. In other words, one out of eight Austinites is a Negro and one out of eight is a Latin-American. Six out of eight are white Anglo-Americans.

It is well known, moreover, that minority groups are receptive to new ideas on the stage as elsewhere.

Furthermore, theatre groups in which both whites and Negroes participate have produced many great advances in American theatre history, notably during the depression in the WPA Theatre.

The Austin Civic Theatre could do well for its box office receipts, for its community relations, and for its contribution to dramatic art by integrating. I hope they integrate.

And I hope that these statistics will provide some small help as they start down the road to integration which everybody in this city from school children to the governor has begun to travel.

I believe that Austin actors will find that integration and a higher level of dramatic art will go together. Already they have scheduled the play, **Tobacco Road**, by Erskine Caldwell, to open January 20. This is a step in the right direction, because like James Joyce, O'Casey, Isben, and Shakespeare, Caldwell writes about real life.

The next step is integration. With integration the civic theatre will find itself producing more and more serious plays of high artistic calibre. Real life cannot be exiled from a theatre to which Negroes are admitted.

Decision Dodgers Hit Anti-Segregationists

World Fri. 3-16-56 P. 1

B'ham, Ala.

South Carolina Page Boy Fired By Legislators

COLUMBIA, S. C. — (INS) — The South Carolina legislature fired a 23-year-old page boy Wednesday for writing an anti-segregation article in a school newspaper.

Raymond L. Morton, a sutdent at the University of South Carolina, wrote an article in the Gamecock, the student publication, in which he severely criticized the state legislature for its anti-segregation activities.

He charged:

"The state senate and Southern governors have become an embarrassing sound truck for the South in the handling of the segregation issue."

He wrote that he was "ashamed to be called a Southerner" and that he was one "only by the biological accident of birth."

In announcing Morton's discharge from the $44-a-week part-time job, Lt. Gov. E. F. Hollings said:

"No employe who has made such criticisms could be kept on the payroll."

World

Morton explained that the article was merely an experiment to test campus reaction and added that he had already written another article explaining his motives. He said:

P. 8

"I didn't explain that ahead of time so I probably got what I deserved."

In the article he also criticizes a deceased aunt for "her ignorance and superstition" in refusing to allow him to associate with a Negro friend when he was a child.

"Her stupidity is reflected and echoed in every white citizens council in the South today," he declared.

Shoot Into NAACP Head's Home Again

Afro-A Mercor P. 3

Baltimore, Md.

By JOHN H. McCRAY

LAKE CITY, S.C. — Two shotgun blasts, fired almost simultaneously, smashed through the front door and a front window of the home of this city's NAACP branch president, Walter Scott, about 1 a.m. Sunday.

It was the second such attack on the Scott residence within one month.

They came four months after the parsonage of the Rev. J. A. DeLaine was fired upon and his flight from the state after returning the fire from an automobile in which four white men were riding.

Two of the occupants of the car were slightly injured by the Rev. DeLaine's bullets.

Sat. 3-17-56

AS IN the Rev. DeLaine case, Lake City and Florence County police officers say they have found nothing of evidence on which to make arrests.

Officers say the first shooting was reported to them a day late. They are "investigating" the Sunday morning shooting, they reported.

Mr. Scott said he had prepared for bed, Sunday morning and was resting on a studio couch near the front door when he heard a car stopped before the house.

The shotgun blasts followed immediately and the automobile sped away before he could see it, he stated.

He was uninjured. The first shooting occurred while he was attending church services, he said.

* * *

CIVIC LEADERS suspect that the Scott shooting climaxed a long campaign to intimidate Mr. Scott under an economic pressure campaign launched by the Lake City White Citizens Council, organized last summer.

Despite vigorous WCC efforts, they say, his employers at an automotive concern have refused to fire him.

The Scott "shooting" raised to six the number of similar incidents in recent months which have remained "unsolved."

Two similar attacks have been reported on the Fleming-DeLaine Funeral Home at Manning.

An unpublished shooting into the home of an Elloree woman, and the shooting into the home of NAACP State President James M. Hinton, a month ago, are affirmed incidents.

South Carolina Page Boy Fired By Legislators

Daily World P. 1 Thurs. 3-15-56

Atlanta, Ga.

COLUMBIA, S. C. — (INS) — The South Carolina legislature fired a 23-year-old page boy Wednesday for writing an anti-segregation article in a school newspaper.

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"No employe who has made such criticisms could be kept on the payroll."

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"I didn't explain that ahead of time so I probably got what I deserved."

In the article he also criticizes a deceased aunt for "her ignorance and superstition" in refusing to allow him to associate with a Negro friend when he was a child.

"Her stupidity is reflected and echoed in every white citizens council in the South today," he declared.

Pointing out that over $35,000 is being spent to keep fewer than six students at the law school, the group asked that they be admitted to existing colleges in the state.

State students eligible for out-of-state aid should also be admitted, the group said.

* * *

THE LEGISLATURE was asked to outlaw White Citizens Councils and other groups "whose membership is restricted by race and color."

Lawmakers were also asked to drop "obsolete" state laws requiring segregation in travel and recreational facilities.

The recommendations were sent to the members of the Legislature, Gov. George B. Timmerman Jr., South Carolina members of Congress and the press.

The committee set April 8 for its state convention in Columbia. It called for an interracial delegation to the Democratic National Convention.

Closed park, but open case

Afro-American Baltimore Md.

CHARLESTON, S.C. — Al-

Repeal segregation laws — S.C. Dems

Afro-American P. 4 Baltimore Md.

Sat. 3-17-56

COLUMBIA, S.C. — The executive committee of the South Carolina Progressive Democrats has asked the State Legislature to repeal all laws alluding to race.

This recommendation was included in a six-page statement drawn up in the committee's biennial session at Carpenter's Hall Sunday.

* * *

AN INTERRACIAL state commission to deal with the school issue was called a "necessary first step" toward integration by the committee.

The group also asked the repeal of state laws governing the law school at the state college in Orangeburg and out-of-state scholarships for colored students.

though, the State Legislature has closed Edisto Beach State Park the issue is still alive.

John H. Wrighten, attorney representing the plaintiffs who sought admission to the park, indicated this last week.

Sat. 3-17-56

He revealed that Federal Judge Ashton H. Williams had written attorneys for the state and the plaintiffs that since the legislature had passed legislation to close the park, he felt that the case was no longer active.

P. 3

Mr. Wrighten said that the issues have not been decided by the assembly's action. "By the same token the state closed the park, it can be opened through the same means," he said.

Judge Williams set March 21 as a hearing date on the case. He has been asked for a ruling

ane way or the other to permanently settle the case.

Negroes Will Continue Fight In Park Case

Daily World Fri. 3-16-56 P. 1

Atlanta, Ga.

CHARLESTON, S. C. —(ANP)— Despite closing of Edisto Beach State Park by the state legislature, Negroes here announced last week that they will not abandon their right to seek admission to the park when and if it is reopened.

Atty. John H. Wrighten, one of the lawyers representing the four Negro plaintiffs, wrote federal Judge Ashton H. Williams that he and other lawyers will be in the U. S. Courtroom March 21, the date set by Judge Williams for the hearing.

The judge had written attorneys for both sides explaining that since the General Assembly had passed the law enabling the State Forestry Commission to close Edisto Beach Park, he saw no reason to continue the case.

Wrighten, in his letter, says the issues are not decided by closing the park.

Because the park is closed "by the same token the state closed the park it can open the park thru the same means," Wrighten said. "Therefore, this matter would never be settled if we were to withdraw our complaint at this time."

He added that the plaintiffs feel that the court should rule one way or the other so the matter may be permanently settled.

Condemn South Carolina Bias

World P5 Fri. 3-30-56

NEW YORK — The NAACP's objective of "first class citizenship for Negro Americans according to the Constitution and the laws of the land" apparently are "incompatible with the South Carolina conception of Americanism," Roy Wilkins, the Association's executive secretary, said here in commenting on South Carolina's newly enacted law barring NAACP members from employment by the state or any city or county in the state.

In signing the bill, Governor Geo. Bell Timmerman characterized the NAACP as an "insidious" organization trying to upset the laws, customs and traditions of the state and creating "turmoil" between the races. Apparently the bill is an effort to intimidate teachers as they are the only large group of public employees from which NAACP membership is recruited in the state.

Meanwhile, in Columbia, Rev. James M. Hinton, president of the South Carolina State Conference of NAACP Branches, announced that "this new discriminatory law will be tested in the federal courts, and little time will be lost in bringing such a case." He charged that the law "is a violation of rights guaranteed under the United States Constitution, and is a gross discrimination against those who join the NAACP," and predicted that it "will not stand the test before the courts of the land."

At Greenville, S. C., Dr. George F. K. Naylor, a visiting Australian Professor at Furman University, denounced the new law as embodying "the very principles of persecution which we resent as being characteristic of communism."

"A certain organization," he said, "whose social objectives appear to have been pursued with complete legal propriety has been selected as a victim to be persecuted because its views differ from those of the ruling classes."

Page boy pans S. C. senators, loses his job

Afro-American Baltimore, Md. Sat. 3-24-56

COLUMBIA, S.C. — Raymond L. Morton, 23, page in the South Carolina Senate and student at University of South Carolina, was fired last week for criticizing the solons' anti-integration stand.

Mr. Morton's article appearing in the Gamecock, student weekly at the university, said the "senate is intent on circumventing integration."

* * *

CONTINUING, he pointed out that he is a southerner by the "biological accident of birth," he added "I am ashamed to be called a southerner."

The student's ire was directed principally at bills barring NAACP members from state payrolls and allowing police officers to remove from a "white" school any child enrolled there by court order.

Segregation bills, page boy featured in S.C. Legislature

News & Courier Thurs. 3-15-56

COLUMBIA, S. C., March 15—(AP)—Three segregation bills and a page boy who got fired for criticizing the state Senate's segregation activities featured the legislative scene here yesterday.

Chief among the bills is a House-passed measure which would fire from state, county or local employment any members of the National Assn. for the Advancement of Colored People. The bill also would ban any future employment of NAACP members on South Carolina government payrolls.

THE 23-YEAR-OLD Senate page boy, Raymond L. Morton, was sacked for an article which appeared in The Gamecock, student weekly at the University of South Carolina.

"It was an experiment to test campus reaction," Morton said, "but I didn't explain that ahead of time and so I probably got what I deserved."

Morton's article said the Senate is "intent on circumventing" integration. It added: "I am ashamed to be called 'a Southerner'," and that he was a Southerner by "the biological accident" of birth.

TWO OF THE segregation bills went to Gov. George Bell Timmerman Jr. for his signature or veto.

One would allow police officers to transfer a Negro child enrolled by court order at a white school back to a Negro school to avoid "civil commotion."

The other would create a legislative-governor's committee to investigate the effect of activities of the NAACP at State College for Negroes.

HOLLINGS' OFFICE confirms the firing but no statutory reference was given. Newsmen speculated that the di[illegible] was made on the general theory that criticism by an employee was adjudged unwholesome.

But Morton wrote that Southern governors and legislators, now trying to circumvent the Supreme Court's school ruling are "embarrassing sound trucks for the South.

"I am ashamed to be called a Southerner," the youth who said he hopes to teach in the state, declared.

* * *

"TEXT OF THE article follows:

"Man's first passion was a grunt. With evolution he was molded and shaped his emotions with color and song and speech. Sing we must, else go mad. Speak we must, else the throat choke and burst with silent truths. Speak we must, before it is too late. Listen.

"I am ashamed to be called a 'Southerner.' By biological accident, I, like most of you, am a native South Carolinian. With you, I am a student at the University of South Carolina, a rather large school, admirably progressive in everything except the desire to forget the past.

"THROTTLED BY this slavish and solitary stigma, we are not attempting to free ourselves. Unconsciously we have been smothered and strangled with tradition, the so-called 'Southern' tradition, a backward-looking and odious attitude appropriately attributed only to the United Daughters of the Confederacy.

"For several years I have been a page in the State Legislature. They, too, form a rather large school. And this is a monumental session in 1956.

"Arrested by the decision of the 'nine evil old men' on the United States Supreme Court, they are intent on circumventing movements which would abolish segregation in our state. Southern governors and legislators have been the embarrassing sound trucks for the South.

"Tempered by custom, they speak with weighty, obstreperous and irrational voices. Never have they spoken for me and some of you. Never could they speak for those who feel as we do.

* * *

"BEING A Southerner, my decrying segregation is worse than damning a venerable old god. But most gods are merciful and understanding; many Southerners are not. Most gods are forgiving and broadminded; most state legislators are not.

"Twelve miles below Columbia on a bluff overlooking the Congaree Swamp, I was born. Clearly I remember racing through the haystacks, over the holy pastures green and blithe with the confusion of youth.

"The fields sang to us and our bodies ripened in the sun. My only playmate was Freddy, a Negro, and nothing I cared about the color of his skin.

"He was as young and free as I and every moment as merry. Then, one day, my visiting Auntie, an enormous woman who smeared lipstick on her forehead when she smiled, saw us drinking from the spring.

* * *

"WITH ALL the affected dignity of a Southern lady, she informed me that Freddy was a 'n—r,' and should never be caught drinking from the spring again. Freddy cowered away dumbfoundedly. I was abashed.

"Auntie died two years later, and both Freddy and I watched the funeral less than a hundred yards from the spring. There I discovered suddenly not sorrow, but hatred.

"I wanted to kick dirt in her embalmed face, a face representative of the ignorance and superstition of generations past.

"But Freddy cried, and all the fears of his young dark world cried pity, not hatred. Now Freddy is a part of a Korean hillside, and he died for the grace of people like Auntie.

"But Auntie's temperament did not die with her. Her stupidity is reflected and echoed in every Citizens' Council in the South today.

"THIS AMERICA IS: Sing to me of the sunlight of the human spirit pouring through open windows.

"This the South is: Slur to me your syllables of interposition.

"This America is: Show, don't dream to me of human dignity.

"This the South is: Move to the rear of the bus."

'I'm ashamed,' writes student; fired in S.C.

Afro-American Baltimore, Md. Sat. 3-24-56

COLUMBIA, S.C.—Lt. Gov. E. F. Hollings, Senate president, dismissed a legislative page Tuesday, following publication of an article the page is believed to have written in the University of South Carolina's student publication, The Gamecock, favoring integration.

Fired was 23-year-old Raymond L. Morton, an English major senior, whose March 9 Gamecock item criticized the state Senate and backers of segregation.

He drew $44 weekly take home pay and had been appointed a page in 1951 by Gov. George B. Timmerman Jr., who was then Lieutenant Governor.

MINISTER CLEARED ON FUGITIVE COUNT

Times

No Extradition Papers Filed for Desegregation Leader by South Carolina

P. 29

Proceedings against the Rev. Joseph A. DeLaine, African Methodist Episcopal minister charged with being a fugitive from South Carolina, were dismissed yesterday in Felony Court. Times 1-17-56

Magistrate David L. Malbin dismissed the warrant against the Negro minister after having been informed by Assistant District Attorney Carl A. Vergari that no extradition papers from South Carolina had reached New York. Newspaper

Mr. DeLaine was charged in Lake City, S. C., with felonious assault for assertedly shooting at a group of white persons. Mr. DeLaine contended that he had fired only in self-defense at the persons who, he said, were in automobiles that had sourrounded his home. The 56-year-old minister has been a leader in the fight against segregation, particularly in the schools.

Mr. DeLaine and his wife fled their Lake City home after the incident and received shelter in this city from the Right Rev. D. Ward Nichols, Presiding Bishop of the church's New York, New Jersey and Pennsylvania district.

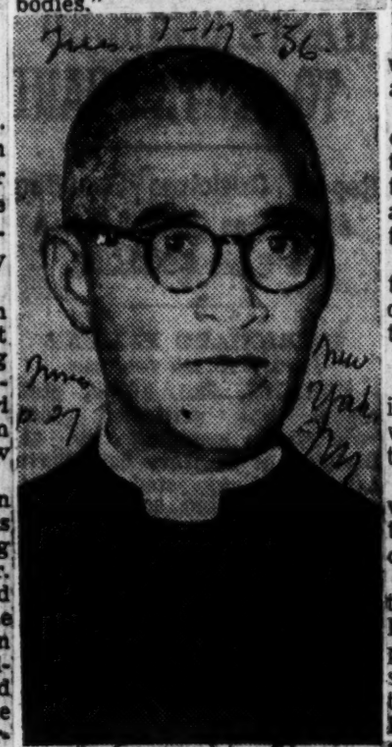
Minister Cites 'True Justice'

Outside the courtroom Mr. DeLaine, who calls himself a "political fugitive," said his being set free was an "example of true justice."

Bishop Nichols, who has assigned Mr. DeLaine as an assistant pastor at the Bethel A. M. E. Church at 65 West 132d Street, said that dismissal of the charge against Mr. DeLaine "strengthens belief in democracy."

"Throughout the entire South," Bishop Nichols said, "particularly in the states of Mississippi and South Carolina, groups of so-called citizens' councils are seeking by terror and intimidation to deprive not only Negroes but other whites as well of the fundamental rights of our democracy. Indeed they are conspiring to teach and overthrow the very pillars of social structure.

"One bright spot in this otherwise dark picture," he continued, "is the increasing tempo of the role of our churches as led by determined and dedicated men such as the Reverend DeLaine. These forces of evil will have to combat the full moral force of the Christian Church allied with other God-fearing religious bodies."



Times 1-17-56

Times p. 29

New York Times

38a 1956

Associated Press

CHARGE DISMISSED: The Rev. Joseph A. DeLaine, who was charged here with being a fugitive from justice. He was indicted in South Carolina for felonious assault.

Malbin ordered charges against the minister dropped when South Carolina failed to file an extradition request.

* * *

MOORE WAS one of four whites in the car upon which the Rev. Mr. DeLaine fired near his Lake City parsonage the night of Oct. 10. The minister said the car contained persons who were shooting up his home and he shot back to "mark it."

Timmerman, who on two occasions belabored the U.S. Justice Department for its refusal to arrest DeLaine, last month advised Florence County authorities.

It is not in the best interest of the South Carolina to seek extradition of the pastor who started the Clarendon County Case.

* * *

LAST WEEK told one lawyer in the case: "South Carolina is well rid of this professional agitator," referring to DeLaine.

Two men riding with Moore were injured by flying metal after a DeLaine bullet struck the car.

Subsequent revelations disclose that the fiery cleric and Moore had previously engaged in a dispute, arising out of a misunderstanding at Moore's filling station, located a block from the DeLaine parsonage.

Rev. DeLaine Cleared Of S. C. Fugitive Charges

Daily World P. 1 Atlanta, Ga.

NEW YORK — (ANP) — Rev. Joseph A. DeLaine, an AME minister charged with being a fugitive from justice in South Carolina, walked out of felony court a free man Monday after Magistrate David L. Malbin dismissed the charge.

The minister, a leader in the fight against segregation in schools, was charged in Lake City, S. C., with felonious assault for shooting at a group of white men. He contended that he fired in self-defense at the men who, he said, were in cars that had surrounded his home last October 10. 1-24-56

Magistrate Malbin cleared him of the fugitive count because no warrant has been received from South Carolina since the minister surrendered voluntarily to the New York district attorney November 25.

Rev. DeLaine and his wife fled their Lake City home after the incident and took refuge with Bishop D. Ward Nichols, presiding bishop of the AME church's New York, New Jersey and Pennsyvania district.

Outside the courtroom, the clergyman hailed his release as an "example of true justice."

Bishop Nichols, who has assigned Rev. DeLaine as an assistant pastor at the Bethel AME church here said that dismissal of the fugitive charge against the minister "strengthens belief in democracy."

"Throughout the entire south," Bishop Nichols said, "particularly in the states of Mississippi and South Carolina, groups of so-called terror and intimidation to deprive citizens' councils are seeking by not only Negroes but other whites as well of the fundamental rights of our democracy. Indeed they are conspiring to teach and overthrow the very pillars of social structure.

"One bright spot in this otherwise dark picture," he said, "is the increasing tempo of the role of our churches as led by determined and dedicated men such as the Rev. DeLaine. These forces of evil will have to combat the full moral force of the Christian Church allied with other God-fearing religious bodies."

Timmerman silent on DeLaine release

Afro-American P. 1 Sat. 1-28-56 Baltimore, Md.

COLUMBIA (S.C.) — Gov. George Bell Timmerman had no comment about the release in New York City of the Rev. J. A. DeLaine, former Lake City AME pastor, freed of a criminal warrant charges last Monday.

Magistrate David L. Malbin ordered dismissed in New York's Felony Court Monday, a fugitive warrant charge against the Rev. Mr. DeLaine, indicted last fall on an assault and battery charge filed in Florence County by James (Jack) Moore, white, of Lake City.

Shotgun Blast Rips Home of J. W. Hinton

Afro-American P. 3 Sat. 1-28-56 Baltimore, Md.

... By JOHN H. McCRAY

COLUMBIA (S. C.) — A shotgun blast, which boared through the walls and shattered a wall mirrow on the first floor, was pumped into the two-story farm home of James M. Hinton, state NAACP president, late Monday night.

Mrs. Hinton, placing the incident at "about 10 minutes of midnight," said she saw "an old model car" speeding away from the scene "making a lot of noise," a moment or two later.

No one was injured.

* * *

IT WAS ther fourth shooting-up of residences of NAACP leaders since last September, South Carolina-wise.

The Columbia Detective Division was investigating the Hinton shooting. But three days afterwards, although both had been notified and requested to enter the case, there was no official word indicating that the Richland County Sheriff's office, or the FBI, had joined city police.

It was the second act of violence directed against Mr. Hinton since he became state NAACP president in 1941.

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IN 1949, a group of unidentified white men kidnapped him from his boarding place in Augusta, Ga., rode him into the woods and for some unexplained reason, released him without harm some distance away.

Mrs. Hinton told the AFRO, in brief:

She had returned around 9 p.m. from a PTA meeting at Booker T. Washington High School and after reading the afternoon paper, had gone upstairs, listened to two late news radio broadcasts and prepared for bed.

"I was in bed shortly after 10:30," she said, "but wasn't yet sleepy."

She was listening to the radio in her room and was about to turn it off when she heard "a terrific crash against the house."

MRS. HINTON said she rushed downstairs and discovered glass on the stairway. She saw her mirror on the wall of the reception room smashed, heard a car roaring away and dashed to the front porch to see it disappear.

Returning to the reception room, located at the southeast front corner of the house on Heidt St., she noted that shotgun pellets had done the damage. They were of the buckshot variety.

She notified her husband, who was in Augusta, Ga., and then police.

Earlier in the night after returning from the meeting, she said, she heard what she thought were two other blasts in the Lady St block along the west side of the home, while reading her paper downstairs.

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AT ONE point, she said, "I heard a woman's voice saying, 'Let me out of this car."

It was not clear, however, whether these two blast were actually shots or backfiring of an automobile which may have had trouble.

Local papers had not reported the shooting Thursday, possibly because Mr. Hinton, his wife said, didn't want the incident publicized. However, news of it had stirred Columbia and a committee of men had been patrolling the Hinton home area, "heavily armed," since Tuesday night.

* * *

EFFORTS TO reach Mr. Hinton by telephone in Augusta were not immediately successful. His office reported him in Thomasville, Ga., on company business.

Other recent shootings occurred in Manning, where on two occasions shotgun blasts were pumped in the funeral home of Billy Flemming, a nephew of the Rev. J. A. DeLaine.

The Rev. Mr. DeLaine's former parsonage at Lake City, DeLaine said, was fired upon about 11:30 the night of last Oct. 10. He returned the pistol fire and immediately fled the state to New York City.

Rev. DeLaine, Wife Fugitives No More

Afro-American Sat. 1-28-56 P. 18
Baltimore, Md.

NEW YORK—"I am a political fugitive and my freedom is an example of true justice."

So observed the Rev. Joseph A. DeLaine, AME minister, Monday, after charges of being a fugitive from South Carolina were dismissed in Felony Court.

Magistrate David L. Malbin dismissed the warrant against the minister after having been informed by Assistant District Attorney Carl A. Vergari that no extradition papers from South Carolina had reached New York.

* * *

THE REV. MR. DELAINE was charged in Lake City, S.C. with felonious assault for assertedly shooting at a group of white persons.

The minister contended that he had fired only in self-defense at the persons, whom he stated, were in automobiles that surrounded his home.

The 56-year-old minister was a leader in the fight against segregation, particularly in the schools.

* * *

HE AND HIS wife received shelter in New York City from Bishop D. Ward Nichols, who presided over the AME's churches in New York, New Jersey and Pennsylvania.

The Rev. Mr. DeLaine is an assistant pastor at the Bethel AME Church at 65 West 132nd St.

After the soft-spoken "refugee" made his brief statement, outside of the courtroom to reporters, Bishop Nichols commented:

"Throughout the entire South, particularly in the states of Mississippi and South Carolina, groups of so-called citizens' councils are seeking by terror and intimidation to deprive not only colored persons but other whites as well of the fundamental rights of our democracy.

"Indeed they are conspiring to teach and overthrow the very pillars of social structure.

* * *

"ONE BRIGHT spot in this otherwise dark picture is the increasing tempo of the role of our churches as led by determined and dedicated men such as the Reverend DeLaine.

"These forces of evil will have to combat the full moral force of the Christian Church allied with other God-fearing religious bodies."

REV. J. A. DeLAINE

RACIAL ISSUE SHUTS SO. CAROLINA PARK

Sunday 2-12-56
New York

EDISTO BEACH, S. C., Feb. 9 (UP)—The Edisto Beach State Park, which is under attack in the Federal courts for racial segregation, was closed today by the State Commission of Forestry. Sun. 2-10-56

One of twenty-one South Carolina state parks, Edisto is the first public facility ordered closed in the state as a result of the segregation crisis.

In several other places in the South public park and golf course facilities have been leased for token sums to private organizations to keep them segregated. Georgia has a new law authorizing sale of public parks threatened with racial integration.

Park Superintendent Donald B. Cooler said here that he had received orders yesterday from T. O. Ravenel, assistant state parks director, to close the parks. Mr. Cooler said Mr. Ravenel had told him the forestry commission had voted unanimously to order the park closed.

The park is the only one in the state system that is segregated by a specific act of the Legislature. Other parks fall under the general laws regarding segregation.

S. C. Park Awaits Integration Orders

Afro-American P. 3
Baltimore, Md.

CHARLESTON, S.C. — An order to remove "white only" signs from Edisto Beach State Park was taken under advisement Monday by Judge Ashton H. Williams in U.S. District Court here after four plaintiffs sued to wipe out racial lines.

Plaintiffs in the injunction suit are Mrs. Etta Clark, J. Arthur Brown, John L. Chisholm and Charles C. Mason, all officers of the local NAACP. They are represented by John H. Wrighten of this city and W. Newton Pough of Orangeburg.

Sat. 2-18-56

WHILE REPEATING his disagreement with the May 31 U.S. Supreme Court decision which struck down segregation in public schools, Juge Williams indicated that he would sing the order banning segregation at the park.

He pointed out that integration might lead to racial unrest at the state park, but made it clear that his personal beliefs had no weight since he was bound by rulings of both the Supreme Court and Fourth Circuit Court of Appeals.

None of the remaining 20 state parks, five of them set aside for colored persons, would be affected by the Edisto Beach case, counsel for both sides and Judge Williams agreed.

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IT WAS pointed out by counsel for the state that the Edisto Beach Park is the only one segregated "by law," it having been created by a special legislative act under which all save white were excluded in 1935.

On the other hand, legal experts assert that although integration could be effected at the other parks without action, it might still be necessary because of the long standing practice of exclusion followed at socalled "white beaches."

Both Mrs. Clark and Mr. Brown testified that after trying for five years to get a state park in this area, they and other plaintiffs wrote to the Edisto Beach superintendent last May for permission to use it.

The superintendent, Donald B. Coller, named defendant in the suit and the only state witness, testified that he had rejected the request of the plaintiffs because state law forbade use of the park by colored persons.

* * *

JAMES S. VERNER, assistant attorney general, whose argument was in the main an attack on the NAACP and a charge that the case was "trumped up" in agitation drew a near shouting taunt from Mrs. Clark.

Telling her that her insistence upon integration would probably result in closing the park, thus depriving white people of the use of its facilities, he asked: "Does this mean anything to you?"

Mrs. Clark replied: "They never cared how I suffered. Why should I worry over them now?"

In a lengthy exchange from the bench with Mr. Brown over what might happen if the park is integrated, Judge Williams said it might result in "criminal elements from both sides" provoking trouble.

* * *

MR. BROWN replied: "Sometimes we contemplate something is going to happen, we wait for it and it never does happen."

He then cited harmonious interracial voting in Democratic primaries here integrated relations at the local Navy Yard and use of facilities in the Federal court building (in which the hearing was held) as examples of how things might actually work out.

"Your honor, I find that people generally manage to work out things among themselves if given the chance," Mr. Brown told the court.

Mr. Brown agreed with Judge Williams that at first there might be some reluctance on the part of white persons, but added that that reluctance would disappear in time.

* * *

JUDGE WILLIAMS' action on the order is expected soon, following submission of final briefs by counsel for the state, represented at the hearing by Mr. Verner and Attorney General T. C. Callison.

Other defendants in the case, in addition to the park superintendent, are C. H. Flory, state forester, and C. West Jacobs, state parks director.

Following the hearing, which began at 10 a.m. and ended shortly after 1 p.m., the AFRO questioned some 39 colored spectators (15 whites were also present in the tiny courtroom) on their reactions to closing of the park as had been threatened.

They were unanimous to a person in the opinion:

* * *

"HOW CAN we miss something we've never had? Well, if nobody has a park around here, then we'll all be in the same boat, which is exactly what we want. Perhaps we'll then be paying less for the white man's so-called 'exclusive' rights."

Two days after the hearing, faced with the threat of an integration order by Judge Williams, a legislator introduced a bill in the legislature Wednesday aimed at preventing integration at state parks.

The bill, which would close "forthwith" Edisto Beach State Park and remand it to the custody of a caretaker "until such time" as further action is deemed necessary, was sent to the senate finace committee.

NAACP Maps Court Fight Against So. Carolina Ban

Columbia, S. C. (ANP)—State NAACP President James M. Hinton, serving notice that South Carolina has another court battle on its hands, issued a "to whom it may concern" letter last week stating the NAACP will test in federal court the state's new law banning NAACP members from public employment.

Declaring that the law is unconstitutional and a "gross discrimination" against NAACP members, Hinton said "little time will be lost" in bringing a test case.

The controversial law was enacted by the General Asembly and signed by Gov. John Bell Timmerman two weeks ago. It states that NAACP membership is "wholly incompatible with the peace, tranquility and progress that all citizens have a right to enjoy."

Hinton said the General Assembly should recall 1944, when as assembly removed all primary laws from the books in an effort to block Negro primary voting. He pointed out that the federal courts then "lost no time in opening the South Carolina Democratic primary to Negroes."

"History will repeat itself," he added.

"Night Riders" Fire Into Motel

COLUMBIA, S. C. (ANP) — White "Night Riders" last week showed their approval of the state legislature's crackdown on the NAACP by firing a shotgun blast into a motel owned by an NAACP official.

The blast, fired from a passing automobile knocked out a neon sign in front of the Silverbeth Motor Court owned by Mrs. Andrew W. Simpkins secretary of the state branch of the NAACP.

Only a few hours earlier, Gov. Bell Timmerman had signed an anti-NAACP bill which bars state employees from membership in the civil rights group.

Sam Wilson, manager of the motel which is eight miles north of here on U. S. Highway No. 1 said he saw the shot fired but was unable to get a look at occupants in the car.

The shot was the second fired into the motor court in eight days. The first one broke several window panes and punctured screens, but no one was hurt.

A month ago, a charge of buckshot was fired into the front door of the Columbia home of James M. Hinton, state NAACP president.

White Ministers Of S. C. Town Not Willing To Confer With Negro Group

Dr. Odell R. Reuben, president of Morris College, Sumter, S. C., was the guest speaker on Friday at Florida Normal and Industrial Memorial College in St. Augustine in a special chapel sponsored by the Student Council, with Jefferson Jones of Gainesville, vice persident of the council presiding.

In a very forceful presentation Dr. Reuben used the parable of the Good Samaritan to delineate the three philosophies which are at work in the world today as truly as in the time of Jesus. The robbers who set upon the man going down to Jericho represent the way of POWER, the way of MIGHT. "But," said the speaker, "the way of power and might will never bring to our world peace and happiness for mankind."

In maintaining that any system, any nation, or any world which bases its way of life on the philosophy of power, of majority rule in the sense of exploitation of any people, will eventually come to naught.

Dr. Reuben mentioned that the state in which he lives has passed a law making it impossible for any person affiliated with the NAACP to hold at state job. Another bill under consideration, he stated would cause any church in which an NAACP rally was held to lose its tax exemption.

The second philosophy, exemplified by the priest in the parable, and representing religion, was seen by the speaker to be **indifference**. Just as the priest in the parable "passed by on the other side," ignoring the ineeds of the man who had been beaten and left to die by the robbers, so many of the religionists of today might seem to be placing themselves in this category.

Dr. Reuben cited an effort on the part of the Mayor in the city in which he lives, "a lovely mayor—a woman," to bring together for conference on the school desegregation issue the ministers of the city, both white and colored. Most of the colored group came, the speaker stated, but the Mayor received a letter—in the meeting—from the white ministerial alliance which said, "We are sorry we cannot meet with you and participate in what you have in mind."

A startling illustration of the far-reaching effects of seemingly trival incidents was pointed up by the speaker, who stated he personally, only six days after the arrest of a visiting colored minister—because he entered the waiting room at the depot in Sumter, received a letter from a friend in Rome which mentioned by name the persons involved in this incident and spoke of the fact that the newspapers in Rome were making much of it to denote that the American way of life is not what it is claimed to be.

Bringing to a strong conclusion his plea for the choice of the Samaritan's way, Dr. Reuben pointed out that the Samaritan of the parable, although the "Jews had no dealings with the Samaritans," rose above the bonudaries of race and class and creed to recognize that this was a person created in the image of God and entitled to all the binefits of which he was himself entitled; so he got down off his horse to lend a helping hand. "Somehow" the speaker declared, "our world has got to see men as infiitely precious in the sight of God." Dr. Reuben recalled that Jesus, on one occasion, when he had restored the sight to a blind man asked what he saw; whereupon the man replied, "I see men walking like trees." Jesus, not satisfied with the reply, asked the question again, and was told, "I see men walking **like men.**" Dr. Reuben declared: "We must see men walking like men . . . Unless this comes about there will not be peace . . . The way of **power** is not the answer; the way of **indifference** is not the answer; but somehow the world must grasp the philosophy of the Good Samaritan."

Democrats Defiant In South Carolina

Special to The New York Times.

COLUMBIA, S. C., March 24—South Carolina Democrats closed ranks today and called for an organized stand for states rights at the party's national convention and afterward, if necessary.

The Democrats, at a state party convention, voted to reconvene after the National Convention, and urged other state parties to follow suit.

Today's biennial meeting was marked by an attempt to heal the schisms of the last eight years.

There was no mistaking the temper regarding states rights, the Supreme Court desegregation decision and related matters. Speakers were applauded as they condemned the Federal Government's "unlawful usurpation" of power.

In urging United action, the State party officially invited other parties to join in setting up a steering committee to draft a program of constitutional government for presentation to the national convention.

The invitation also suggested a meeting of all delegates from the South "and other interested states" at least a day before the National Convention to consider the steering committee program.

It proposed that all cooperating state conventions stand in recess, instead of adjourning, and be ready to meet again to consider such joint action as might be suggested by the steering committee.

This was interpreted as a threat to deny a majority of the Electoral College to either party if national tickets and platforms were unacceptable. Such a move could force the Presidential election to revert to the House of Representatives, in which each state would have one vote and a united South would be in a strong bargaining position.

Elects Delegation

The convention elected an uninstructed delegation of forty members, each with half a vote, to the national convention. Among them were Gov. George Bell Timmerman, Senators Olin D. Johnston and J. Strom Thurmond and State Senator Edgar Brown, who was renamed national executive committeeman.

Missing were former Gov. James F. Byrnes, who asked that his name not be considered, and most of the state's Congressmen.

In the strongest show of harmony, Senator Thurmond helped to escort Mr. Brown to the platform and chatted with him. Thus they publicly ended the bitterness that grew out of their 1954 contest for the Senate. Mr. Thurmond triumphed on a wave of write-in votes.

Governor Timmerman, labeling the move for desegregation "un-American," said a joint recessing of Southern party conventions would demonstrate to party leaders in other sections "that we wish to work out our problems within our own party if we can, but that we are determined to maintain our position on a matter so vitally important."

Despite the outward harmony, there was a noticeable difference in emphasis between two major groups.

One, led by Neville Bennett, State Party Chairman, wanted to "work out our difficulties" through the national party, possibly on a "give-and-take basis."

The other, and apparently larger faction emphasized the differences between South Carolinians and both national parties. It urged the strongest protest and a determined stand.

NEGRO AIDE WINS ON SEGREGATION

South Carolina Town Drops Charge of Using a Rail Station's Front Door

FLORENCE, S. C., Feb. 28 (UP)—City Attorney Wylie Caldwell declined to press charges tonight against Florence Mitchell

Washington Negro leader charged with attempting to use the front door of the Florence railroad station.

New York N.Y.

Mr. Mitchell, director of Washington bureau of the National Association for the Advancement of Colored People, said, "I hope that this will be an end to segregation in Florence."

He and the Rev. Horace Sharper, Negro Baptist minister of Sumter, were arrested last night. They were attempting to enter by the front door of the Florence railroad station where Mr. Mitchell had train reservations for Washington.

When the case was called by Recorder William H. Smith, Mr. Caldwell said, "I have investigated this matter with the arresting officer and a conviction is unlikely since we do not have a city ordinance covering the case. I hereby move that the case be nolle prossed."

Dismissal Is Asked

Lincoln C. Jenkins of Columbia, one of three Negro attorneys representing Mr. Mitchell, asked Mr. Smith to "dismiss" the charges.

However, Mr. Smith said since innocent pleas had been entered by both defendants before the motions had been made, he would grant Mr. Caldwell's motion that the case not be prosecuted rather than dismissing it completely.

A police spokesman said Mr. Mitchell had been charged with "violation of Section 417, failure to obey an officer acting in discharge of his duty."

Signs designating "white" and "colored" entrances to the station were removed last Jan. 10. At that time, an Interstate Commerce Commission order to integrate public waiting rooms for interstate passengers became effective.

Some South Carolina cities have erected signs reading "White intrastate passengers only" outside former all-white waiting rooms.

Mr. Mitchell also was represented at the hearing by William Bennett and E. D. Turnage, both of Florence.

F. B. I. Begins Inquiry

Special to The New York Times.

WASHINGTON, Feb. 28—The Federal Bureau of Investigation began an inquiry today into the arrest of Mr. Mitchell.

A Justice Department spokesman said the department had heard about the case through news reports and had decided to look into it. The F. B. I. will simply "get the facts," he said.

The I. C. C. ruled last Nov. 25 that segregation was unconstitutional in interstate travel. It ordered railroads to end any segregation of facilities in trains or in waiting rooms.

Compliance with the order has been irregular in the South. Segregation has ended quietly in large areas, but in other places local officials have said that regardless of what the railroads do they would enforce segregation.

Officials of the N. A. A. C. P. here said Mr. Mitchell had been in South Carolina to make a speech and had no intention of making a test case on the I. C. C. ruling. But they said the incident could result in a judicial test.

Baptist Church, received a telephone call warning him that if the meeting were held in the church it would lose its tax exemption. The meeting was held in the church.

When newspapermen asked Mr. Price why he attended the April 22 meeting, he said: "There has been a lot of telephone calling relative to this meeting. I don't want another Alabama or Mississippi incident in South Carolina. That's why I am here."

In his speech, Mr. Mitchell praised Florence citizens who rallied to support him when he was arrested. He condemned the White Citizens Councils as a movement which results in violence of the type used on a singer Nat (King) Cole in Birmingham, Ala., recently.

"The process of making the South a part of America is being foolishly sabotaged by those who seek to line up the good people of the area with the forces of lawlessness and disruption," Mr. Mitchell declared.

Chief Price, who is said to be a member of the White Citizens Councils, expressed regret for the arrest on Feb. 27, explaining that he was out of town when the incident occured.

Mr. Mitchell was arrested on that date when he attempted to enter a Florence railway station waiting room. Although no signs designated the room as "whites only," three local policemen took Mr. Mitchell and the Rev. Horace Harper of Sumter, S. C., to the local police station. The two men were charged with resisting an officer in performance of his duty, but the charges were dropped.

White Official Says Crack Negroes' Skulls

Courier Sat. 5-12-56 P. 2

'Heads Should Be Bashed'

Pittsburgh Pa.

UNION COUNTY, S. C.—State representative Hart of this county blasted the Florence city officials for the manner in which they handled the Clarence Mitchell-H. P. Sharper arrests last week.

Hart said in a prepared statement, "Bashing Mitchell's head would have had a highly salutary effect on integration philosophy in the Florence area."

Condemning the "jelly-fish" manner in which they handled "Clarence Mitchell's flagrant violation of S. C. segregation customs," Hart said, "Local NAACP members can be expected to imitate Mitchell on a wholesale scale."

In a direct appeal to violence Hart said, "We must have a showdown sooner or later and it is doubtful that a better opportunity will ever present itself.

"A few cracked heads here and there would avert bloodshed on a larger scale later on. There is more law and order in a South Carolina night stick than in a sociological U. S. Supreme Court decision."

S. C. Police Chief Acts To Keep His State's Good Name

Nashville Tenn.

FLORENCE, S. C., April 26.—Chief of Police Julian Price, whose men arrested NAACP Washington Bureau Director Clarence Mitchell in February, was in a front seat as a spectator when the latter spoke at a Florence NAACP membership meeting here last week.

Prior to the meeting, the Rev J. J. Abney, pastor of Trinity

State Stands Firm on Bus Segregation

Daily Defender Chicago, Ill. P. M. 5-19-56

Columbia, S. C., May 10 (AP)—The South Carolina public service commission said today the United States Supreme court has not ruled on intrastate travel segregation laws, and explained why it thinks so.

It said South Carolina laws requiring white and Negro passengers to ride separately on trains and buses within the state "are in full force and effect" despite a recent action of the Supreme court.

The Supreme court refused April 23 to review a case from Columbia in which a Negro woman, Sara Mae Flemming, had sued the city bus operators for $25,000 because a driver insisted she sit separate from white passengers.

Disagree on Meaning

The court's refusal to review has been widely interpreted as upholding a 4th Circuit Court of Appeals ruling in the case that bus segregation is unconstitutional. Some government lawyers disagreed.

In its ruling the Appeals court contradicted a District court decision by Judge George Bell Timmerman Sr.—father of South Carolina's governor—that segregation was not a valid cause of action.

The public service commission said the sole reason the Supreme court refused to review the case was that it will not consider any case until a District court has rendered a final judgment.

Not Ripe for Review

The commission said that since the Columbia case had not been tried on its merits in the District court, there has been no final judgment. The statement added that "the Supreme court's action therefore merely means that the case is not yet ripe for its decision."

The Supreme court's only reference in the dismissal was to Slaker vs. O'Connor, a case in which the commission said the court declared it would not review a case until after final trial judgment.

Thus, the state commission said, the high court actually has not ruled one way or the other on bus segregation. This view is also taken by a number of lawyers, including Atty. Gen. T. C. Callison of South Carolina.

At S. C. Colored Church

Sheriff Forces Whites To Close Religious Revival

Journal + Guide P. 1 Sat. 6-2-56

Norfolk Va.

MANNING, S. C.—Sheriff J. . Jackson of Clarendon county, S. C. is not ready for mixed ublic schools or race mixing t church services. That was made clear last week when the sheriff forced a group of white men and women to leave the county because they were conducting services in a rural Negro church.

Word reached the sheriff that a group of about a dozen men and women and one child had conducted one service at the Negro Sanctified church at New Davis Station.

* * *

ACCORDING TO Sheriff Jackson the group told him when he investigated the report that they were Canadians and members of the Church of Triumph. They also said they had been given permission to conduct the services by a Negro bishop.

The sheriff said the group finally agreed to leave when he told them he would have to enforce state laws requiring the races to be segregated. The group countered, however, with the statement that the U. S. Supreme Court had declared segregation unconstitutional.

The group was traveling in automobiles from Minnesota, California and Manitoba, Canada. The sheriff said the women wore ankle-length white dresses and the men burlap vests.

At the sheriff's insistence the group finally left without creating any disturbance.

Mr. Byrnes Vs. The Court

(From The New York Times)

For thirty years a member of House or Senate, for a year associate justice of the Supreme Court, a top-ranking executive in wartime agencies, Secretary of State, Governor of South Carolina—James F. Byrnes has enjoyed a lifetime of distinguished public service. One can only feel a sense of sorrow that he deems it necessary to cap his long and remarkable career with an intemperate attack on the Supreme Court, apparently because he dislikes and fears its unanimous decision outlawing segregation in the public schools.

Mr. Byrnes has the right of every American citizen to say what he likes about the court or any other of our revered political institutions. But what he said neither reflects credit on himself nor shakes the wisdom and legality of the Supreme Court's noted decision of May 17, 1954. "The court did not interpret the Constitution—the court amended it," complains Mr. Byrnes in this week's U. S. News & World Report.

We would not deny that the line between constitutional interpretation and legislative decision on the part of the Supreme Court is sometimes ultra-fine, nor that in a sense the court amends—or, if you prefer, interprets—the Constitution in accordance with its own views of the law. It has done so since the days of John Marshall, through the days of Taney, and on to the days of Warren—with every prospect that it will do the same in the future. What was a minority opinion once upon a time—the first Justice Harlan's view of segregation, for example—becomes majority opinion a generation or two later.

Mr. Byrnes professes alarm over "the demonstrated willingness of the Supreme Court to disregard our written Constitution and its own decisions" and "to destroy the powers of the forty-eight states." In 1941 the Supreme Court overturned a California anti-migrant law. In an opinion explicitly rejecting an earlier decision the justice who spoke for the court said: "We do not consider ourselves bound by the language referred to * * *" He was not afraid to overturn old theory, which in this modern day he found "no longer fits the facts." As to restrictions on state powers, he wisely noted: "It is frequently the case that a state might gain momentary respite from the pressure of events by the simple expedient of shutting its gates to the outside world. But, in the words of Justice Cardozo: "The Constitution was framed * * * upon the theory that the people of the several states must sink or swim together, and that in the long run prosperity and salvation are in union and not division." The man who handed down this opinion which invalidated anti-migrant laws in some twenty-seven states was Justice Byrnes.

We do not maintain that the court is always right; but we do maintain that it is foolishness to attempt to intimidate it or to curb its powers because of dissatisfaction with a specific decision. It is especially foolish to attack it with as many irrelevances—covering everything from communism to miscegenation—as Mr. Byrnes has seen fit to use in his demand that "the Supreme Court must be curbed."

Runs Sheriff In S. C. Chases Worshipers

Church Group Was Conducting Religious Service

MANNING, S. C. — (ANP) — A group of white missionaries who were conducting services at a Negro church in Clarendon county were run out of the area last week by Sheriff J. T. Jackson.

According to Jackson, the group, numbering about 15 men and women and one child, had conducted one service and were preparing for a second when the sheriff ordered them to leave the county for violation of the state's segregation laws.

The church was a Negro "sanctified church" near Davis Station. Jackson and Deputy W. C. Epps investigated after being told that the group was unloading boxes at the church.

Jackson said the men and women told they were Canadians and members of the Church of Triumph who had come "to serve fellow members."

They said they knew the church was for Negro members and had been given permission to use it by "a Negro bishop."

At first, according to Jackson, the group tried to argue with him by reminding him that the Supreme Court had declared segregation unlawful.

The sheriff ended the argument by ordering them to leave. He reported that within 30 minutes the group was out of Clarendon county.

Jackson added a footnote to the incident:

As he followed the group driving away from the church, two Negro women working in nearby cotton fields dropped their hands and called to him: "Thank you all for getting them out of this church."

Bus Segregation Suit Voided Anew

Carolina Judge Acts Second Time

COLUMBIA, S. C., June 13 (U.P.) — A South Carolina federal judge dismissed for the second time today a suit against a segregated bus system, holding that a higher court did not make "retroactive" its ruling that "Jim Crow" seating is illegal.

Judge George Bell Timmerman Sr., father of South Carolina's outspoken segregationist governor, thus maintained his own consistent record in favor of the state's traditional color barriers. He was a member of a court panel that twice upheld segregated schooling before it was reversed by the U. S. Supreme Court in the historic 1954 decree.

The 75-year-old judge today granted the South Carolina Electric and Gas Co.'s motion to throw out a $25,000 damage suit by Sarah Mae Flemming after overnight "reflection." He had declined to grant the motion yesterday.

The Negro woman had asserted her civil rights were violated when she was ordered from a seat in the front of a crowded bus where white persons ordinarily sit. Once before Timmerman had tossed out the suit but the plaintiff appealed to the U. S. Fourth Circuit Court of Appeals which held that segregated seating was illegal in intra-state transportation and remanded the case for determination of damages.

The utility company which operates the buses then sidestepped both lower courts to appeal to the Supreme Court which declined to intervene on grounds no judgment had been returned in the district or regional courts. The high court's action was interpreted in some quarters as a precedent against segregated seating on local transit runs. But technically it applied only to the Southeastern states in the Fourth Circuit.

Federal Jurist Nixes Bias Suit

COLUMBIA, S. C. — Surprising to no one who is familiar with the region and its deep-seated prejudices, Federal Judge George Bell Timmerman dismissed the $25,000 damage suit of Mrs. Sarah Mae Fleming Brown against the South Carolina Electric and Gas Company.

He based his action on the grounds that S. C. law requiring segregation of the races on the buses had not been repudiated. (South Carolina still does not recognize the fact that the U. S. Supreme Court has invalidated its state laws on segregation.)

Timmerman ruled that "no person has the civil right to violate a valid and existing state law."

BUS SUIT TOSSED OUT SECOND TIME

Judge Again Dismisses Segregation Case

COLUMBIA, S. C., June 13 (AP) — US District Judge George Bell Timmerman Sr., Wednesday dismissed a second time a celebrated bus segregation case.

Mrs. Sarah Mae Fleming Brown, Columbia Negro woman, sought $25,000 actual and punitive damages on the ground that her civil rights were violated by a bus driver for South Carolina Electric & Gas Co.

She contended the bus driver ordered her to vacate a front seat in a crowded bus in June, 1954, and then struck her with his fist when she attempted to leave the bus by the front exit.

After Judge Timmerman dismissed the action originally, the US circuit court of appeals reversed the action when it held that segregation on buses operating within states is unconstitutional.

When the suit was appealed by the company, with the backing of the state and city of Columbia, the US Supreme court last April refused to review the case. At first it was believed that the Supreme court action upheld the circuit court decision but later it was interpreted to mean the appeal was premature.

In dismissing the action again, Judge Timmerman did so on the ground that the circuit court decision could not be made to apply retroactively. The bus driv-

er, he said, was acting at the time under "valid and subsisting" state law requiring segregation of races in public transportation.

The company, therefore, could not be liable, Judge Timmerman said.

He also held that the plaintiff's testimony Tuesday was that no white people were behind her when she took the seat from which she was ordered by the bus driver.

The order for her to move, Timmerman said, had to be for some other reason than her color. That reason, he added, would be outside the court's jurisdiction.

Trial of the case, which began Tuesday never reached the all-white jury.

In dismissing the action, Judge Timmerman reversed his rejection late Tuesday of a defense motion for a directed verdict on grounds the Negro woman had not shown the bus driver failed to act in "good faith" in accordance with law in effect at the time.

S. C. State NAACP probe unit named

Afro-American P. 1

Sat. 7-14-56

COLUMBIA, S.C. — An all-white nine-man committee was completed last week to investigate NAACP sympathies around S.C. State College in Orangeburg.

Speaker Sol Blatt of Barnwell, of the House of Representatives, announced Tuesday he had appointed the following persons to the committee:

Reps. Jerry M. Hughes, Jr. of Orangeburg, whose bill providing for the probe was passed earlier this year by the state legislature; Philip B. Finklea of Florence and P. Eugene Brabham of Bamberg.

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EARLIER THE state Senate had named Senators James Hugh McFadden of Clarendon County, Earl E. Morris, Jr., Pickens and W. A. Lawton of Hampton County.

Afro-American

Governor George Bell Timmerman, Jr. appointed to the committee A. O. Rickenbacker of Cameron, Herbert W. Fogle of Denmark and A. T. Graydon of Columbia.

S. C. State Trustee Board secretary, W. C. Bethea, had told newsmen several days before Blatt's announcement that the probing would get under way "soon."

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EFFORTS TO contact state NAACP leaders for comment, weren't successful immediately, but both they and other civic leaders have unanimously agreed that such a probing was at best anti-integration propaganda, and sponsored by the White Citizens Council.

The last reported NAACP activity at the college was during the 1949-50 academic year, and under the administration of the late State College president, Dr. Miller F. Whittaker, who died in 1949.

There had been a Youth Council (chapter) on the campus, but student leaders charged that president Benner C. Turner, elected for the 1950-51 year, and subsequently, has not approved such activity.

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EXPELLED STUDENT Council president Fred H. Moore told the AFRO that, at the request of students, he had asked Turner permission to re-organize a campus NAACP unit at the beginning of the 1955-56 school year and was refused.

Students, Moore said, adopted a plan by which some affiliated with the chapter at Claflin College, across the fence from S.C. State, with NAACP branches in their hometowns, and by direct application to the national NAACP office in New York City.

During the several weeks of protests and demonstrations against segregation and coddling of WCC products on the campus the undergound student sheet "The Free Press," repeatedly urged students to "Join the NAACP."

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WHILE Orangeburg NAACP leaders said "hardly more than five" adults at the college held memberships in the local branch, "better than 95 per cent of the 197-member staff and faculty drafted a pro-integration, pro-NAACP statement in April and filed it with trustees. Turner and trustees fired four of the number; several others resigned forthwith at the end of the school year.

Alumni and other leaders concerned with the issues around the college told the AFRO that an investigation is welcomed, listing a number of reasons for their views:

1. An investigation will not and cannot disclose NAACP activity on the campus, which one man said, "Is at most a reflection upon the staff, faculty members and president.

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2. EXPEDITE, perhaps, the expected climax to a state move to outlaw the NAACP and disqualify its members from public jobs.

3. Speed integration in state colleges and universities. One spokesman explained this as meaning that should further efforts be made to "intimidate students and faculty members, most of these would walk out and stay out, and seek entrance at white colleges."

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ONE ORANGEBURG NAACP leader, commenting on the committee, said:

"The NAACP doesn't have to spend its time directing the actions of citizens, such as are at the college. The NAACP is a legal-aid organization.

"Everything we've been interested in at S.C. State College has been placed before Federal courts. We've had complete success in this approach. So far as I know, we have no intention of deserting the high plane we're worked on thus far.

He indicated, however, that the organization's state president, James M. Hinton, might issue a statement shortly clarifying the course NAACP will pursue, if one is necessary, when the committee makes its report.

NAACP Official Freed of Charge

Legal P. 2-A

Wed. 2-29-56

FLORENCE, S.C. — (AP) — Charges of resisting a police officer, the outgrowth of a disturbance at the railroad station here, were nolle-prossed in city court Tuesday. City Atty. Wylie Caldwell told City Judge William Smith that he did not think he could obtain a conviction after Clarence Mitchell, director of the Washington Bureau of the National Association for the Advancement of Colored People, and The Rev. Horace P. Sharper, a Negro minister, were arrested for refusing to use a railroad station entrance reserved for Negroes.

Bonner Answers Charges

Courier Dec. 2

Pittsburgh, Pa.

Sat. 12-8-56

COLUMBIA, S. C. — Bishop I. H. Bonner of South Carolina told reporters here that he is unequivocally in favor of an all-out fight for full integration.

"I have at no time favored segregation in any form, whether it be first or second class," the Bishop said in replying to charges that he had stated he "preferred first-class segregation to second-class integration" in a sermon delivered in Chicago recently.

"As in my Chicago speech, I reiterate that I feel that we must be prepared to fully accept the responsibility of full citizenship and not go into a battle ill-equipped to face a well-armed opposition," the Bishop said.

"This is the philosophy I hope to implant here as the chairman of the board of Allen University. It is the philosophy I wish to impart to ministers in my charge while serving as spiritual head of the church in South Carolina.

■

"AS A native of the South and one who has served a number of years as a servant of God and of my people, no one can say I have ever cowed to anyone. I have been accused of attempting to ease my way into a hostile situation here in South Carolina. Can South Carolina be any more hostile than Alabama, my native state and the state in which I served as Bishop for the last four years?

I never supported segregation in Alabama nor will I do so in South Carolina. I do feel, howver, that a man, regardless of his courage must be armed with the proper weapons before entering battle with any opposition," the Bishop said.

"Here in South Carolina, as in Alabama, I urge my ministers to major in the thing they are called to do . . . to serve the spiritual needs of their congregations. In this area there is much to do. Let them support political efforts. Let them support organizations devoted to the improvement of human relations. But in doing so they cannot neglect their duties as spiritual leaders of a people who are much in need of such services.

■

"AS IN the area of religion, so Allen University serves a much needed place in the area of education. It is our task to prepare our young people to handle a man-sized job when they go out into their respective communities to assume the responsibilities of citizenship.

"Allen University must be recognized as a first-class college . . . not just a Negro college . . . just as our graduates must be recognized as first-class citizens.

"We must work on this problem from the inside of people as well as the outside. If we can get people to think right they will naturally act right. Tht's simple, plain common sense. And that is the task that confronts every man dedicated to the work of the Lord in this nation today . . . to get people to straighten out their hearts and their minds on this matter of human relations."

Irked By Threats, 15 Leave Academy

Afro-American Baltimore, Md. Sat. 7-21-56

By Special Correspondent

CAMDEN, S.C.— Harassed by anonymous threats, questioning by local police officers and "get out" advice from city officials, a 15-member teenage work camp group, 10 of them white, reportedly left Mather Academy, this week, without completing its mission.

The group, made up of teenagers from over the country and several Mather students, was here principally to repaint the men's dormitory at the all-colored school.

They were on a project of the Volunteer Christian Service of the General Board of Education of the Methodist Church, Nashville, Tenn.

* * *

HISTORIC MATHER, itself, is administered by the Women's Division of Christian Service of the Methodist Board of Missions, New York City, and has had white presidents.

Mayor Henry Savage Jr. said after the group departed:

"We repeatedly advised them that they did not have to leave, that we would do our best to protect them, but that we were fearful of what might happen."

He said that city council had planned asking Gov. George Bell Timmerman Jr. for troops and the militia, if the group remained.

* * *

THE REV. J. W. Bell of the Methodist General Board of Education said threats by anonymous telephone calls had been made against the youths. He said officers cited a state law forbidding mixing of races.

The Rev. Mr. Bell said, too, that Police Chief Wilbert Williams, the sheriff and city officers had asked the group to leave "to avoid trouble and to give time to work things out."

Williams had no immediate comment on the Rev. Mr. Bell's statement.

* * *

FOLLOWING their attendance of services in Trinity Methodist (colored) Church last Sunday, Bell said officers questioned the group on why they were in Camden.

That night, he said, Williams and the sheriff called and warned the group it could not remain on the Mather campus because of a state law.

Both men promised to return later but failed to do so, and during the night a cross was burned in front of the secondary school.

The Rev. Mr. Bell said, in response to a request, city and school officials met Monday when city officials asked the group to abandon its mission.

Savage and Williams repeated the request Tuesday, Bell said other meetings between the two groups were also held, he said.

* * *

SOME THREATS were relayed to the school by city officials. The Rev. Mr. Bell said some of the threats were that the building would be blown up or burned down.

"The work camp group has transferred to another location to continue working for the church this summer," the Rev. Mr. Bell said.

"The decisive factor was the judgment of church officials responsible for the school and the group, that it did not want to be the cause of bringing trouble to the school or inciting violent resistance."

of violence if they remained.

A cross was burned in front of the school. Anonymous telephone threats were made to blow up the school or burn it down. Church authorities then removed the group to an unidentified location.

The Rev. Joseph W. Bell of the Youth Department of the Methodist General Board of Education disclosed the incident today. He attributed the threats to "an unknown group opposing the mixing of the races."

Mayor Henry Savage of Camden confirmed the incident. He put the blame on a revival of the Ku Klux Klan since the United States Supreme Court ruled racial segregation in public schools unconstitutional.

The youth group consisted of seven boys and eight girls. Ten were whites and five Negroes. Most were between 15 and 20 years of age. They came from various parts of the country and from Mather School, a Negro institution here.

Mission of Project

The group was to have spent Jluy in a work camp on the Mather School campus painting a boys' dormitory. Their mission was a national work project of the Volunteer Christian Service of the Methodist General Board of Education, cooperating with the Women's Division of Christian Service of the Methodist Board of Missions. The Women's Division administers Mather School.

Camden is a city of 7,000 population. It is a popular winter resort, noted for polo and hunting, and is situated twenty-eight miles northeast of Columbia, the state capital. It is a textile center in a farming and lumbering area.

Mr. Bell who came here from his headquarters at Nashville, Tenn., to investigate the situation, said some of the group were questioned by the Camden police last Sunday about what they were doing in town. That night, he added, the police chief and sherriff called at the school and warned the camp directors and the school superintendent that the group could not remain on the campus. They cited a state law forbidding the mixing of the races.

Cross Burns at School

"At 10 o'clock that night a cross was burned in front of the school," said Mr. Bell. Local police were seen driving by at the time but did not stop."

On Monday morning, Mr. Bell continued, E. L. Marsh, principal of the school, received an anonymous phone call from a nearby town that "those whites on the campus better leave by night or else."

"The city officials reported no race difficulties so far, but admitted that a White Citizens Council exists in the town and has had several meetings," asserted Mr. Bell.

The youth group was removed from the campus Monday night, but returned the next day. Mr. Bell, who had then arrived on the scene, conferred at the school with the Mayor and other city officials. According to Mr. Bell, the officials warned that if the group remained "there would likely be trouble, if not harm, to the young people, possibly burning the building."

Also, on Tuesday, the school principal received another anonymous telephone call from a local station, asking: "Did that white bunch get out yet? They had better not be there tonight."

Bomb Threat Made

The youth group again left for the night. At midnight, according to Mr. Bell, the police chief relayed word to school officials that threats had been made to bolw up the school if the white youths' returned there on Wednesday.

Mr. Bell said a group of local officails and citizens on Wednesday again urged that the youth group leave to avert "real trouble." The decision to remove the group, he added, was made so that it would not be "the cause of bringing trouble to the school or inciting violent resistance."

"We feel that the group has done nothing wrong," he added. "The members came to join in fellowship of work in the spirit of Christian love and service. We still believe such experiences can make progress in group relations and brotherhood."

He said the group would continue working for the church this summer in their new location.

Mayor Savage said he did not like to bow to threats but "you can't risk making martyrs out of children."

"The City Council was prepared to ask the Governor for militia to protect the group if necessary but we felt that if it was pushed that far, race relations would suffer," he said. "We were relieved when they decided to leave.

"We're having a tough time down here with this whole problem. We're trying to work things out, but when you take a stand between two extremes you get cussed out by one side for being liberal and by the other side for being prejudiced. But I'm happy there wasn't any violence.

INTEGRATED CLASS QUITS IN CAROLINA

Times P.13-C Sat. 7-14-56

Threats of Violence Force White and Negro Students to Leave Church School

N. Y. Times

Special to The New York Times.

CAMDEN, S. C., July 13—An integrated group of fifteen white and Negro boys and girls have left a Negro Methodist church school here because of threats

Orangeburg cleric finally prodded into leaving town

Afro-American Baltimore, Md. Sat. 8-11-56

ORANGEBURG, S.C.— Father Henry L. Parker, rector of the St. Pauls Episcopal Church, scourge of local White Citizens Council leaders and prodded by his white bishop, has finally left town.

Friends and civic leaders reported Thursday that the Rev. Mr. Parker, who had spearheaded several civic projects since coming here, is now an assistant rector in an Episcopal Church at Detroit.

* * *

THE REV. MR. ALFRED ISAAC, another civic leader and who was among those fired from positions at S.C. State College in May, said he had talked with the Rev. Mr. Parker by telephone Thursday.

He was advised the young clergyman is doing well in his new post, held now for three weeks.

Father Parker cropped out as a controversial figure last spring when Bishop Carruthers of Charleston confirmed he had requested the St. Paul minister to "find" work elsewhere.

Bishop Carruthers denied in a public statement that his request had anything to do with pressure from the White Citizens Council or Father Parker's support of the NAACP.

ST. PAUL'S is a mission. Episcopal leaders explain that missions differ from the more independent church stations, in that pastors of missions serve at the discretion of the bishop.

The mission's membership came to the rescue of Mr. Parker in pronouncements and declarations, however, the young minister left town.

Burn Home of NAACP Leader In Clarendon County

Bulletin Thurs. 10-11-56 Des Moines, Iowa

New York — The home of an NAACP leader in Clarendon County, S. C., was burned last week, the NAACP National Office here has been notified.

The home was that of the Rev. James W. Seals of Manning, S. C., a founder of the Clarendon County NAACP branch.

Mr. Seals was notified of the disaster, which occurred on Oct. 2, while he was visiting relatives in this city. He has gone back to Manning to inspect the damage.

Mr. Seals said he has received various threats because or his NAACP activities, and also has been subjected to economic pressures for the same reason.

He is pastor of African Methodist Episcopal churches in Summerton and Silvers, S. C.

Future of Rev. DeLaine's fire gutted church still unsettled

Afro-American 8d 9-22-56

LAKE CITY, S.C. — Nearly one year after a fire of mysterious origin gutted its interior while its pastor attended an annual conference miles away, the future of St. James AME Church, remains unsettled.

St. James is one of the three churches on the Lake City Circuit which was pastored by the Rev. J. A. DeLaine, who fled the state last October after he said whites shot at the parsonage the night of Oct. 10.

The minister had initiated the Clarendon school suit, but had been pastoring here for several years.

Baltimore

A STATE PROBE of the burning brought forth "incendiary," which was an investigator's opinion of the blaze. A pall of silence has since hovered over the incident.

Privately, Lake City officials as well as some spokesmen for the White Citizens Council blamed for the series of incidents, disclaim knowledge of any white persons who might have burned the church.

The Rev. Mr. G. L. Baylor of Moncks Corner was assigned to the Circuit last November. Services for St. James' members have been held in a small Holiness Church in the "Deep River" section near the elementary school.

* * *

EFFORTS BY the pastor and congregation have been made to raise enough money with which to build a new edifice, "from the ground up," as one member said.

The old building was insured for an estimated $4,000, hopelessly insufficient for constructing a new building.

Some contributions have come from Lake City whites. No announcement of what has been accomplished by the Building Fund Committee.

One reason for this lack of announcement is that a contractor has not yet been engaged.

THE REV. MR. BAYLOR told the AFRO that bids on the proposed new edifice are to be delivered by Sept. 18 after which the project will be either affirmed, or rejected.

Mr. Baylor, emphasizing that his role in Lake City was to serve as pastor of the church, said:

"I would like to thank the so many people who have contributed to the fund for the rebuilding of St. James Church."

He said that contributions should be drawn by check or money order, payable only to: "Building Fund Committee, St. James AME Church" and mailed to him at P.O. Box 335, Lake City, S.C.

S.C. beach case before U.S. court in Richmond

Afro-American 9-3

Baltimore Afro

ORANGEBURG, S.C. — W. Newton Pough of Orangeburg and John H. Wrighten of Charleston, attorneys, left last week for Richmond, Va., to present arguments before the Fourth Circuit Court of Appeals in the Edisto Beach State Park Case on Monday.

Afro 9-20-56

They represent, J. Arthur Brown, John Chisolm, Mrs. Etta Clark and Charles C. Mason, all of Charleston, who brought the integration case last year.

The state legislature closed the park facility rather than bow to integration, and District Judge Ashton H. Williams dismissed the suit after several hearings in Charleston.

Judge Williams said when he dismissed the suit in Charleston that he would make his decision according to the Supreme Court ruling in the Maryland park cases. Maryland parks were desegregated.

* * *

WHEN THE case first came before Williams, he urged colored citizens not to press for benefits of integration contained in the decisive school segregation cases.

He also gave verbal support of the White Citizens Council without specifically naming a group organized in his hometown of Lake City.

Council 'Pressure' Unites Elloree squeeze victims

Afro-American Sat, 12-15-56 . Baltimore, Md.

P.19

By JOHN H. McCRAY

ELOREE, S.C.—"T'hell with the white man now," laughed one of the five men loafing in the business place.

"we are closer together here now than ver before. In one way I think the White Citizens Council's economic pressure campaign was the best thing for unifying us," said another.

The second speaker was Lee A. Blackman, 75-year-old president of the local NAACP branch who, also, has supervised crop loans, donations of foodstuffs, shoes and clothing under an NAACP recommended plan for more than a year.

He is publicly regarded as "the most hated" man in Eloree, yet also the most feared by whites and, most loved by his own people.

While the bus boycotts in Montgomery, Ala., and Tallahassee, Fla., have held the headlines for the past year, the battle of attrition between pro and con integration camps in Eloree began sevral months before the Alabama or the Florida disputes.

* * *

IN FACT, the battle developed here in August or 1955. Some 37 parents signed and filed an integration petition with the local school board. Formed a chapter of the White Citizens Council, first established in South Carolina.

Among organizers was the former mayor, representatives of the WCC headquarters in Mississippi and hundreds of other whites in and around Eloree and Orangeburg County.

Whether he wanted to or not, every white man in the area was pressured into joining the WCC or face a WCC led boycott of his business, as well as social isolation.

In the wake of wholesale firings of colored employees, threats, chasing of petitioners and their families out of the cottonfields and out of money lending places and stores where they had lived mostly on credit, utter disaster for a while threatened the community.

Fourteen of the petitioners accepted WCC appeals, withdrw their names. Some said they didn't know what they had actually signed.

From Eloree, the WCC campaign spread 22 miles west to the county seat at Orangeburg.

* * *

A MONTH or two later, the NAACP-led integration forces had struck back. They threw up a boycott of their own against stores and places where firings had occurred. From the north came tons of clothing and foodstuffs.

Mr. Blackman was named supervisor of aid in this area. Hundreds of men, women and children got overalls, dungarees, dresses, shoes, under garments, etc.

Others, faced with a sudden and not yet due maturity of mortgages, found relief in loans from the Victory Savings Bank at Columbia where several organizations and businesses outside of the state had made special deposits so that adequate funds could be used for farmers having credit references in good standing.

By December of 1955 this aid program was in full bloom. However, several families had packed up and moved away, among them the families of James Shivers, a city employee who was the first in town fired, and Andrew Glover, fired from his mechanic post with the local Ford dealer after some 12 years of service.

All members of the school board joined WCC ranks. These were brought into Federal court in October after 24 teachers at the Eloree Training School were let out last spring when they refused to sign anti-integration, anti-NAACP statements.

Sevèntten of the number sued, charging a violation of their rights under the First Amendment. A ruling is expected momentarily from the three judge trial court.

* * *

MR. BLACKMAN told the AFRO that "The restrictions as to mortgages and other forms of debts haven't been changed since last year.

"They (whites) clamp down the day a note is due and don't waste any time foreclosing. It wasn't like that before this thing (economic campaign) started."

He said that foodstuffs, etc., which were sent into the area "were life savers," which restored faith and hope. These contributions aren't coming in "as freely as before," he said.

Greatest needs in the area just now, Mr. Blackman said, are sweaters, dungarees, oxfords (shoes) and small toys for children between the ages of 6 and 14.

A special effort is underway, he said, to gather enojgh toys for the less fortunate children, behind which is a never-before-told story of how vicious race hatred can be. Mr. Blackman recalls it this way:

When Santa came to Eloree in 1955, as had been the custom in the several previous years, little colored children thronged the parade route looking for the sacks of fruits, candies, nuts, etc. which had been given eacr child annually.

But Santa, despite his waves, smiles and greetings as they cheered him, had nothing for the colored children.

"They ran our children off the street," Mr. Blackman said. "It was the most touching and pitiful sight I've ever seen.

"They gave every little white child his present, but passed over all of our children."

* * *

LOCAL LEADERS later tried to atone for the insult and hope this year to be able to give all colored children some sort of gift.

The WCC campaign, gowever, hasn't worked out exactly as it was thought.

Local merchants still fail to get get the business they once had. Those who can shop in Orangeburg, nearby St. Matthews, Holly Hill, and even Columbia. One mercrant reportedly put his business up for sale earlier this year. The counter-boycott had hurt his trade.

One citizen reports having been in the local bank when a white farmer entered and sought a crop loan.

When he told the banker that he had discharged his colored farm workers because the WCC ordered it and only his wife and he were left to work crops this year, the banker refused the loan and suggested that he take his problem to WCC.

The man, muttering profanity against the WCC leaders stormed out of the bank.

One man whose car was threatened with repossession, came to Mr. Blackman at night. He qualified for a loan and early the next morning appeared at the dealer's place, along with the NAACP president, who had the total of more than $200 in cash.

The dealer changed ris tune. Where before he had refused to allow a few extra days for the note, now he was willing to lt the man have as much time as he needed.

He was paid in full, however, and the account was setup under supervision of the local NAACP.

BIGGEST LOSERS around Eloree is a third group — all colored—who can turn neither to whites nor the to their own people.

Referred to as "uncletoms and stooges," this group lined up with whites at the outset of the battle.

Some of them served as informers and decriers against integration. WCC leaders made promises of secured jobs and credits, but afterwards laughed at them and showed contemp for them.

Shocked eventually into realizing that they were only being used, some of this group returned to NAACP leaders and sought help. Some were considered, but the most flagrant turncoats still find themselves rejected by whites and despised among their own people.

The man speaking in the group loafing around the colored establishment, perhaps best sums up Eloree today when he said:

"The NAACP's done put the white man out of business around here.

"If we need money now, we go to the NAACP to help us borrow it. If we need food and clothes, the NAACP gives them to us, and we don't have to say 'yowsuh' for it. I tell you, that NAACP is the best thing trat's ever come to colored folks.

"I ain't never heard of no white man around here treating us like the NAACP is doing. T'hell with the white man now.!"

Hitler Burned Libraries; South Carolina Burns Churches

Journal & Guide Dec. 12-8-56 Norfolk, Va. 38 P8 S C

Editor
Journal and Guide
Norfolk, Virginia

Dear Sir:

In Kershaw County, South Carolina, there has been a series of Negro Churches burned to the ground by, what we feel to be, White Groups of the opposite race.

In January, the Mt. Moriah Baptist Church in Camden was burned. Then followed in succession, Effisus Methodist Church in the Lugoff section; White Oak Baptist Church in the Camden area; Four O'clock Baptist Church in the West Camden section; Red Hill Baptist Church in the Cassatt section, and the last to be burned was Sanders Creek Baptist Church about five miles north of Camden. The last two mentioned were burned within the week. Negro homes have been burned and one or two rural places of business owned and operated by Negroes.

Camden and Kershaw County were once peaceful and quiet, now there is fear for what might happen at any time. We don't know who the next victims will be, whose church or home or business will be next. I do not wish my name mentioned for fear of reprisals.

Yours truly,

(Name withheld by request)

November 28, 1956

Culbertson Explains His Segregation War

Post & Times Herald P. 3-A Mon. 12-9-56 Washington, D.C.

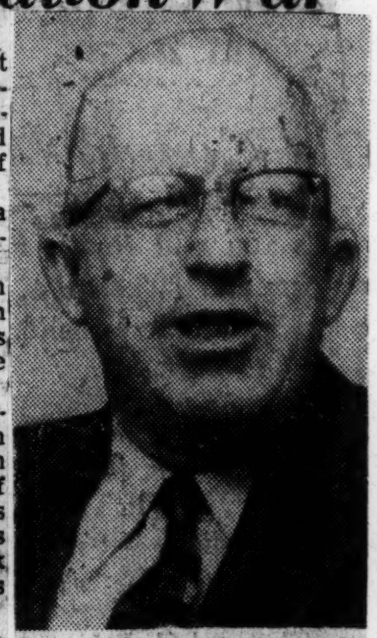
38a

A few years ago John Bolt Culbertson was much in demand as a high school commencement speaker in and around his home town of Greenville, S.C.

Then Culbertson began a one-man campaign against racial segregation.

"I don't get invited to high schools any more," Culbertson said here yesterday. "I guess they're afraid I'll undermine Southern traditions."

Culbertson was in Washington to speak at the Plymouth Congregational Church, 17th and P sts. nw. It was one of dozens of speeches he has made—mostly to Negro groups—since he started active work against segregation six years ago.



The Washington Post

JOHN B. CULBERTSON
. . . segregation fighter

How He Got Involved

Culbertson, 48, who speaks with a rich Southern accent and has the friendly good manners associated with a typical Southern gentleman, explained how he became involved in the fight against segregation.

"I always have been interested in liberal causes," Culbertson related, "and in the labor movement since my days at the University of South Carolina."

He became an attorney, served as an FBI agent for two years, then practiced law in Greenville. Culbertson began taking labor cases and became more involved in the labor movement.

"I saw that someone in the South would have to face the problem of segregation and solve it, or we wouldn't succeed in the labor movement or in democracy itself," Culbertson stated.

Felt Qualified

As a native southerner, Culbertson felt he was fitted to lead the fight againse segregation. His religious feelings also entered into his decision. He said:

"I've always tried to practice the Christian religion and put it into effect, not just talk about it.

"I've always been a firm believer in democracy, too, and thought it was a mockery to talk about it when I looked around and saw that 50 per cent of the people in South Carolina were denied the fundamentals of democratic government."

Practice Suffers

Culbertson said his practice has suffered from his activities, and that he has been "kicked and cuffed a bit" But he plans to continue speaking.

He's optimistic about the future.

"I think the tensions are easing," he said, "and the White Citizens' Councils and the Ku Klux Klan have reached their peak. Their power is waning. I think they realize that in spite of everything they do, the South is a part of the United States and Federal laws will prevail."

CONSTITUTIONAL AMENDMENTS
EDUCATION
VOTING

Pass Amendments To Constitution

Defender Chicago, Ill.
Sat. 12-13-56

NASHVILLE, Tenn. — Southern School News reported that voters in two states have approved constitutional amendments and other measures tightening school segregation laws, while in a third state —Tennessee — the pro-segregation tide was running strong. At the same time five additional school districts in two states disclosed they had desegregated in practice or principle.

The publication is issued here each month by a board of southern newspaper editors and educators for the information of school authorities, public officials and news media.

Voters in Louisiana approved a constitutional amendment designed to bloc school entry suits while Arkansas voters approved a constitutional amendment, an initiated act and a resolution of interposition, all designed to forward state segregation policies.

In Tennessee there was a new eruption in the Clinton high school case, with the school seeking federal government aid in protecting the rights of Negro students enrolled there under court order.

671 MIX SCHOOLS

One of the new desegregated districts — in Arkansas — took this action two years ago without publicity, it was disclosed The other four districts are in Delaware. This brings to 671 the number of school districts in the southern and border states which have adopted desegregation in practice or principle, Southern School News said. Some 3,000 districts having puplis of both races remain segregated.

The publication noted a number of key court rulings, including three in Virginia and one each in Texas and North Carolina, which are pending or which have been handed down in recent days. It reported additionally that a U. S. Supreme Court decision in the Montgomery bus case and a show-cause order in Alabama against trustees of the University of Alabama for the readmission of Autherine Lucy Foster had rekindled segregation - desegregation debate in Alabama.

Reporting from 17 states, the paper's correspondents noted a heavy switchover of Negro voters from Democratic to Republican candidates in the Nov. 6 election, with apparently decisive results in the Presidential votes of Tennessee and Louisiana. However, the publication found that "the actual effect of the Supreme Court school segregation decisions on the election results seems to have been relatively minor."

Latest school population figures in Washington, D. C., according to Southern School News, show that Negroes now make up 68 percent of the enrollment of District of Columbia schools.

A state-by-state summary of major developments during November follows:

ALABAMA — A U.S. Supreme Court ruling in the Montgomery bus boycott case, linked to the public school decisions, revived discussion of race relations. Meanwhile, a federal judge ordered University of Alabama trustees to show cause why they should not be held in contempt of court for refusing to readmit a Negro student (the former Miss Autherine Lucy).

ARKANSAS — Voters approved a constitutional amendment, an initiated act and a resolution (of interposition) designed to preserve school segregation— all three by heavy majorities. A survey of educators turned up one more school district (the fifth) which had been desegregated or was in process of desegregation.

DELAWARE — A majority of the eight school segregation suits now pending in federal court will come to trial early in 1957. Three all-white and one all-Negro districts were disclosed to have announced that they would accept students of both races.

DISTRICT OF COLUMBIA — Two out of three District pupils are members of the Negro race, according to a recent school population survey. Since last year the number of white students has declined by 4,010 while 4,846 more Negroes have entered classrooms.

FLORIDA — Dade County's (Miami) Little White House Conference on Education voted in favor of "integration in principle" while in St. Petersburg the Florida PTA urged school authorities to carry out recently enacted laws to preserve school segregation.

GEORGIA — Gov. Marvin Griffin considered a "segregation strategy meeting" for Decembera (apparently to coincide with a meeting of U.S. district attorneys in Washington), reportedly to seek ways of courtering recent pro-integration court rulings.

KENTUCKY — Louisville School Supt. Omer Carmichael reiterated before Negro groups his earlier statement questioning the competency of Negro teachers as compared with white teachers. A suit was filed in Scott County seeking school desegregation.

LOUISIANA — Voters approved a constitutional amendment designed to block suits against school boards but rejected a second amendment designed to restrict or delay voter registration.

MARYLAND — A survey showed that more than 40 schools (29 of them in Baltimore) now have mixed staffs of white and Negro faculty members.

MISSISSIPPI — The state educational finance commission approved a phase of the public school equalization program calling for construction of 322 new classrooms for Negroes and 86 for whites.

MISSOURI — St. Louis County was said to have virtually completed desegregation with a minimum of friction. Meeting in St. Louis, the National Council of Teachers of English defeated a resolution supporting school integration.

NORTH CAROLINA — In the long-standing McDowell County case the Fourth Circuit Court of Appeals ruled (in Baltimore) that Negroes still must exhaust administrative remedies for school entry — singly, and not as a group— but that appeal can be taken directly to federal courts without going through state courts as the 1955 Pupil Assignment Act directs.

OKLAHOMA — Two-thirds of the state's colleges (22 of 33) with 90 percent of the enrollment, now have racially mixed classes, according to a survey.

SOUTH CAROLINA — The school segregation issue figured in the November elections with a sizeable split in the Negro vote, formerly heavily Democratic.

TENNESSEE — A strong segregation tide was reported running, with state officials ready for a legislative showdown on the issue in January. John Kasper, Washington, D. C., White Citizens Council leader, was acquitted of violation of sedition and incitement to riot laws in Clinton, where Negroes absented themselves from the high school to which they had gained admittance by court order, because of a series of "little incidents."

TEXAS — Several plaintiffs have dropped out of the Dallas school integration case; the NAACP has urged a quick trial of the state's plea for a permanent injunction against its activity in the state.

VIRGINIA — Legal battles over three suits involving school segregation were under way as school districts reported concern over marketing of bonds for new construction.

WEST VIRGINIA — A Republican sweep brought in a new governor and a new superintendent of schools in a state where desegregation is accomplished or under way in 52 of 55 counties, but with no change anticipated in state policy.

38a 1956

'If sent back, I'll still fight'—Delaine

Afro-American
Sat. 1-7-56

By JAMES L. HICKS

NEW YORK, N.Y. — "If they send me back to South Carolina I'll still fight against segregation and try to have the Supreme Court's decision enforced.

As an American minister I wouldn't be living up to the articles of my church if I didn't."

The Rev. J. A. DeLaine, fugitive minister from South Carolina, made this statement to reporters Wednesday when asked what he would do if South Carolina officials request his extradition back to his home and Governor Averill Harriman grants their request.

Baltimore Md.

The Rev. Mr. DeLaine, who is charged by South Carolina law with assault with intent to kill, appeared in magistrate's court Wednesday for a second hearing on the charges which grew out of his firing back on a group of white men who fired into his home last summer.

* * *

MAGISTRATE ANTHONY M. LIVOTI declined to dismiss the charges against him as requested by his attorney William Carey.

Instead, he set a new hearing for Jan. 16 and stated that if no extradition papers have been received in New York from South Carolina by that date the charges would be dismissed.

South Carolina has forwarded papers here calling for the arrest of the Rev. Mr. DeLaine, but no papers requesting his extradition have arrived here yet.

* * *

THE COURT said in setting the new date that it is presumed that the papers are "in the process of being drawn up" but added that this opinion was "very unofficial."

The Rev. Mr. DeLaine, accompanied by Bishop D. Ward Nichols and about a dozen prominent ministers of the AME Church, appeared in court with his wife and his 18-year-old son Brumit B. DeLaine.

His 19-year-old daughter, Ophelia, is also in New York but did not appear in court. Another son, Joseph, 22, is with the Army in Korea.

* * *

IN AN INTERVIEW with reporters after the hearing Mrs. DeLaine said that she hopes that her husband will not be sent back by Governor Harriman, but she said if he is "I will stick with my husband and go back with him."

She was a teacher in the public schools before the family was forced to flee the state.

During the interview with reporters Bishop Nichols and Attorney Carey differed sharply as to whether the DeLaine case has political importance.

Mr. Carey told reporters, "I don't see any real political significance in this case, particularly where Governor Harriman is concerned. I don't believe Harriman would be moved by politics in this case.

"He is aware of the reign of terror in the South and I believe he would do what all of us hope he will do if the extradition papers are sent to him."

* * *

BUT BISHOP NICHOLS disagreed, saying, "While this is not a political case, it has political implications. Sixteen million colored people are watching the fate of the Rev. Mr. DeLaine and are deeply concerned about it.

Mr. Harriman, while not having declared himself a candidate for president, has been pictured as aspiring to that office and colored voters naturally are watching his every move with deep interest."

The statement of both men stemmed from the fact that if Governor Harriman sends the Rev. Mr. DeLaine back to South Carolina on extradition, he will displease colored people.

If he refuses to send him back he will anger the white South which is fighting integration.

* * *

THE REV. MR. DeLAINE, in a television interview, said the 23rd article of the AME Church binds him as a minister to uphold the Constitution of the United States and he said he would not feel he was acting in good faith if he did not fight for the enforcement of the Supreme Court's May 17 decision wherever he happened to be.

Asked if his son in Korea knew of his situation, the minister said his son not only was fully aware of it but that he had been "upset about it" to the extent that an Army official had offered him the opportunity to come home to take a hand in the fight.

The Rev. Mr. DeLaine said South Carolina officials had tried to frame both he and his son by trying to make it apear that he (Rev. DeLaine) had stolen an expensive microscope found in his house.

He said the microscope had been bought by his son in Korea from an Army major and that the major had testified to selling it to him.

The minister does not know by what authority South Carolina authorities entered his home to find the microscope in the first place.

* * *

MEANWHILE, A spokesman for Gov. George Bell Timmerman of South Carolina said Wednesday in Columbia, S.C., that there had been no request for the extradition of the Rev. Mr. DeLaine.

Governor Timmerman, however, assailed the Department of Justice for its refusal to return the Rev. Mr. DeLaine to South Carolina for trial.

The governor wondered why the Federal felon fugitive law isn't being enforced.

The Department of Justice notified the South Carolina governor and Florence County Sheriff John Hanna that the Rev. Mr. DeLaine's case technically did not come under the felon law.

Accused by DeLaine is paid honor

Afro-American
Baltimore, Md.
Sat. 1-14-56

LAMAR, S.C. — James (Jack) Moore of Lake City, accused by the Rev. J. A. DeLaine as among a white quartet which fired on the pastor's home last Oct. 10, has been nominated as "Man of the Year in South Carolina" by the White Citizens Councils.

W. E. Hill, head of the Lamar WCC, said Tuesday, Moore had been invited as guest of honor to a meeting of the local unit, which Hill said was also inviting any Department of Justice probers to a "meal for any Anglo-Saxon agent" of the department.

Mr. Moore allegedly drove the car in which two other white men were struck by splattering metal when Mr. DeLaine said he returned their fire. Moore subsequently swore out an assault and battery warrant for the pastor who touched off the Clarendon case.

* * *

THE REV. MR. DELAINE fled Lake City immediately after the shooting. An extradition in the case is pending in NYC, where Mr. DeLaine is on bond and in the custody of Bishop D. Ward Nichols.

Mr. Hill released the following text as the citation which is to be given Moore by the Citizens Council:

"This citizen of Lake City, S.C., by the simple act of riding peacefully down a quiet street on his way home, simultaneously rid this state of an arrogant professional agitator and transformed an ordinary rifle-shooting assailant into a saint who basks in the adulation of that ignorant and undiscerning portion of the northern public which apparently feeds upon its own soul-consuming hatred and envy of the South."

* * *

RECENT disclosures indicate that there had been at least one unpleasant incident between Mr. Moore and a member of the DeLaine family.

Mr. Moore told newsmen he had consulted a lawyer with the view of filing a civil libel suit against the minister. He said Mr. DeLaine had registered a complaint against him with the Standard Oil Company's South Carolina office at Columbia.

He Passes On Desegregation

Informer
Sat. 1-14-56

The December issue of "New South," official organ of the Southern Regional Council, tells this story of how a white minister lost his pulpit in South Carolina. It says:

"Yet another victim of the pro-segregation hysteria was the Rev. G. Jackson Stafford of Batesboro, S. C. Mr. Stafford was pressured to leave his pulpit largely through the influence of Federal Judge George Bell Timmerman, Sr., a member of his congregation. Judge Timmerman learned that Mr. Stafford held personal views in accord with the school decisions of the Supreme Court—and in harmony with the official action taken by the Southern Baptist Convention. The Judge, whose sworn duty it is to uphold the high court's ruling, found this brand of religion too much to bear. And so the Rev. Mr. Stafford had to go."

Houston Lee

This sounds very much like those people of power nearly two thousand years ago, who sat in judgment upon Jesus Christ. Although they found "no fault with This Just Man," still they turned Him over to the mob in order that they might crucify Him.

With things in such a posture, it is not hard to imagine what will happen to the constitutional rights of Negroes when they come up for judgment in the court of such a judge. All he will remember is that they are Negroes. All else will be forgotten.

Courier Sat 1-28-56 P. 2 Pittsburgh, Pa.

38a

Hate Targets?—James Hinton, president of South Carolina's NAACP chapters, is shown here with his wife and daughter, Novella, a student at Bennett College. Thugs fired a shot into the Columbia (S. C.) home of the Hintons last week in the latest incident in Dixie's wave of terror. Courier Sat. 1-28-56 P. 2 Pittsburgh, Pa.

Hinton Is Terror Target

S. C. Thugs Fire Shot Into Home Of NAACP Chief

Courier Sat. 1-28-56 P. 2 Pittsburgh, Pa. 38a

By A. M. RIVERA JR.

COLUMBIA, S. C.—The home of Dr. James M. Hinton, president of the South Carolina chapters of the NAACP, was fired into last week by thugs who drove away in a car described as "a shabby old model."

Dr. Hinton, who was in Augusta, Ga., where he is employed as an executive of the Pilgrim Life Insurance Company, told the Courier that the incident is being investigated by the FBI and local police.

Hinton said that he felt the incident was designed to annoy and frighten him and his wife.

• • •

MRS. HINTON was upstairs at the Hinton residence, 1222 Heidt Street, when the shot was fired through the reception hall just inside the front door.

She said that she saw an old model car drive away following the shooting. She said that the darkened street and a heavy fog kept her from seeing a license plate as it drove away. Investigating police expressed the belief that whoever fired the shot got out of the car to do so.

In 1949 Mr. Hinton was picked up by a group of white hoods who took him for a "ride" to frighten him into resigning his NAACP post.

Chief of Police L. Campbell of this city is sifting fragments of evidence. Hinton said if the guilty parties can be found, Campbell will find them. "He is one of the finest I've ever met," he said.

—DIGEST OF THE PRESS—

NAACP Leader's Home Fired On

World Telegram and Sun P. 11

By the United Press.

COLUMBIA, S. C., Jan. 20.—The home of a Negro integration leader was fired on here Monday but no one was injurde, police disclosed last night. Fri. 1-20-56

The blast was fired into the front of the residence of James M. Hinton, South Carolina president of the National Association for the Advancement of Colored People. Officers were notified early Tuesday but did not reveal the shooting at that time.

"We have no leads in the investigation," a spokesman said. New York

Mrs. Hinton was the only person at home when the blast was fired. She said she saw "an old model automobile" racing away. N. Y.

Detectives found a dozen buckshot pellets which had pierced the front of the house, smashed a mirror and plowed into pot plants, walls and a stairway inside the house.

Mrs. Hinton said "numerous" threatening telephone calls had been received in the past.

Bullets Rip Home Of S. C. NAACP Chief

Detroit Sat 1-21-56 Chicago Ill.

COLUMBIA, S. C.—The home of James Hinton, president of the N. A. A. C. P. state conference of branches, was peppered by shotgun blasts last week, just eight days after Gov. Timmerman called for a "lawful" race battle to get underway in the state. P. 1

At the time of the blasts, only Mrs. Hinton, wife of the businessman, was in the frame house. She was unhurt.

Hinton, who was out of town at the time, said investigation was underway by local police.

According to well-informed sources, Hinton is high on the list of Southern Negro leaders marked for intimidation and possible death by Dixie racists seeking to maintain segregation.

Hinton is also one of a dozen NAACP officials threatened in recent months. He was once taken for "a ride" by so-called "night riders," but escaped with his life after being told he was "too uppidy."

WCC adds 5 to pressure list

Afro American Sat. 3-3-56

ORANGEBURG, S.C.—The local White Citizens Councils, headed by W. T. C. Bates, central South Carolina representative of the New York Life Insurance Co., added five names to a list of 100 persons against whom the local WCC is conducting an economic boycott.

A copy of the latest listings was obtained by the AFRO, along with a copy of an application form used by the WCC and an issue of the organizations first edition of a 4 page tabloid size newspaper.

The paper lisis the following: Shadrack Morgan, attorney, 544 Clar St., and his wife Mattie D. Morgan. Baltimore Md.

THE REV. ALFRED ISAAC, associate professor at S.C. State College and pastor of a Baptist church here, and his wife, Dorothy. She teaches at Dulton Memorial School

George W. Daniels, 733 Treadwell St., retired agricultural agent, and wife, Mrs. Dora E. Daniels.

The Rev. John D. Rhodes, 310 Green St., pastor of a Baptist church here.

The Rev. Henry L. Parker vicar of St. Pauls Episcopal Church.

Desegregation of S.C. parks is due Feb. 6

Afro-American Baltimore Md. Sat 2-4-56

CHARLESTON, S.C.—U.S. District Court will be asked here Feb. 6 to issue an order integrating facilities at Edisto Beach State Park, attorneys for five plaintiffs in the South Carolina parks case said last week.

The Edisto Parks case, sidetracked pending for the recent U.S. Supreme Court ruling in the Maryland case, was placed back on the District Court's roster after lawyers for both sides agreed to pursuing the issue in state courts would settle nothing.

• • •

JOHN H. WRIGHTEN, attorney associated with W. Newton Pough of Orangeburg in the case, said that Jack Greenberg of NYC, NAACP attorney, would assist in the hearing.

The case grows out of several years of efforts here to obtain state park facilities for colored citizens similar to those provided for whites at Edisto Beach.

Mr. Wrighten said the court, in its discretion, could issue an integration order and prevent further litigation. Both sides had agreed that the Maryland ruling by the Supreme Court would be binding on the issue here.

S. C. Governor Urges 'Lawful' Race Battle

FROM CHARLOTTE OBSERVER, Jan. 12, 1956

Ike: Victory In Economic War

Timmerman Blasts Integration Edict

ANOTHER CIVIL WAR LOOMS? If South Carolina's Governor George Bell Timmerman, Jr., had his way, the South would again be the scene of turmoil between the races.

The outspoken governor charged in an address to the state legislature last week that the US Supreme Court's schools decision "flagrantly violated . . . the rights of states and the people" and asked that Dixie states join together in adopting the idea of interposition.

The governor's race-baiting statement caused the somewhat liberal Charlotte (NC) Observer to use the above headline. Gov. Timmerman called for the entire South to "band together" against the Federal government.

SENATOR URGES DELAY TO BLOCK DESEGREGATION

Daily Tribune Art. 1-28-56

Chicago, Ill.

Demands Dixie Law Changes

P. 4

Columbia, S. C., Jan. 27 [Special]—Sen. Eastland [D., Miss.] has suggested a strategy of organized delay by southern states in resisting the desegregation decisions of the United States Supreme court.

He proposed that the southern states organize a regional commission financed with public funds to carry on the fight and added:

"The state, if necessary, can abolish school districts, create other ones, and thus remove the basis of a suit. This would mean the whole case must start over, with years' delay. The state can also, when necessary, close schools.

Urges Law Changes

"By changing state laws and creating new state policies which must be litigated and which must go to the Supreme Court of the United States, the states can litigate this for an indefinite time in hostile federal courts."

The senator indicated delay would give the southern states time to frame a segregation policy based on factors other than race. He pointed out the Supreme court said segregation "solely because of race" violated the Constitution.

Speaking before a state-wide rally sponsored by two pro-segregation groups, Sen. Eastland added:

"No one but the states can segregate under the police powers, to promote the public health, raise the academic standards, protect the psychological welfare of the child, prevent violence, promote peaceful and harmonious race relations. This kind of segregation is not based upon race."

He Praises Governors

The senator urged that every southern state adopt a state policy of program to retain segregation. He praised the governors of South Carolina, Georgia, Virginia, and Mississippi for agreeing at their Richmond meeting Wednesday to stand on the states' rights theory against the Supreme court decision.

Referring to the interposition doctrine stressed at Richmond, he said:

"What we attempt to do is to point to the illegality and to void by constitutional and legal means any unconstitutional and illegal act committed by the Supreme court."

"Interposition," he went on, "is the legal and constitutional doctrine thru which the problem can be resolved. The Supreme Court of the United States has committed several unconstitutional acts in the segregation cases. It has attempted to amend the Constitution and to use compulsion to enforce its illegal decisions."

Urges States to Act

"The states affected should say these decisions are illegal and invalid, that the court has no power to interfere with or place a limitation upon the power of any state to regulate health, morals, education, marriage, and good order within the state.

"The regional commission should take the lead in this effort. We should then request by resolution an amendment to the Constitution under Article V which will rivet these principles into our Constitution."

He said the regional commission should also make a study of race and "publicize the facts about the characteristics, morals, and native intelligence of the races," and "conditions that prevail in the interracial schools of Washington and New York."

Charges Truth Banned

"A concerted effort is being made to suppress the truths of what is going on in the Washington school system," he continued. "President Eisenhower's own grandchildren have been removed from a system that permits integrated schools and placed in a private segregated Episcopal school in Alexandria, Va."

Sen. Eastland called for a "just and legal fight" without violence or lawlessness.

"Violence hurts the cause of the south," he warned. "Acts of violence and lawlessness are turned against us by our enemies. In this fight no one should be mistreated. The white people also desire peace and harmony."

Again Raps Court

Sen. Eastland reiterated attacks on the United States Supreme court, saying: "The time has come when the bit and curb must be placed on these unfaithful guardians of our heritage, rights, and liberties."

"The anti-segregation decisions are dishonest in the light of law and precedence," he added. "These decisions were dictated by political pressure groups bent upon the destruction of the American system of government and the mongrelization of the white race. The court responded to a radical pro-communist movement in this country."

He charged that the National Association for the Advancement of Colored People, which won the segregation fight in the Supreme court, was backed by organizations "of all shades of red."

Blasts Church Group

He said these ranged from "the blood red of the Communist party to the almost equal red of the National Council of Churches of Christ in the U. S. A. The foundations and other groups with tremendous sums of tax exempt money are financing this drive in a big way.

"These and other anti-segregation organizations control news services, the magazines, the radio and television chains. There is a continual rain of propaganda. It is foolish to deny the power and influence of those arrayed against us. When groups can subvert the highest court of this land and control the President of the United States, they must be reckoned with."

'Sacrificed Lives,' Says Mrs. DeLaine

Afro-American Sat. 2-25-56
P. 6 Baltimore, Md.

BALTIMORE

(Below is the text of the address delivered by Mrs. Mattie B. DeLaine of Lake City, S.C., during the rally of the Baltimore NAACP at Sharp Street Methodist Church on Sunday, Jan. 22).

Mrs. DeLaine was a teacher in the Carver School at Lake City until October 1955, when she and her husband, the Rev. J. A. DeLaine were forced to flee from their parsonage home four days after their church was burned.

South Carolina forwarded a warrant to New York for the minister's arrest but he was never extradited.

Today, as many of you know, Rev. DeLaine is confined to the state of New York.

"We had hoped, heretofore, that at this time in our lives, we would have been able to take life just a little easier. We had worked and we had planned toward that year.

* * *

REV. DeLAINE is a father and a husband in his home. I can truthfully say he has always been kind and very gentle. He never raised his voice in the home.

He was never too buy to call the children together and counsel them at intervals.

He was never too busy in the mornings to call the family together and give thanks to God. He has always admonished the children to strive to be the best citizens and not that one who would degrade and bring the race down.

Rev. DeLaine has always emphasized in his church the 23rd Article of religion, from the AME district, which obligates a member of the AME church to uphold the constitution of the United States and it seems that that is the thing that has him where he is today.

We have sacrificed our lives, we have sacrificed our loved ones, and until today, we are almost completely at the mercy of God and the mercy of our friends.

But I've decided, since my husband's begun this struggle that I would stick by his side, regardless to what the end is.

* * *

TODAY, after 25 years of teaching, I could perhaps have been self-sustaining, but I could not afford to renounce the things which I believe in to be right, and to sell my people just for a few pennies.

I cannot do it now, I would not think about doing it, I would not do it for the offer of those who would have liked for me to do it.

This struggle began back in the year of 1949, when a graduating class of Scott Wright School of Clarendon County began to complain because of some irregularities in the school.

Our own son was a member of this class, but because we did not care to become involved in some disagreements in the schools, being a teacher in that district myself, and my husband being a teacher, we decided to move ourselves.

We sent Joseph to Camden, South Carolina, which is a boarding high school for boys and girls.

Some talked to their parents, to ask if there was something that couldn't be done.

After the class had graduated in June, the president of this class, called some parents together and they met at a small church in Summerton, South Carolina, St. Marks AME Church.

There the parents organized and Rev. DeLaine was asked to act as acting chairman of this group which was against his will But he took the place.

They formed a local committee to go to the local board of trustees to ask if something couldn't be done in the school. And Rev. DeLaine was asked to act for this committee.

They went to the board of trustees, but the board of trustees refused to hear them . . . They finally carried their complaints to the county board.

The county board heard their complaint and the answer was that the administration of the school was found guilty of negligence of their duty.

Rev. DeLaine felt it his duty or that which he had been asked to do was completed.

AT THAT TIME the chapter of NAACP in Clarendon County was not very much. It was only kept alive by a few people. Rev. DeLaine was the secretary of this group, and after the hearing of this group of school patrons, Clarendon group of more than 100 persons were turned over to the NAACP chapter of the County, which began the growth of this county—the NAACP chapter.

Then, the case was taken to court which was the case for equal opportunities and facilities for all. But this case was changed into a segregation case and after the case was changed, then terror continued to grow against Rev. DeLaine.

But before this case was changed into a segregation case, Rev. DeLaine, because of his leadership and because of his activities with the parents, there was a slander case brought against him and he was sued for $20,000.

Out of this, he had to pay a judgement of $2,700 plus lawyer fees, which came to around $4,000.

Then after the case was changed into a segregation case, a few days later, our home in Summerton, South Carolina, was burned.

* * *

IN THE MEANTIME, Rev. DeLaine had been moved by Bishop Reid, and sent to Lake City, South Carolina, and this I might say, also, was against his will. But because the Bishop asked him to go, he said he would go.

We got along nicely in Lake City, but when the Supreme Court issued its decree in 1954, then our small farm home was burned mysteriously. And as I said, we got along nicely in Lake City until the White Citizens' Council was organized there.

A day or two after the White Citizens' Council was organized in Lake City, they began to throw stones, orange peelings, bottles into our parsonage home; knocking out the windows and attempting to intimidate us.

At times when I walked along the street, there were cars that would approach me at certain filling stations as if they were going to run over me.

Later on, on October 10th, after we had been out, we came in around 7:00 o'clock, the local colored policemen came to the house and invited Rev. DeLaine to the police station. Rev. DeLaine refused to go.

A little later that night, some shooting occurred around the house which disturbed us very much. Rev. DeLaine had gone to bed. Finally he had to get up and when he got up, and the shooting continued, it was a time when he was forced to answer them.

And each time that something would happen to us in our home, they first tried to attribute it to our son who is 16.

Since they could not do that and at several times he was away when these incidents happened, then they said to us, "How about your church members?" They couldn't do that, then they said, "Oh well, it's just so many NAACP members doing these things."

Well, at times I told them that they were not NAACP members whom I saw, they were not even members of our church whom I saw, and I was asked by officers "Are you sure?" I said, "Yes, I'm quite sure that the hand which I saw firing a gun was not a member of our church nor any other Negro church in this town."

* *

WELL, MAYBE I'll go back and let you know something about the ordeal through which I had to pass after the shooting which occurred on the night of October 10th.

I fled to a neighbor's house for safety. We were there, maybe if this is the right word, all night, because I could not sleep.

No one in the house slept peacefully. The rest of that night, we were watching cars as they passed to and fro, watching and looking to see what they could find or whom they could find, and at one time recognized somebody walking around the house tapping on the house.

The tap sounded as if it were a switch with which they were tapping on the house which I was in at that time.

The noise went from there to the parsonage and we continued to hear the tap on the house.

Later that morning, I asked the lady with whom I was living or staying that night if she saw the car or anything around the house. She told me "no, the car had disappeared." And at that time, I couldn't imagine what had happened to the car.

I couldn't imagine what had happened to Rev. DeLaine. I did not know anything. I thought at one time there had been foul play.

The next morning when the officers came in and questioned me—well when they came in, they would not even allow the lady of the house to remain in the room.

It took 5 officers, plus the deputy sheriff to come into the room to question me when I was lying in bed and they asked all kinds of questions, trying to trap me and asking me if I knew the whereabouts of my husband—which I did not know.

I asked them if they knew, because I felt that he had been locked up or something had happened—but they said that they knew nothing of his whereabouts.

I did not know anything about Rev. DeLaine until a few days after. My brother brought a newspaper to me and read to me that Rev. DeLaine was in New York with Bishop Nichols.

* * *

AND I WILL say to you today, my dear friends, that in Bishop Nichols, I do feel that not only Rev. DeLaine and his family have a friend, but I feel that the whole race has a true friend in Bishop Nichols. (applause).

Bishop Nichols has gone all out to rescue and to save Rev. DeLaine. And in that, he has not only done that for Rev. DeLaine, but for every Negro (applause).

We want you to feel that what Rev. DeLaine has done has not been done selfishly.

Since I have known him—since we have been together—I have never known him to act selfishly with either his family, the school in which he taught or the church in which he worked, and as I have just said, I have never known him to be too busy to help someone whom he felt needed his help.

And today we are certainly proud of our people and when I stop to think that those people, who have been limited in their travels and in their education, in Florence County, in Lake City, South Carolina, when this incident happened to one of the pastors in that county, that is Rev. DeLaine, that they forgot their little prejudices and their little hatreds, between each other, and they said, "We are forgetting these things; this is a fight and we must come together and cooperate and help to fight this thing."

We should not forget God. I shall never forget God. I can truthfully say that I've seen the lightening flash and I've heard the thunder roar, I've felt sin's breakers dashing, trying to conquer my soul. But Jesus has promised never to leave me alone.

* * *

WE UNDERSTAND, from what we read that this is not the only goings on in South Carolina, but in many other southern states and we feel our brothers care. We feel the care of those people who perhaps are suffering as I did, the night of October 10th.

We are asking the prayers, not only for us but for our people. And I again say that we feel that every mother and every father in this building should teach your son and your daughter and your friends, and those with whom you come in contact the principles and the need of our cooperating but most especially with the NAACP.

We should feel grateful to this organization; we should go out and try to bring others in and help support it. We should not have the selfish feeling to think well, I'm here, they can't hurt me.

If you don't have relatives, if you don't have brothers or sisters or cousins in the South, you should have people in the South who believe in justice and who want freedom. They need our help, they need your help and we should be willing to give whatever we can if it's nothing but a prayer to those who need us.

Now my dear friends, I must say again that we are certainly grateful to every one of you for your prayers and everything that you have given for the helping of this cause.

But when I think of having a son in Korea, aiding to protect millions of American lives, and here I am, a mother, and a father, a brother and a sister here without the protection of the government it makes me bow my head and sigh.

We have one daughter in North Carolina, we have one son here, as, I have said, whom we were forced to bring away from Maryland University for fear of reprisal.

Was Priest Moved Because Of His NAACP Activities?

Afro-American P.13 Sat. 5-5-56 Baltimore, Md.

By JOHN H. McCRAY

ORANGEBURG, S.C. — The Rt. Rev. Thomas N. Carruthers, bishop of the South Carolina Episcopal Church Diocese, side-stepped questioning during a church meeting Sunday on why he recently ordered Vicar Henry L. Parker, of the St. Pauls mission elsewhere.

The meeting following a confirmation at St. Pauls, which had been reported earlier would be boycotted by the membership, but went on as scheduled after church leaders shifted strategy.

Several members said Bishop Carruthers declined to explain what he had meant in press reports that Father Parker would be more "happily placed" elsewhere.

* * *

NEWSPAPERS HAD quoted Bishop Carruthers as saying he had dismissed the vicar on the request of some members of the church. In a letter dated in April, the prelate wrote the Times and Democrat of Orangeburg:

"The statement in your paper on Saturday about the Rev. Henry L. Parker, minister of St. Pauls Episcopal Church, could easily be misconstrued and I write this brief letter in the interest of clarification and fairness to all concerned.

"There was no request from St. Pauls congregation or from its vestry for Mr. Parker's removal.

"St. Pauls is a mission of the Diocese of South Carolina and missions are under the direct administration of the bishop. Clergy serving missions are there by the bishop's appointment. My action in this matter was, therefore, a part of my responsibility as bishop of the diocese.

* * *

"I DID NOT intend to give this matter any publicity. The publicity originated elsewhere. The circumstances leading up to my decision date back for some

"I came to the conclusion that it would be best, both for Mr. Parker and the congregation, for him to seek work elsewhere. I so advised him."

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THE NEWSPAPER, a support of the White Citizens Council, had not published the bishop's letter one month later. Queried by the AFRO, the Times and Democrat city editor said the letter had been referred to the managing editor; he gave no reason for its failure to appear.

Members said the prelate disclaimed that Father Parker's dismissal was a reprisal for his pro-NAACP and integration activities, quoting the Rev. Mr. Carruthers as announcing that he "would never question any" of his ministers on their NAACP activities.

However, they said, the bishop had charged Father Parker with trying "to break up the colored Convocation" in the S.C. Diocese.

* * *

ONE WOMAN member arose at this point in the meeting to announce that the St. Pauls congregation had been opposing the "colored" convocation some 3 years before the vicar arrived at the church — eight months ago.

Prior to the Sunday meeting, the women's auxiliary and the general congregation had both filed protests with Bishop Carruthers over the vicar's removal.

* * *

THE AUXILIARY's letter, dated April 9, said in part:

"At a call meeting of the woman's auxiliary of St. Pauls Episcopal Church, Sunday, April 8, 1956, the members unanimously decided to appoint a committee to draft a protest against the removal of the Rev. Henry L. Parker, vicar, and the manner in which it was done — the information coming to us through the local newspaper.

"Since Father Parker has been in charge, the church has grown spiritually as well as materially. We feel that moving him is by no means the wish of the majority of the loyal members of the church and will seriously affect the future of the church.

His conduct and activity in community services have been in keeping with proper ministerial decorum, in the interest of the total welfare of his parishioners.

* * *

"HIS SOCIO - RELIGIOUS activities have met our wholehearted approval. We feel that this community cooperation was in keeping with the principles set forth by the general church in its recent convention in Hawaii."

The women leaders said that no notice of the removal had been given the congregation, except through newspapers, adding:

"This action has caused the church and its members untold embarrassment in the community."

* * *

THE AUXILIARY also belabored the group which allegedly conferred with the bishop:

"In this our protest we must state that such action on the part of individuals did not represent the church officially.

Those persons who made the complaint to the bishop were speaking for themselves as individuals, and not for the church membership."

* * *

TEN DAYS later, April 19, the general congregation forwarded a similar letter of protest to the bishop, who resides in Charleston:

"At a call meeting of the congregation of Saint Pauls Episcopal Church, Wednesday, April 18, 1956, the members unanimously decided to draft a protest against the manner of the dismissal of the Rev. Mr. Henry L. Parker, vicar."

The letter, too, took exceptions to use of newspapers for notice of the dismissal, rather than an official note to the membership.

The congregation's letter also backed the vicar:

"The congregation feels that the services of the Rev. Mr. Parker have added materially and spiritually to the church and it was, with regret that we received notification that he will no longer be with us.

"This action has caused us undue embarrassment and we fear it has caused impairment to the growth and development of the church."

One church leader explained that in Episcopal missions — the classification of St. Pauls — the bishop's decisions are superior to, and binding upon, the congregation.

* * *

IN A MISSION, he said, the vicar's salary in part is paid by the membership and in part by the diocese or general church. Vicars are, therefore, appointed and removed by bishops.

The Episcopal parish, however, selects and dismisses its rector.

Suspicion persists here that Father Parker's support in behalf of economic pressure farm victims of the White Citizens Council and his prointegration, pro-NAACP stand were factors in the dismissal.

* * *

A RECENT supplementary list issued by the Orangeburg White Citizens Council included the name of the Rev. Mr. Parker; such listings mean disfavor with the WCC and a summary cutting off of credit in the community by firms and services following the WCC line.

Father Parker, a close associate said, "is looking for work" elsewhere but will remain at St. Pauls until a transfer is found to his liking.

"He is definitely planning to leave," the associate said. "He doesn't feel it best for all concerned that he remain longer than he finds another location."

FATHER HENRY L. PARKER descends steps in front of St. Paul Episcopal Church in Orangeburg, S.C. (Cecil Williams Photo.)

CAROLINA ASKS INTERRACIAL BOOK BANNING

Daily Intercom Chicago, Ill. Mon. 5-7-56

Proposal Could Halt U. S. Library Aid

Columbia, S. C., April 1 [Special] — The South Carolina legislature has asked the state library board to screen out books "antagonistic and inimical to the traditions and customs of this state."

The joint resolution, originating in the house several weeks ago, also was passed by the Senate. Adoption was by voice vote after a motion to table was lost, 7-15.

"It is time now to let people in these United States know . . . that South Carolina is playing for keeps," said Sen. Gressette, chairman of the state school segregation committee.

May Lose Federal Aid

Speaking of expressed fears that the resolution might cost the state a potential $172,000 in federal library aid, Gresette said he would rather see "every cent" of it lost "in order to protect the minds of our young girls and boys."

Only one title is singled out in the resolution. It is a children's book, "Swimming Hole" by Gerald Beim, which encourages inter-racial play on the part of young children.

The resolution grew out of discovery of this volume in the county library of a section where white citizens councils are active.

Sen. West, attorney from Camden, long a resort town, opposed "such censorship."

Cites 'Book Burnings'

Citing "book burnings" in Hitler's Germany, West said, "Southern traditions are too firm to have to rest on any such insecure footing."

Sen. Morrison of low-country Georgetown county said the resolution should be adopted only "if we are going to be afraid of the darky."

When an upstate senator asked whether the resolution wouldn't cover items in newspapers and magazines, Gressette replied that, as for himself, he has stopped subscribing to "publications sponsoring" integration.

Some leading newspapers opposed the resolution.

Call to fight WCC squeeze bears fruit

Afro-American Sat. 4-14-56 p. 3 Baltimore, Md.

ORANGEBURG, S.C. — Within less than a week after publication of an appeal from local NAACP officials, more than $500 had been added to a fund to support loans to farmers victimized by White Citizens Council reprisals.

In addition, a number of requests for details on procedure for contributing to the fund had come in from various localities as far away as New Castle, Ind.

The appeal was signed by Fr. Henry Parker, rector of St Paul's Episcopal Church; the Revs. M. D. McCollom, pastor of Trinity Methodist Church and president of the Orangeburg NAACP;

Alfred Isaac, New Mt. Zion Baptist Church, all of Orangeburg, and E. E. Richburg, Liberty Hill AME hurch, Summerton.

It explained that banks in Orangeburg, Sumter and Clarendon Counties are denying customary fertilizer and seed loans to all farmers who have signed petitions for school integration and those who are even believed to be in sympathy with NAACP activities.

The fund is being developed, according to its sponsors, not through gifts, but through contributions which will be used as bank loans and returned after the distressed farmers have sold their crops next fall.

* * *

ALL LOANS ARE being handled on a strict business basis with mortgage security

Arrangements have been completed for the Victory Savings Bank of Columbia to receive the contributions and execute the loans to farmers.

The Rev. Mr. McCollom and his associates emphasized, in a statement this week, that all contributions should be mailed directly to the bank, with mention of their purpose, rather than to the ministers themselves

* * *

INITIAL DEPOSITS to the fund made prior to the published appeal included $20,000 from the national office of the NAACP, $5,000 each from the National Council of Churches and the Congregational Christian Church, and lesser amounts from South Carolina groups including the Prince Hall Masons.

Efforts have been launched to induce several of the Greek letter fraternities and sororities to make some of their national organization deposits available.

Complete details of the plan may be obtained either from the Victory Savings Bank of Columbia or any of the sponsoring ministers.

Seek Censure Of South Carolina

Defender Chicago, Ill. Sat. 4-21-56

State Sen. Fred Smith and Representative Corneal Davis, both of Chicago, are already planning Carolina legislature's resolution which condemns the U. S. Supreme court for its school desegregation ruling.

The two members of the Illinois legislature plan to introduce resolutions at the next session in January, 1957 — to condemn the State of South Carolina for condemning the Supreme Court.

The South Carolina resolution has been passed by both houses, certified by the Secretary of State and signed by Gov. George Bell Timmerman. The document has been distributed to the legislatures of all the states and segregationists are hoping that enough states will "ratify" it.

Davis labelled the South Carolina resolution "a fraud of the first order."

Davis said "the mere fact that Negro citizens are denied the right to vote and exercise their full constitutional privileges or hold public office makes this resolution a fraud upon its face and I will ask the membership of the assembly of the state of Illinois and the governor to non-concur."

Prof would treat Dixie natives like refugees

Afro-American p. 5 Sat. 5-26-56

NEW YORK — A professor in sociology and anthropology at Ohio State University seems to have fallen for the idea expressed by T. R. Waring, editor of the Charleston (S.C.) News and Courier, that moving large numbers of colored people North would solve the race problem in the United States.

Writing in the New York Times, Brewton Berry, of Columbus, Ohio, states:

"There is considerable merit in the idea (Waring's) and I am writing therefore in the hopes of promoting serious consideration of it and also to suggest how it might be carried out.

* * *

"THE GREATEST resistence to school desegregation and extension of the franchise arises in those areas where the size of the colored population approaches or exceeds that of the white.

Therefore a wider dispersion of colored people throughout the United States would certainly alleviate the problem of conflict and discrimination which so disturbs our consciences and injures our prestige throughout the world.

"Needless to say, coercion must be altogether excluded.

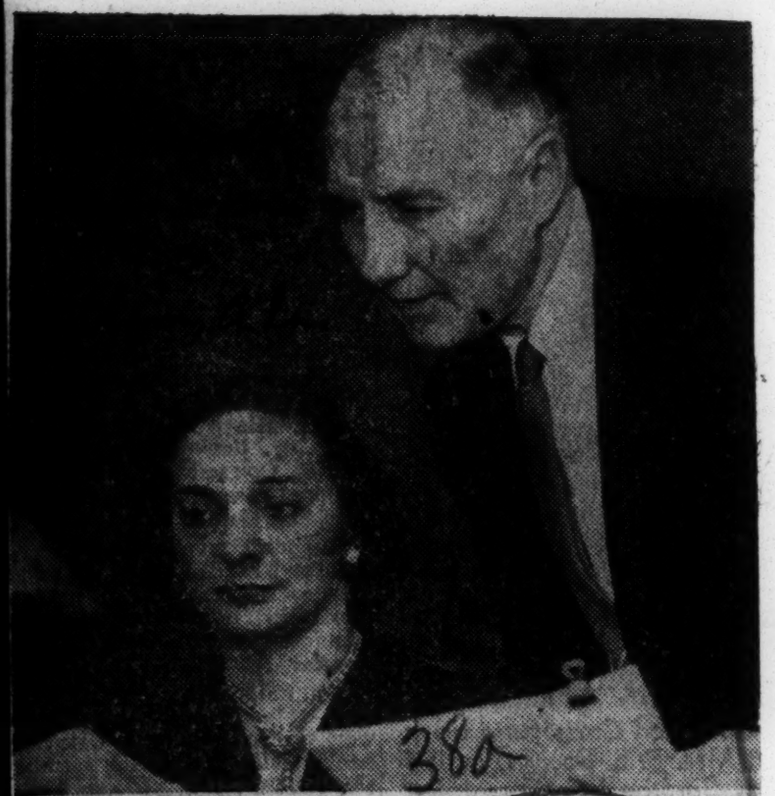
"It is my proposal, therefore, that Congress enact legislation to enable colored people in the South who wish to do so to migrate to the North and West.

* * *

"FUNDS OUGHT to be made available to them in the form of loans, and an agency ought to be established to administer the program.

"The governors of the northern and western states and the mayors of the cities and town might appoint commissions (similar to those we have now for the refugee program) charged with the responsibility of promoting the migration and assisting in the adjustment of the migrants.

"Voluntary groups (churches, civic organizations, service clubs, etc.) would play the same prominent role under this plan that they currently play in the refugee program — Securing sponsors, assuring housing and jobs and facilitating the adjustment."



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THURMOND HELPS WRITE MANIFESTO — Sen. Strom Thurmond (D., S. C.), who helped write a manifesto on school segregation, works on correspondence with the assistance of his wife in their home at Washington. Thurmond is one of 19 senators and 77 representatives, all from the South, who pledged to exercise every "lawful means" to reverse the U. S. Supreme Court ruling to banish racial segregation in public schools. They called the court's 1954 decision an unconstitutional "abuse of judicial power."

sight. These requirements include:

Post-Herald

1. A government of national unity representing all major non-Communist and non-Fascist parties and therefore capable of action politically impossible for any partisan cabinet.

Press 3-13-56

2. Increased military conscriptions. Several hundred thousand more troops are needed instead of the 30,000 from Indo-China and the North Atlantic Treaty Organization (NATO) planned by Mollet.

3. A large increase in direct taxes—now generally evaded—to finance Mollet's proposed Algerian social reforms and economic development.

Birm., Ala.

4. Equal political rights, social benefits and economic opportunity of the Moslem majority with the French minority which now rules and exploits Algeria.

As for genuine equal rights and privileges for the Moslems and the French, only a minority in the Paris Parliament nominally favors such basic reforms. Even that minority—which includes Mollet and his coalition partner, Pierre Mendes-France—refuses to define equality or commit itself to specific reforms.

Meanwhile the Mollet-Mendes government and the divided parliament hope to win the Algerian war cheaply. The same fatal French attitude of doing too little too late and then blaming America and Britain for the failure lost Indo-China. Algeria is vastly more important to French survival.

James Hinton Residence

Journal + Guide Sat. 1-28-56 p. 1

s Sprayed By Gun Shot

Norfolk, Va.

Noted Leader's Wife Alone At Home When Shots Are Fired; Police Press Their Investigation

38a

pecial to Journal and Guide

COLUMBIA, S. C.—Just eight days after South Carolina's Gov. Timmerman lled for a "lawful" race battle to get underway in the state, the home of the presi- nt of the state conference of NAACP branches was peppered by shotgun blasts.

The "lawful" aspects of the overnor's "battle" were in no wise evident when unknown persons fired a series of shot- gun blasts into the home of James M. Hinton, veteran civ- l rights advocate, Monday ight, Jan. 20.

* * *

ONLY MRS. HINTON, wife of the businessman-church- man-civic leader was in the home residence at 1222 Heidt street when the dwelling was literally sprinkled with blasts from shotguns. Mr. Hinton, who is agency director for the Pilgrim Life Insurance Company, Augusta, Ga., was out of town at the time.

When contacted by the Jour- nal and Guide at his Augusta office early this week, Mr. Hinton said investigation of the shooting by local police of- ficers had gotten underway Tuesday. Mr. Hinton said forthrightly that he plans to press investigation of the mat- ter to the fullest.

* * *

"WE'VE DRAWN OUR lot with those who seek equality of opportunity for all people and this will not deter us from our chosen course" he de- clared.

Mr. Hinton, according to well-informed sources, is high on list of Southern colored leaders marked for intimida- tion and possible "exterminа- tion" by Dixie forces seeking to retain the status quo.

HE ONCE WAS "taken for a ride" by night-riders, but es- caped with his life after being told that he was "too uppidy."

He was at a loss to explain why the persons who shot into his home selected a time when he was out of town to do so. "Everybody around knows that I'm usually out of Co- lumbia from Monday through Friday," he told the Guide.

38a

MR. HINTON'S work with the insurance firm takes him to all parts of South Carolina and Georgia and much of his other time is spent in cham- pioning civil rights activities.

Mrs. Hinton said a dozen lead pellets pierced the front of the house and smashed a mirror and sprayed into pot plants, walls and stairs inside the house.

MRS. HINTON reported that about 11:50 Monday night as she was upstairs in the home, she heard a noise sound- ing like someone had "thrown something up against the house."

She said she rushed to a window and saw "an old mod- el car" driving off at a high speed. She was unable to get the license number.

* * *

MRS. HINTON said she could think of no reason why anyone would shoot at the house except her husband's NAACP activities. She add- ed that the midnight shotgun blast was the first violence at the Hinton home although several threatening telephone calls had been received.

Columbia detectives Tues- y morning gathered up size ouble-0" buck shot from the or and picked other pellets of the woodwork and pot nts on a table inside the se.

* * *

THE PELLETS covered a le area to the right of the nt door of the two-story me house, located in an old stantial Negro section of city.

The shot into the front of home was only one of sev- ral fired Monday night in the icinity of the Hinton home, Mrs. Hinton said.

She reported that about 9:30 or 9:45 Monday night she heard three shots fired on an- other side of the home (loca- ted on a corner) but they were apparently into the air.

* * *

SHE SAID SHE was down- stairs at the time and "became so annoyed" at the shooting that she went upstairs. Later, about 11:50, she said, she heard "something that sound- like someone throwing ething up against the front the house," heard a car t up and went to the win- only to see an old model speed off.

Mrs. Hinton said all the ts in the house were off at time.

HE HINTONS, parents of r grown children, have d in the Heidt street house 16 years. "We got a lot threats over the phone for ut six months," Mrs. Hin- said, "but they stopped ing about October." She l she would listen to the lers for a few moments and n say she didn't know what y were talking about and ng up. She said the lan- age used somethimes was orrible."

But she said there have been no recent threats on her or on her husband.

* * *

A NEIGHBOR, Mrs. Maggie Boozer of 1227 Heidt street, reported hearing the shotgun blast. Her son, Benjamin had just come in the house and closed the door as the blast echoed down the quiet street. He reported seeing an old model car parked in front of the Hinton home.

Shortly after the gunshot, Mrs. Hinton said she came down the stairs, and found glass from a four-foot mirror all over the stairs and the floor.

* * *

PLASTER AND debris from the wall was on the floor and on a front hall table. A three- foot potted plant had had a leaf clipped off by the pellets, and several other pellets had lodged in the pot itself.

Small holes were visible on the front porch, about three feet abaove the floor, where the shot entered the house. Inside, larger holes caused by the spreading lead are visible.

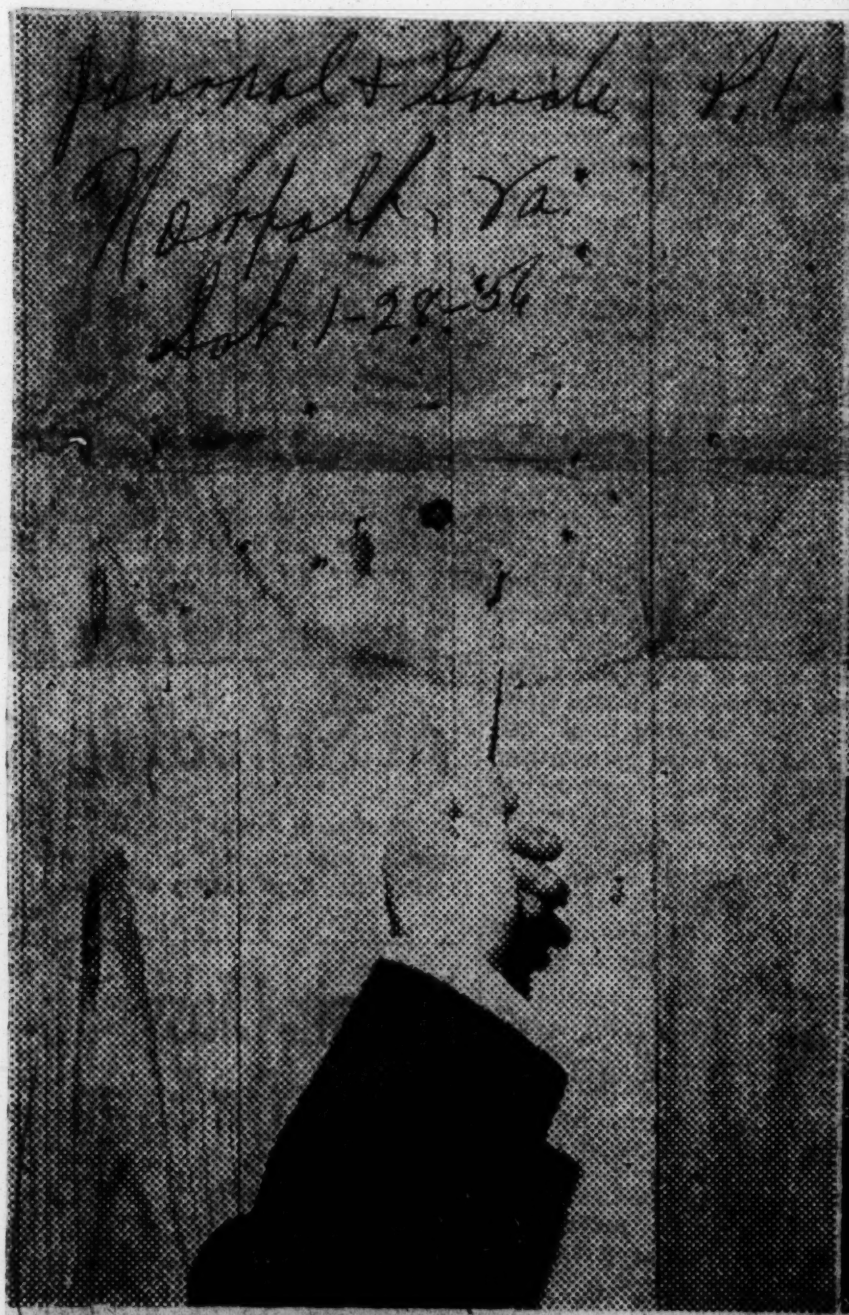
* * *

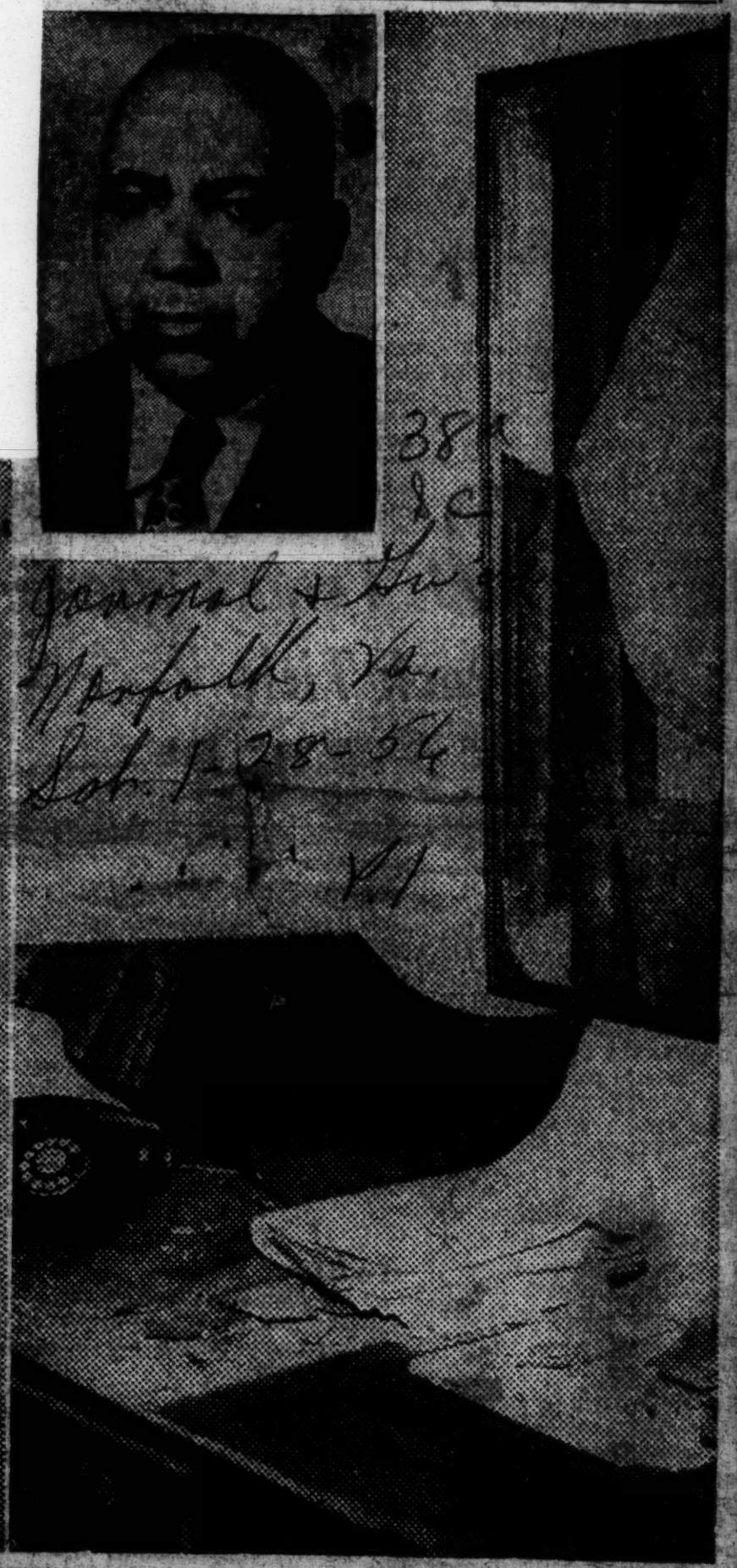
DETECTIVE ELEAZER in- vestigating for Columbia po- lice, said he found several buckshot on the floor in the hallway leading to the stairs. Several glanced off the stair- way, he reported, and it look- ed "like a load from one shot- gun shell."

Mrs. Hinton said 10 or 12 pellets were found by detec- tives.

The Hintons are parents of four grown children, only one of whom is located in the Co- lumbia area. One son, Rod- ney, is in Norfolk, Va., with the Post Office, and one works with the Pilgrim Company be- tween Columbia and Augusta. Of the Hintons two daughters, one is a student at Bennett Col- lege, Greensboro, N. C., and the other is a social worker in Philadelphia, Pa.

Leader's Home Blasted





THE EVIDENCE Evidence that the home of James M. Hinton, president of the South Carolina Conference of NAACP branches was fired on is given in the above photos. At left are shown some of the holes caused in the wall of the frame house by the pellets. Pencil points to where pellets entered close together. At right is shown a four-foot high mirror which was shattered by the gunfire. Mr. Hinton, veteran leader of South Carolina's Negroes, is pictured in inset. He was out-of-town (Columbia) when the incident took place. His wife was alone in the house.

Dixie Editor Smears Negroes in Magazine Article Opposing Integration

Dispatch Thurs. 2-12-56

NEW YORK — (ANP) — A Southern editor last week advanced what amounts to a smear of Negroes in a magazine article opposing integration.

Oklahoma City

In an article entitled "The Southern Case Against Desegregation" appearing in the January issue of Harper's magazine, Thomas R. Waring, editor of the Charleston (S.C.) News and Courier, presented a five-point argument against the mixing of Negro and white children in school which he himself admits" . . . readers outside the region (South) may find it difficult, if not impossible to believe." . . . Waring wrote:

1. Health. "The incidence of venereal disease, for instance, is much greater among Negroes than among whites. . ."

2. Home environment. Waring says the cultural background for most Negro children in the South "is different in many ways from that of their neighbors. . . Slavery is so long in the past that nobody thinks about it any more, but the master and servant, or boss and laborer, relationship between whites and Negroes is still the rule rather than the exception."

3. Marital habits. "On the average, one Southern Negro child in five is illegitimate."

4. Crime. "For many years crime in the South has been more prevalent among Negroes than among white people . . . Conservative, law-abiding people are deeply fearful that hatered and bloodshed would increase without separation of the races."

5. Intellectual development. "Some advocates of integregation say the way to cure these (intellectual) differences is to let the children mingle so that Negroes will learn from the whites.

"The trouble with the theory is that even if it works, a single generation of white children will bear the brunt of the load. While they are rubbing off white civilization onto the colored children, Negro culture will also rub off onto the whites."

Waring did not have to wait long to receive Yankee opposition to his article. In a quick rebuttal the editors of Harper's slapped a headnote on to it stating that the views expressed in the article were "far removed" from theirs. However, they (the editors) said they felt it should be published.

Says Forced Bias Doomed By Historic Forces

World Fri. 3-30-56 P.4

Birmingham Ala.

NEW YORK — Replying to "The Southern Case Against Desegregation," an article published recently in HARPER'S magazine, NAACP Executive Secretary Roy Wilkins declared in a letter that the article's "sophisticated defense of racial intolerance is no more rational than Senator Eastland's crude denunciations."

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"The Southern Case" was written by Thomas R. Waring, a South Carolinian. Portions of Mr. Wilkins' letter were published in the March issue of Harper's.

Mr. Waring, Mr. Wilkins said, "brushes asides everything except race as a cause of the Negro's alleged backwardness."

The "shacks and alleys" in which the southern Negro has to live, "the outlying hollows and gulleys and railroad cuts that formed his 'residential areas' were to inspire the 'home environment" deplored as missing by Mr. Waring," the NAACP official commented.

"The overcrowded, underequipped one-room school, the racial pay scale and job ceilings, the demeaning eitquiette of the segregation system, the exclusion from the ballot box — all these had nothing to do with development. That vast numbers of Negroes failed this obstacle means (according to the 'Southern Gentlemen' of the Waring school of thought) that the race is racially inadequate."

"The remedy they propose," Mr. Wilkins noted, "is to continue the same system, to have 'meddlers' keep out and to let time (2055, one South Carolinian has said) and the friendly, thoughtful, considerate Southern whites take care of the whole thing."

The NAACP executive secretary asserted that "the past year has been one of great disillusionment to many white Southerners. 'Their' Negroes, whom they said did not want desegregation, have not stepped forward to ask the continuance of segregation."

DISCUSSION NEEDED

Responding to Mr. Waring's assertion that the South's racial situation calls for discussion, Mr. Wilkins said "the opposition doesn't want to discuss a solution of desegregation problems; it wants only to secure agreement to a continuance of the status quo laced with such improvements as the whites, in their beneficience, and in their own good time may choose to make."

"The Negro contends that this is no basis for discussion, moderate or otherwise. To expect him to think, talk and act as though the Supreme Court had never spoken is pure fantasy, unworthy of debate."

SOUTHERN GOVERNORS CONFERENCE
WHITE SULPHUR SPRINGS, WEST VIRGINIA

Dixie Chiefs Likely To Air Racial Issues

Advertiser Montgomery Ala Sun 9-9-56

By ARTHUR EDSON

WHITE SULPHUR SPRINGS, W.Va. Sept. 8 (AP)—Southern governors begin a four-day meeting here tomorrow, and nowhere in their official program do they mention the burning issue before them:

What happens to Southern education now that the Supreme Court's decision on public school segregation is starting to take effect?

Publicly the governors will discuss big but relatively non-controversial subjects—civilian uses of atomic energy and water conservation in the South. And they will listen to Adm. Arthur W. Radford, chairman of the Joint Chiefs of Staff.

But you can bet your last Confederate flag that privately they will be comparing a lot of notes on proposals for handling their many school problems.

This will be the Southerners' 22nd annual meeting, and they traditionally hold it in the fall. So it's just a coincidence that their conference opens at the start of a school term, when you only need to skim the headlines to see some of their troubles.

MANY FLAREUPS

Draw a line across the map from Maryland to Texas. Each state it touches has had either a major or a minor flareup over integration. These states—Maryland West Virginia, Kentucky, Tennessee, Arkansas and Texas—ring the rest of the South where presumably the integration difficulties will be tougher.

Already one governor, Thomas B. Stanley of Virginia, has reported he will be tardy, maybe absent altogether, because of the school problem. The Virginia Legislature is in a special session, wrestling over proposed school legislation.

Another governor, James P. Coleman of Mississippi, has said he will be unable to attend due to previous commitments.

This leaves 14 governors to fret over regional problems—and talk politics.

Among the Southerners are two Republicans, Theodore Roosevelt McKeldin of Maryland and J. Caleb Boggs of Delaware. Their states went for Eisenhower in the 1952 presidential election, as did Virginia, Tennessee, Oklahoma, Texas and Florida.

These last five states have 65 electoral votes and the Democrats must reclaim nearly all of them if Adlai Stevenson is going to win anywhere in his attempt to reverse the decision in his rematch with Eisenhower Nov. 6.

This will be the Democratic governors' first chance since the Chicago convention to check with each other on political sentiment in the unruly and often far from solid South.

HODGES IS ELECTED BY DIXIE GOVERNORS

Commercial Appeal Thurs. 9-13-56

Atomic Development Program Approved By Group

Memphis Tenn.

NO SEGREGATION STAND

P. 33

By MORRIS CUNNINGHAM
Staff Writer

WHITE SULPHUR SPRINGS, W. Va., Sept. 12.—The Southern Governors Conference Wednesday approved a comprehensive program to stimulate atomic energy development in the South.

Closing its 22nd annual session, the conference also created a special committee on industrial development, composed of one representative from each of the 16 member states, to spur Southern industrial development in other fields.

Hodges Is Elected

Gov. Luther H. Hodges of North Carolina, a strong segregationist who has led the passage of new antiintegration laws in his state, was elected to succeed Gov. Frank G. Clement of Tennessee as conference chairman.

Sea Island, Ga., was selected as the conference's 1957 meeting place.

In other actions, the Dixie governors:

1. Approved the appointment of an additional member from each state to the Southern Regional Education Board.

2. Agreed to boost state tuition payments for the Southern Regional Education program in medicine and veterinary medicine by $500 a year.

Association Praised

3. Commended the Southern Association of Science and Industry for its assistance in drafting the new regional program to press atomic energy development in the South.

The new program, which calls for the eventual construction of one or more test reactors, is designed to put the South ahead in reaping the benefits of atomic know-how.

The program will start slowly, as did the unique regional education pogram successfully launched in 1948.

A regional advsory council, composed of the chairman of state nuclear energy advisory committees and seven technicians, would direct the program.

$5,000 Per State

To finance further planning, each state will contribute $5,000. The money will go to the Southern Regional Education Board to co-ordinate studies.

As suggested Tuesday by Gov. Leroy Collins of Florida, originator of the program, the governors agreed to keep it out of the atomic-generated electric power field in the initial stages.

However, the resolution proposed that a close watch be kept on private development of atomic power in the South with the idea that the new regional program could move into that field later if it became necessary.

Segregation Ignored

As expected, the governors took no action on the segregation questiton. With Delaware, Maryland, Kentucky, West Virginia and Oklahoma members of the conference, the segregation question has been omitted from conference actions for the past several years because of the divergence of views and policies among the 16 member states.

Before going into closed session for approval of resolutions and election of Governor Hodges, the governors devoted a public session to a general discussion of the need for improved water conservation programs in the South.

Panelists included Gov. Orval Faubus of Arkansas.

Governors huddle—

Clement says neither side all-out 'right'

News P. 1
Mon. 9-10-56
Birmingham Ala.

BY WARREN ROGERS JR.

WHITE SULPHUR SPRINGS, W. Va., Sept. 10—(AP)—Gov. Frank G. Clement of Tennessee told fellow Southern governors today that "all justice does not lie on either side" in the South's rankling school segregation problem.

Making his welcoming address as chairman of the 22nd annual Southern Governors Conference, the 36-year-old Clement declared:

"Today the South is on trial. Today the South is the object of harsh criticism. . . . Today the South groans with a wrenching, agonizing social problem.

"ABOUT THE issues involved in that problem, I can only say that all justice does not lie on either side. But about the ultimate issue of that groaning, I am optimistic.

"This travail will not prevent the South from making future contributions to the nation."

Clement's talk, a welcome by Host Gov. William C. Marland of West Virginia and a series of reports make up today's opening program. Adm. Arthur W. Radford, chairman of the Joint Chiefs of Staff, makes the principal address at the annual dinner tonight.

NOT ON THE AGENDA, but on everybody's tongue, were the burning questions of school integration and politics.

The governors weighed two plans for coping with their mutual problem of school desegregation.

One plan came from the only Republican governor attending this four-day meeting, Theodore R. McKeldin of Maryland. It was admittedly of a general nature.

The other, as specific as dollars and cents, was offered by Gov. Luther H. Hodges of North Carolina, whose voters adopted it 4-1 at a Saturday referendum.

News P. 8

BUT SCHOOL segregation, easily the biggest concern of governors below the Mason-Dixon line, was not the only topic.

There was also politics. And the consensus was that President Eisenhower and Vice President Nixon would not do nearly as well in the South as they did in 1952, when they got seven Southern states.

Neither of those topics was on the agenda of the meeting. However, a report on how the South is faring in its regional education program provided a possible vehicle for some governor to turn the talk to segregation in the public schools.

THE GOVERNORS were asked to approve a recommendation that $500 be added to the annual payment made by states for students in medicine and veterinary medicine. They now are $1500 and $1000, respectively.

Gov. Leroy Collins of Florida, in his report as chairman of the Southern Regional Education Board, said such a raise "would bring these payments more nearly in line with costs."

The payments are made to schools which have signed contracts under the regional education plan launched in 1949. Collins said this program, making available to all the states the facilities of all of them in such technical fields as medicine and forestry, has been a huge success.

As for school integration problems stemming from the Supreme Court decision outlawing segregation, McKeldin issued a statement late last night saying Maryland has a general rule: "No matter what happens everybody is going to obey the law, and nobody is going to shoot."

So far, he said, it has worked. As to Maryland, he said:

"We confidently expect that within a short time the decree of the court will have been put into effect throughout the state.

"From the very start we . . . have held as sacred two propositions . . . the constitution as interpreted by the court is the supreme law of the land . . . the second is that violence will not be tolerated."

Governors Tee Off With Integration Statements

Herald P.20-C

By JAY JENKINS
Special To The Herald

WHITE SULPHUR SPRINGS, W. Va. — The Southern Governors Conference Sunday afternoon got off to a strenuous start on the golf links.

Miami Herald

Gov. Luther Hodges of North Carolina said he had last played golf eight months ago.

Then he stepped to the first tee and smacked a drive 200 yards down the middle of the fairway.

Hodges played 11 holes, posted an undisclosed score, and retired for the day.

Monday afternoon, those governors who are not too footsore will take part in a tournament hosted by Sammy Snead, the golf pro at the Greenbrier, conference headquarters.

While the governors are opening their formal business session Monday morning, their wives will be competing in a putting match.

Gov. Frank G. Clement of Tennessee, whose phrases roll like the mountainous skyline of his state, is chairman of the conference. He will open it at 10 a.m. with an address of welcome.

Various reports will consume the morning session, with the afternoon free for recreation. The annual state dinner, a ruffles-on-the-drum affair, will be held Monday night.

Tuesday morning, Gov. LeRoy Collins of Florida will preside over a roundtable discussion of "Civilian Uses of Atomic Energy." Participants will include Gov. George Bell Timmerman Jr. of South Carolina and Gov. Marvin Griffin of Georgia.

The concluding business session on Wednesday morning will feature a roundtable on "Water Conservation and Development," with Gov. Hodges presiding.

Besides their golf, the governors were busy Sunday issuing statements about integration.

Gov. Clement said he's chiefly concerned over "keeping outside agitators from stirring the people up" on the school integration problem.

"I'm not going to tolerate outside agitators, period," Clement said.

FOLSOM HODGES

Gov. James E. Folsom, of Alabama, said no matter what happens elsewhere, "it's goin' to take a long, long time for school integration to come in Alabama." Folsom pointed out that Alabama is the only state in which no suits have been brought as the result of the Supreme Court's decision on public school integration.

Gov. Hodges declared he was "tremendously pleased and impressed" with the overwhelming margin of approval North Carolinians gave Saturday to a state constitutional amendment aimed at preserving school segregation.

Nearly 600,000 persons voted, approving the plan by about 4½ to 1. The plan was strongly endorsed by the governor. He called it a moderate approach to the U.S. Supreme Court's desegregation decrees and said it would preserve public school segregation and yet comply with the high court's ruling.

The double-barrelled amendment does not change the state's constitutional provision for maintaining public schools.

However, it modifies the Constitution so as to:

1—Permit a local school unit, on a petition of 15 per cent of its voters, to vote whether to close its schools. The governor has called this a safety-valve device which he hoped would be used only in "intolerable" situations.

2—Permit the payment of public funds, both state and local, to parents who want to send their children to private schools because they object to sending them to integrated public schools.

Destruyen los franceses una fortaleza rebelde en Argelia

Diario de la Marina

CABLES DE ULTIMA HORA

ARGEL, sept. 10. (AP).— Los franceses lanzaron hoy un ataque por sorpresa en un sector de la cadena de montañas Gran Kabylie, y destruyeron una fortaleza nacionalista situada en lo alto de una colina a 36 kilómetros al Oriente de Argel. El cuartel general declaró que los soldados fueron transportados en helicópteros, para atacar la posición rebelde cerca de Borjmeniel, entre Argel y Tizi Ouzou. En los últimos días esta región había estado relativamente tranquila y los franceses trataron de ponerla nuevamente bajo el control de autoridades civiles, al nombrar el miércoles un nuevo Prefecto civil. Los franceses, sin embargo, no proyectan retirar las tropas de la región.

Diario, 9-11-56

"Pudo correr mucha sangre"

WHITE SULPHUR SPRINGS West Virginia, sept. 10. (INS).— El gobernador Frank Clement declaró hoy a los gobernadores de la parte Sur de los E.U. que él evitó el estallido de una lucha sangrienta y una matanza entre los ciudadanos de su Estado, por motivo de la controversia sobre integración contra segregación racial, al movilizar la Guardia Nacional y enviar varios pelotones a la ciudad de Clinton.

Clement preside la Conferencia de Gobernadores.

Afirmó que "si lo hubiese esperado treinta minutos más, muchos de nuestros ciudadanos hubieran caído muertos en la calle.. así de cerca estuvo de desatarse la tragedia".

Agregó el Gobernador tenesiano: "fue una situación terrible, teníamos que decidir si dejar a nuestros ciudadanos a merced de la violencia, y sus hogares bombardeados. El gobierno del Estado no podía permanecer inactivo y tolerar que eso ocurriera".

A juicio del Gobernador Clement, lo ocurrido en Clinton es una lección para sus compañeros estatales en momento similares, precipitados por la controversia sobre la segregación racial.

Negro Leaders To Attend State Of The Race Contab

Pittsburgh Courier Sat. 4-21-56

NEW YORK — More than a score of the nation's top Negro leaders, from organizations with a combined membership totaling more than 12 million Negroes, are expected to participate in a "State of the Race" Conference on Race in Washington D.C. The implementation of the U.S. Supreme Court's public school desegregation decision, the rise of the White Citizens Councils and the general mounting racial tension in the South are the issues which are occasioning the calling of the Conference.

A. Philip Randolph, vice president of the AFL-CIO and international president of the Brotherhood of Sleeping Car Porters, announced that his letter of April 14 to Negro leaders urged that the meeting deal with some of the serious problems facing millions of Americans as a result of the recent Southern Congressmen's Manifesto in addition to the above named problems.

Randolph said, "A crucial challenge to every Negro and Negro organization is posed by the recent so-called 'Declaration of Constitutional Principles' introduced in the Congress on March eleventh, this year."

In an attempt to rally Negro leadership, the call to the convention states that there is a four-fold purpose to the Southern Congressmen's Manifesto. They are:

1. To defy and challenge the decision of the Supreme Court as an invasion of States' rights with a view to effecting its reversal or nullification.

2. To break away the northern educational and church liberal forces from effective involvement in the racial desegregation movement. Such action, if successful would also mobilize public opinion in favor of southern racial segregation.

3. To encircle and isolate the NAACP from the Negro. This effort is designed to achieve the neutralization of the Association's efforts, if not its complete annihilation.

4. To create a cheap labor market in order to attract northern anti-union business interests.

Randolph suggested that there are three things requiring the immediate attention of Negro leadership:

1. Unite the American Negro in an all-out vigorous support of the high court's desegregation decision.

2. At all cost, prevent the encirclement and isolation of the NAACP from the Negro people.

3. Completely tap and utilize the American reservoir of good will and fair play. We must initiate programs which will bring together citizens of all religious faiths, including labor, civic, business, government, and education interests, dedicated to the defense and maintenance of the Constitution of the United States.

The conference is to be held in the headquarters of the National Association of Colored Women in the Nation's capitol.

73 Negro Leaders Find 'State of Race' Not Good

Washington D.C. Star Wed 4-25-56

Seventy-three Negro leaders representing some 12 million of their people convened here yesterday for a day-long conference on "the state of the race." They did not find it good.

Chairman A. Philip Randolph, president of the International Union of Sleeping Car Porters and a vice president of the AFL-CIO, told reporters the conference had come to the conclusion that the pace of desegregation is "too slow" and that progress in civil rights has been "inadequate."

The conferees, who were recruited from civic, church, labor and benevolent groups from all over the country, specifically rejected the doctrine of "gradualism" as a way of achieving civil rights.

Plan Member and Funds Drive

They announced they hope to increase the present membership of the National Association for the Advancement of Colored People from 450,000 to one million within the next two years. They have set themselves a goal of raising a $2 million legal education fund for the organization during the same period.

Further, they voted to create a 12-man "Co-ordinating Consultative Leadership Committee" which will be charged with the responsibility of consulting with various leaders of organizations from time to time, "especially when crises arise, in the interest of placing their full weight, moral and financial, behind the fight for civil rights." It will meet in New York next month.

One of the new committee's first assignments, Mr. Randolph told reporters, will be to seek a conference with President Eisenhower, with a "view to placing before him the nature of the problems of the present civil rights crisis."

The committee also will be responsible for drafting a reply to the so-called "Southern Manifesto," a pledge to fight desegregation signed by 101 Southern Senators and Congressmen.

Advise No Commitment

In their most important political decision of the day, the conferees went on record as advising that Negroes be "politically uncommitted" to either major party in the coming presidential election. Candidates will be judged on the basis of their position on civil rights, the platform of their parties and their records on civil rights in this Congress.

In an opening statement approved by all the conferees, Mr. Randolph said both parties had been "guilty of a 'do-nothing' policy in the interest of Federal civil rights legislation since the Civil War." In that light, he declared, "a policy of rigid adherence to party label on the Negro does not make sense."

Will Study Decision

The new committee, Mr. Randolph said, will be charged with the responsibility of gathering material on the meaning and significance of the desegregation decision, not only to Negroes, but to all Americans. They will give widespread circulation to this material, with the belief that it will "touch the deep reservoir of American good will and sense of fair play in the interests of civil rights."

A document called "The Negro's Declaration of Intention," drawn up by J. H. Jackson of Chicago, president of the National Baptist Convention, was adopted by the conference. It said in part:

"We intend to participate in the total cultural life of the Nation, both for personal growth and development, and for the further progress of the country itself." The declaration also pledged obedience and respect for the laws and loyalty to the United States.

Members of Committee

Dr. Jackson is a member of the new Co-ordinating Consulative Leadership Committee. Other members are:

Mr. Randolph, Roy Wilkins, executive secretary of the NAACP; Father Shelton Hale Bishop, of St. Philip's Episcopal Church, New York; Rev. David Licorish, assistant minister of the Abyssinian Baptist Church, New York; Theodore Brown, director of research and education, International Union of Sleeping Car Porters; Mrs. William Thomas Mason, president of the National Council of Negro Women.

Also T. R. M. Howard, M. D., of Mound Bayou, Mississippi; E. D. Nixon, treasurer, Montgomery (Ala.) Improvement Association; Mrs. Irene McCoy Gaines, president, National Federation of Colored Women's Clubs; Loren Miller, attorney, Los Angeles; M. P. Webster, first vice president, Brotherhood of Sleeping Car Porters.

State of the Race meeting called by Philip Randolph

Afro-American 4-21-56

Baltimore Md.

NEW YORK — A "State of the Race" Conference has been called by A. Philip Randolph for April 24 at the headquarters of the National Council of Women in Washington.

Mr. Randolph issued the call to leaders of national organizations with a combined membership of 12 million to attend the conference.

The implementation of the U.S. Supreme Court's public school desegregation decision, the rise of the White Citizens Councils and the general mounting racial tension in the South are the issues to be discussed.

* * *

MR. RANDOLPH, VICE president of the AFL-CIO and president of the Brotherhood of Sleeping Car Porters, set forth three points to act upon:

1. — Unite colored Americans in an all out vigorous support of the high court's desegregation decision;

2. — At all cost, prevent the encirclement and isolation of the NAACP from the colored people;

3. — Completely tap and utilize the American reservoir of good will and fair play.

NEGRO LEADERS TO CONEVNE AT 'STATE OF THE RACE' CONFERENCE

Dispatch p. 1 Thurs. 4-26-56 Oklahoma City Okla.

NEW YORK.—More than a score of the nation's top Negro leaders, from organizations with a combined membership totaling more than 12 million Negroes, are expected to participate in a "State of the Race" Conference on April 24 in Washington, D. C.

The implementation of the U. S. Supreme Court's public school desegregation decision, the rise of the White Citizens Councils and the general mounting racial tension in the South are the issues which are occasioning the calling of the conference.

A. Philip Randolph, vice president of the AFL-CIO and international president of the Brotherhood of Sleeping Car Porters, announced that his letter of April 9, to Negro leaders urged that the meeting deal with some of the serious problems facing millions of Americans as a result of the recent Southern Congressmen's Manifesto in addition to the above named problems.

Randolph said, "A crucial challenge to every Negro and Negro organization is posed by the recent so-called 'Declaration of Constitutional Principles' introduced in the Congress on March 11, this year."

In an attempt to rally Negro leadership, the call to the convention states that there is a fourfold purpose to the Southern Congressmen's Manifesto. They are:

1. To defy and challenge the decision of the Supreme Court as an invasion of States' rights with a view to effecting its reversal or nullification.

2. To break away the northern educational and church liberal forces from effective involvement in the racial desegregation movement. Such actoin, if successful, would also mobilize public opinion in favor of southern racial segregation.

3. To encircle and isolate the NAACP from the Negro. This effort is designed to achieve the neutralization of the Association's efforts, if not its complete annihilation.

4. To create a cheap labor market in order to attract northern anti-union business interests.

Randolph suggested that there are three things requiring the immediate attention of Negro leadership:

1. Unite the American Negro in an all-out vigorous support of the high court's desegregation decision.

2. At all cost, prevent the encirclement and isolation of the NAACP from the Negro people.

3. Completely tap and utilize the American reservoir of goodwill and fair play. We must initiate programs which will bring together citizens of all religious faiths, including labor, civic, business, government, and education interests, dedicated to the defense and maintenance of the constitution of the United States.

The conference is to be held in the headquarters of the National Association of Colored Women in the nation's capitol.

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been in the news since she was two. At that time the New York Herald-Tribune in an interview with her found out that she could spell hundreds of words. At three her music was so advanced, Time magazine called her a musical genuis because she had written 10 compositions. At seven Philippa gave two recitals of her own works at the New York world fair.

At twelve she wrote and orchestrated a symphonic poem called "Manhattan Nocturne" which later received first prize. At 13, she wrote an orchestral scherze, "Rumpelstiltskin". At 14, she appeared before an audience of 14,000.

She has appeared in more than 100 cities and has completed her fifth foreign tour as a musical ambassador of goodwill.

"State of The Race" Conference to Draw Negro Leaders to D. C.

State Press P. 1 Fri. 4-20-56 Little Rock Ark.

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The implementation of the U. S Supreme Court's public school desegregation decision, the rise of the White Citizens councils and the general mounting racial tension in the south are the issues which are occasioning the calling of the conference.

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1. Unite the American Negro in an all-out vigorous support of the Hi Court's desegregation decision. P. 4

2. At all cost, prevent the en-

Group asks Afro-American nationwide drive ahead

Sat. 5-5-56 Baltimore, Md.

By LARRY STILL

WASHINGTON

"We reject all doctrines of gradualism, moderation or middle of the road. The gradualism approach is based upon the assumption that either colored citizens are not ready for desegregation—or that Federal and state courts' decisions can not be enforced."

This was the decision handed down Tuesday, by A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters, following a meeting with 75 top leaders of communities throughout the nation.

They represented 12,000,000 persons.

In a prepared text which spokesman said summed up the view of conference members, Mr. Randolph declared:

"Colored citizens are in the midst of a grave civil rights' crisis, a crisis which is an inevitable phase of a civil rights revolution, a revolution which has its roots in the Civil War revolution, a revolution which was never fully completed.

"Now, a crisis is distinguished by the possession of two factors; one, danger; and the other, opportunity.

"The question as to how we grapple with this crisis is by far the most important question we have had to answer since the Civil War.

* * *

"ONE BIG fact is fairly obvious: namely, that this crisis has been sharpened and broadened by the rise, growth and spread of the White Citizens Councils and the revival of the old Ku Klux Klan and other hate groups.

"Together with the infamous manifesto, signed by 101 Southern Congressmen and Senators, they are designed to bring about the nulification or reversal of the desegregation decision of the Supreme Court.

"I want to emphasize the point that this crisis is an inevitable phase of the civil rights revolution, for it could be avoided or eliminated only by the existence of either one of two conditions;

"Namely, refusal of colored men to continue to press for full freedom or the voluntary concession of the colored citizen's claims to first-class citizenship by the Dixiecrat South.

"Neither one of these conditions is likely to obtain.

"When one recognizes the fact that social history shows no instance of a group which possesses power voluntarily surrendering said power over any people or any thing for any reason, the prospects of the South voluntarily recognizing colored people as first-class citizens is not remotely possible.

"Thus the logical deduction is that freedom, equality and justice for any people at any time, anywhere, must either be ceaselessly fought for or these conditions will not be won and enjoyed.

"Therefore, the fact that the civil rights crisis is becoming increasingly threatening to the racial peace in some southern communities is not strange, unusual or unique.

"Nor should this fact be the occasion for a policy of appeasement or retreat on the part of the colored man; for appeasement and retreat will only whet the appetite of southern racial reaction for more reaction and further appeasement and retreat.

"Moreover, it is the long, tragic story of history that no revolution has been developed and carried forward without some casualties and great labor and pain, if not bloodshed and death.

"The seed which is planted in the earth must die before a tree will grow and bear fruit. One must die if he would live. I have only to point to the Christian Revolution, the Revolution for Political Democracy and the Industrial Revolution.

"Now, it is well that we not only recognize but forthrightly accept the fact that a civil rights revolution is under way, involving the vast transition of the colored person from a status of a slave to that of a free worker and first-class citizen.

"Now, history is replete with evidence of the fact that in this competitive struggle among social forces the state invariably moves in the direction and confers its favor upon that social force which, in the context of the times, constitutes the greatest challenge to the stability and power of the state.

"The philosophy behind this historical fact is that government only moves when it is moved by pressure from social forces. It never initiates action in behalf of any groups of its citizens on a basis of sympathy, mercy or justice.

"If this analysis is correct then our task is clear.

"Thus the purpose of this conference should be to go on record with the following purposes:

"Seek and urge unity among colored persons who have the primary responsibility of winning civil rights behind the United States Supreme Court Desegregation Decision of May 17, 1954, and May 31, 1955. This mandate is obvious in the face of the unity of the South against the decision.

"Because the National Association is ably leading the fight for civil rights and the strategy of the high command of the Southern Segregationists is to encircle, outlaw and isolate the association from the colored man by legislation, intimidation and violence, colored persons have no alternative save to back and support the NAACP morally and financially.

"Hence, this conference should express its position on the NACCP by calling for a million colored members for the association in the next two years with a fund of two million to fight for civil rights.

"Colored persons are manifesting great wisdom in not resorting to the impotent weapon of violence in retaliation against the violence of White Citizens Councils for just as violence cannot enable colored persons to win their civil rights, neither can violence on the part of White Citizens Councils defeat the struggle of colored citizens to achieve their civil rights.

"Finally, let this conference go on record as advocating that funds be raised for the legal cases of the NAACP, the Montgomery Boycott of the Jim Crow Bus and colored farmers under boycott of White Citizens Councils in Mississippi and South Carolina, and that the funds be sent to the NAACP and the Montgomery Improvement Association.

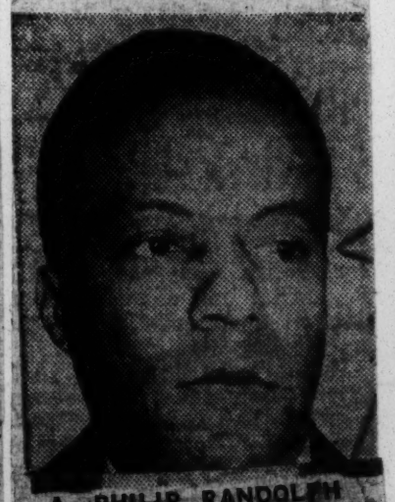
The all-day meeting was held at the headquarters of the National Association of Colored Women, 1601 R St., NW. Mr. Randolph's statement was issued on behalf of all persons attending the conference.

In addition to Mr. Randolph others included were Rev. Shelton Hale, Bishop, New York; Councilman Earl Brown, New York; Charles W. Burton, Dr. George Cannon; Dr. Kenneth Clark, James B. Cobb, Dr. Paul Cooke, J. P. Covington, Mrs. Jeanne Dago, Dr. R. B. Atwood, Frank Evans, Bishop Louis Ford;

Geo. G. Fleming, Alexander Fuller, Irene McCoy Gaines, Bishop S. L. Greene, Eugene Davidson, Charles Hayes, Lillian Hatcher, the Rev. Dewey Robinson, Dr. T. R. M. Howard, the Rev. John H. Jackson, James E. Hager, Dr. William Trent, Dr. Robert P. Weaver, Phil Weightman, Leyton Weston, Roy Wilkins, Boyd L. Wilson, Perry Smith II; Aldrich Turner, Dr. Smallwood Williams, Thelma W. Taylor, Mrs. Jane Spaulding, E. D. Hill, Mrs. Rosina Tucker;

Dr. E. C. S. Smith, the Rev. W. H. Jernagin, Dr. Dorothy Ferebee, Golden B. Darby, Asnley L. Totten, Milton P. Webster, Bennie Smith, T. T. Patterson, B. F. McLaurin, Bertram L. Tottem, William H. Bowe, Theodore Brown, Congressman Charles Diggs, A. Franklin;

Conferees

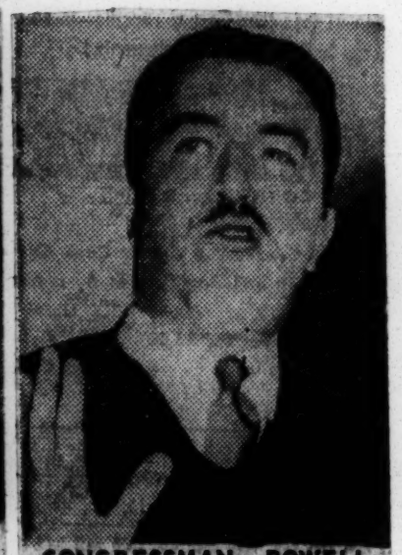


A. PHILIP RANDOLPH

THURGOOD MARSHALL

MRS. VIVIAN MASON

DR. KENNETH CLARK



CONGRESSMAN POWELL

State Of Race Meet Bars Press

Defender P. 1 Sat. 5-5-56 Chicago, Ill.

WASHINGTON, 2 "The State of the Race" conference held here last week ran a-foul of technicalities in barring members of the press from its top-secret closed sessions.

Victim of the shut-out was Defender Publications Correspondent Ethel L. Payne who had been designated by Publisher John H. Sengstacke to represent him in his absence from the meet.

Editor-In-Chief of the Defender, Louis E. Martin, who had also been invited to attend, wired A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters at the National Association of Colored Women's headquarters, site of the confab, his regrets that not being able to come and that Miss Payne would be there in the capacity of representing the paper.

However, officials in charge of the conference refused to admit her on the grounds that she was a member of the working press.

Miss Payne protested that the rule was unfair as Councilman Earl Brown of New York, an associate editor of Life Magazine and a columnist for the New York Amsterdam News, was present and had filed a report of the meeting.

She also said that though photographers and reporters were not allowed to come in until the close of the meeting. Newsreel teams however, were admitted in the middle of the sessions.

Afro-American reporter, Larry Sills, who arrived early for the delayed press conference was asked to leave because he could overhear some of the proceedings.

Later, Randolph and Dr. J. H. Jackson, president of the National Baptist Convention, appeared before waiting newsmen and gave out a statement of the conference.

73 Leaders

De-Segregation 'Too Slow' Says Philip Randolph

Call p. 3

WASHINGTON. — Seventy-three Negro leaders, representing some 12 million of their people, convened here for a day-long conference Tuesday, April 24, on the state of the race. They did not find it good.

Chairman A. Philip Randolph international president of the Brotherhood of Sleeping Car Porters and vice president of the AFL-CIO, told reporters the conference had come to the conclusion that the pace of desegregation is "too slow" and that progress in civil rights has been "inadequate."

The conference, which was closed to the public and the press, was held in the headquarters of the National Association of Colored Women.

The conferees, who were recruited from civic, church, labor and benevolent groups from all over the country, specifically rejected the doctrine of "gradualism" as a way of achieving civil rights.

Plan Funds Drive

They announced they hope to increase the present membership of the National Association for the Advancement of Colored People from 450,000 to one million within the next two years. They have set themselves a goal of raising a $2 million legal education fund for the organization during the same period.

Further, they voted to create a 12-man "Co-ordinating Consultative Leadership Committee" which will be charged with the responsibility of consulting with various leaders of organizations from time to time, "especially when crises arise, in the interest of placing their full weight, moral and financial, behind the fight for civil rights."

Following the conference, Randolph announced that at the first meeting of the committee, plans will be made to seek forthwith the White House Conference with the president. The meeting of the committee has been called for May 5 in Randolph's office in New York.

Mr. Randolph old reporters that the committee will seek the conference with the President with a "view to placing before him the nature of the problems of the present civil rights crisis."

The committee also will be responsible for drafting a reply to the so-called "Southern Manifesto," a pledge to fight desegregation signed by 101 Southern Senators and Congressmen.

Advise No Commitment

In their most important political decision of the day, the conferees went on record as advising that Negroes be "politically uncommitted" to either major party in the coming presidential election. Candidates will be judged on the basis of their position on civil rights, the platform of their parties and their records on civil rights in this Congress.

In an opening statement approved by all the conferees, Mr. Randolph said both parties had been "guilty of a 'do-nothing' policy in the interest of Federal civil rights legislation since the Civil War." In that light, he declared, "a policy of rigid adherence to party label on the Negro does not make sense."

Will Study Decision

The new committee, Mr. Randolph said, will be charged with the responsibility of gathering material on the meaning and significance of the desegregation decision, not only to Negroes but to all Americans. They will give widespread circulation to this material, with the belief that it will "touch the deep reservoir of American good will and sense of fair play in the interests of civil rights."

A document called "The Negro's Declaration of Intention," drawn up by J. H. Jackson of Chicago, president of the National Baptist Convention was adopted by the conference. It said in part:

"We intend to participate in the total cultural life of the Nation, both for personal growth and development and for the further progress of the country itself." The declaration also pledged obedience and respect for the laws and loyalty to the United States.

Members of Committee

Dr. Jackson is a member of the new Co-ordinating Consultative Leadership Committee. Other members are:

Mr. Randolph, Roy Wilkins, executive secretary of the NAACP; Father Shelton Hale Bishop, of St. Philip's Episcopal church, New York; Rev. David Licorish, assistant minister of the Abyssinian Baptist church, New York; Theodore E. Brown, director of research and education, Brotherhood of Sleeping Car Porters; Mrs. William Thomas Mason, president of the National Council of Negro Women.

Also Dr. T. R. M. Howard, of Mound Bayou, Miss.; E. D. Nixon, treasurer, Montgomery (Ala.) Improvement Association; Mrs. Irene McCoy Gaines, president, National Federation of Colored Women's Clubs; Loren Miller, attorney, Los Angeles; M. P. Webster, first international vice president, Brotherhood of Sleeping Car Porters.

Negro Leaders Adopt Civil Rights Strategy

In Former P. 7 Sat. 5-19-56

Houston Dep

WASHINGTON, D.C. — Nearly seventy-five top Negro leaders representing organizations with a combined membership of twelve million met on April 24 in a "State of the Race Conference".

The conference was called by A. Philip Randolph, vice president of the AFL-CIO, and international president of the Brotherhood of Sleeping Car Porters.

Declaring that progress towards school desegregation has been too slow, the Negro leaders set up a national steering committee to use all practical means to speed the progress.

The group flatly rejected "gradualism" as an approach to the achievement of equal rights for Negroes.

The conference also decided to "initiate programs which will bring together citizens of all religious faiths including labor, civic, business, government and education interests dedicated to the defense and maintenance of the Constitution of the U.S."

Clement Withdrawal Dissolves Tenn. 'Favorite Son' Squabble

Journal & Constitution

Sun. 1-29-56 P. 5-F

Governor Indicates He Will Support Unpledged Delegation to Parley

By JOE HATCHER Atlanta, Ga.

Staff Writer, The Nashville Tennessean
Special to The Atlanta Journal-Constitution

NASHVILLE, Tenn., Jan. 28—Tennessee's widely heralded "Battle of a Century" between Gov. Frank Clement and U.S. Sen. Estes Kefauver for control of the delegation to the Chicago convention exploded into thin air this week.

As suddenly and unexpectedly as was the pronouncement by the Clement spokesmen that he would be the state's "favorite son" candidate, Gov. Clement dissolved the conflict by withdrawal before the fight ever got under way.

In withdrawing as a candidate for the "favorite son" designation, Gov. Clement did not pledge support to Sen. Kefauver, but rather indicated support of an unpledged delegation to Chicago which might or might not support the Kefauver cause.

Both Deny 'Trading'

Both sides denied any "trade" or agreement between the two principals. Gov. Clement and Sen. Kefauver, at least, have had no direct discussions of the situation. They were together at the big Democratic fund-raising party in Nashville in October and again at the Gator Bowl in Jacksonville, Fla., but only in the informal gatherings.

However, Sen. Kefauver conferred at length with State Chairman H. S. (Hub) Walters from Washington in Nashville last Friday and close advisers of the two are understood to have conferred over the weekend.

And certainly Sen. Kefauver knew ahead of time the decision the governor had made. He issued his statement lauding the governor's withdrawal in Wisconsin before Gov. Clement made the statement public in Nashville. The foulup in releasing the statement caused some commotion on both sides, but did not upset the release program.

At least the prospects of a showdown fight between the ambitions of Tennessee's young governor and its senior senator kept the political picture in a turmoil for better than two weeks.

TENNESSEE

Agriculture Commissioner Buford Ellington (campaign manager for Gov. Clement in both his campaigns) made the surprise announcement that the governor would be given the "favorite son" indorsement on Jan. 7 on a visit to Washington. Gov. Clement unofficially let it be known he would accept on Jan. 9. Kefauver forces showed a willingness to fight for the delegation on Jan. 11 and demands for a preferential primary broke out all over the state.

Friends of Sen. Kefauver held the first of a series of fund-raising rallies at McMinnville, the Kefauver summer vacation spot, on Jan. 20, attracting some 500 backers from the entire area—many of them well-known pro-Clement supporters in the past.

And five days later, Gov. Clement removed himself from the picture.

Gov. Clement said Sen. Kefauver "is entitled to fair and full opportunity to conduct his campaign in the pre-convention primaries of other states unshackled and unembarrassed by difficulties in his home state."

As to the delegation to Chicago, the governor said it "should be concentrated on going to Chicago free to act as judgment and circumstances indicate to be in the best interests of our nation in a year so important to the entire world and to the preservation of our way of life."

Clement Stands Firm

Segregation organizations in the state started exerting pressure both upon the governor and in the courts the past week. Motorcades from Memphis and Chattanooga descended upon the governor Monday to pressure for an extra session of the Legislature to enact protective legislation. The governor firmly held to his position that there would be no state action pending decision at the local levels only. Atty. Gen. George McCanless stood by the governor and took credit for the "local level only" decision. He declared also, in effect, against the interposition position.

Meanwhile suits were filed in state courts seeking injunctions against state colleges accepting Negro students starting next year, which has been adopted by the state administration.

U.S. District Judge Elmer D. Davies instructed the city of Nashville to open its golf courses to Negro players. Immediately Z. Alexander Looby, a Nashville city councilman and NAACP attorney, issued notice that suits would be filed to open the city and state parks to Negro patronage.

Gov. Clement declined the invitation to meet with the four Southern governors at Richmond, Va., earlier in the week. This and the attorney-general's position indicate Tennessee will not act soon.

Takes An Unfair Dig At NAACP In Strange Talk

Globe & Independent
Nashville, Tenn.
Fri. 1-27-56 p. 1

38a Lenin

Statement By Chief Executive Classes Militant Organization With Pro-Segregationist Groups, Leaving Many Believing He Is Against Desegregation Mandate, In Contrast To Views Of Large Host Of Nashvillians, White And Colored

News to the effect that the better element of white citizens in Nashville—those composing such organizations as the League of Women Voters, the organization of university women, parent-teacher organizations and others, will soon sit down with similar groups of colored citizens and plan ways to put desegregation into effect, came out last week.

This followed soon after Senator Estes Kefauver, Tennessee's able candidate for the Democrat party's nomination for the presidency urged that it be done, saying that desegregation is now the law of the land. The announcement of the plans of these groups, which largely are composed of women interested in school matters, indicated that radical groups, largely made up of men, are soon to face real opposition if they try to put Tennessee, and especially Nashville, in an embarrassing position before the world.

The announced action of the forward-looking groups, was to some extent disturbed this week when Nashville was visited by a large group of men from Chattanooga and Memphis. They call themselves pro-segregationists, and came to the city to petition Gov. Frank G. Clement to call a special session of the state legislature to pass a resolution in defiance of the Supreme Court mandate to desegregate public schools.

Gov. Clement gave the group of several hundred a respectful hearing, but let them know he would not call the legislature into special session. The governor said to them, according to the **Nashville Tennessean** and radio broadcasts, that "you are the greatest allies of the National Association for the Advancement of Colored People in bringing about integration. I believe this with all my heart, whether you like it or not."

The "greatest of allies" in bringing about integration, according to the best thought in Nashville have been school authorities of the past, who, given an opportunity to carry out a Supreme Court mandate of 1896 to maintain separate, but equal schools, never even tried to remember the EQUAL part of the mandate but most certainly were Johnny on the spot in looking after the SEPARATE part of mandate. This thesis, with regard to "how come" we now have the mandate of 1954 to desegregate, was advanced many months ago by the Hon. Cecil Sims, a prominent Nashville lawyer.

The disturbing statement made by Gov. Clement has many tongues among colored persons wagging, a large element of whom are active members of the local NAACP chapter. It was being recalled that in 1954 when the Democrat primary was held, Gov. Clement and Sen. Estes Kefauver were the "favorites" of colored citizens for the offices of governor and U. S. Senator, respectively. Both were nominated by large majorities over their respective opponents, former Governor Gordon Browning, and Congressman Pat Sutton, who wer considered enemies of desegregation.

Gov. Clement during his campaign, it has been said, took a position similar to that of the old time

school teacher who said regarding the subject of Geography, he was equally well prepared to teach the world is round or that it is flat like it is pictured in the Bible.

In other words Gov. Clement's stand on desegregation, even after his blast at the pro-segregationists here on Monday of this week remained a mystery. In fact he took the position that the local communities would handle the desegregation matter according to their own notion. That the State would just handle desegregation in the State colleges.

There are some persons here who feel that they wnod what Gov. Clement's stand on desegregation is by the way his administration fought the entrance of colored students at Memphis State College, a white institution. The State Attorney General tried to get a verdict in the Federal Court, upholding the sanctity of the Tennessee State Constitution, which forbids mixed schools. The Federal Judge merely pointed out that all Federal State and City laws sanctioning separate schools have been rendered null and void by the U. S. Supreme Court.

It is said that had the Memphis State College been instructed by state authorities to let the six colored students go to the college, by now it would have been forgotten. It was NAACP attorneys, almost invariably successful in lawsuits involving civil rights, who defeated Attorney General George McCanless in the lawsuit in Memphis. Whether or not this fact riled Gov. Clement is not known. But what is known is that he is alleged to have "gone out of his way" to class the NAACP with the groups openly defying the Supreme Court mandate and are calling upon the state to take such action in a resolution by the state legislature.

If the NAACP has any intention of visiting its wrath upon Gov. Clement because of his unkindly insinuation about the NAACP, its best chance of course, would have been to fighrt his bid for the Democrat nomination for president. Gov. Clement on Tuesday of this week robbed the NAACP of that pleasure. He withdrew any plans he had to run for president in opposition to Sen. Estes Kefauver, in a great profession of loyalty to his party and to Senator Kefauver, as well.

But his blast at the NAACP, it is believed, may chill any ardor his party bosses may have had to make him the spellbinder to deliver the keynote speech at the opening of the Democrat National Convention in Chicago in August.

As an orator, Gov. Clement is considered to be better than Senator Kefauver but not in a class with former Gov. Gordon Browning, conceded to be the best of the state's Democrat spellbiners.

It is not known just how much of a controversail figure Gov. Clement will be in the future. Not very much, say some who note he i snot going to get into the scramble for president and probably not for vice president, or Democrat keynoter.

But there are recent statements made by the governor claiming it is un-Christian to complain about taxes, with indications that he may favor a 4-cent sales tax, with the extra penny going to schools of cities and counties! Of course the governor will deny he favors a 4-cent sales tax, but his enemies will be sure to say he gave no indication before he was elected in 1954 that he favored the 3-cent sales tax, which is proving to be the greatest bonanza the tax gathering politicians ever laid their eyes on, while at the same time it is arguable whether the schools are any better than they were before the school lobby latched onto a windfall of sales taxes.

Overriding Issue

Integration Cauldron Seethes in Tennessee

By ERNEST B. VACCARO

MEMPHIS, Tenn., March 12 (AP).

TENSION is high in West Tennessee over the race issue and opinion is divided as to how it will manifest itself in the November Presidential election. Troubled civic and business leaders are striving so hard to find ways to calm the hot-tempered on both sides of the school integration controversy that the personal fortunes of Presidential candidates are of secondary importance in the minds of many.

The attitude the candidates take in the months ahead, and, more important, the party platform planks of integration and race questions generally may be a major factor in determining the decisions of many voters.

Experienced political observers say the tension in West Tennessee is higher than elsewhere in the State because the ratio of Negroes to whites is much greater than in middle and East Tennessee. Negroes make up about 40 percent of the Memphis population.

The attitude of public and party officials in Tennessee in both Democratic and Republican ranks is to do all possible to keep the integration controversy out of the explosive stage and as much out of political debate as possible.

* * *

THIS attitude was reflected in a talk Gov. Frank Clement made to a "Davy Crockett Day" crowd at Rutherford the other day. He said he would tread carefully in the racial segregation controversy because "a few indiscriminate words on my part, as Governor, could initiate conflict and bloodshed."

There hasn't been any integration of public grade or high schools in Tennessee, except at a high school at Oak Ridge, the atom plant city, and that is on Federal property.

This reporter, trying to sample a bit of public opinion on President Eisenhower's prospects for repeating in November his Tennessee victory of four years ago, found most outspoken Democrats saying confidently that it can't happen again. He won in 1952 by 2437 votes out of 892,000.

* * *

MR. EISENHOWER still has great popularity in the State. Some Democrats say he has lost a lot because of the TVA issue. The Republicans dispute this and claim that he has made sharp gains. But more about that issue later.

Some who voted for Mr. Eisenhower in 1952, and who say they will vote for him again, said they believed Adlai Stevenson could carry the State this time if he is the nominee.

In Memphis, one notes a lot more Democratic sentiment for Stevenson than for Tennessee's Sen. Estes Kefauver, who is contesting with the 1952 standard bearer for this year's Democratic Presidential nomination.

* * *

UP AT the 50 Club, an exclusive hangout for business and professional men, many of the members said they are for Mr. Eisenhower again. But some of them noted that Tennessee was basically a Democratic State and said if Stevenson convinces the South he is a "moderate," he might defeat their favorite.

People who say Kefauver could carry the State point to his Democratic primary victory in 1954 when he defeated former Democratic Rep. Pat Sutton by a majority of close to a quarter million votes.

Those who argue the other way say that Kefauver's statments in his Presidential primary campaigning have angered fellow-Tennesseeans because of his position on civil rights questions.

Some of the most ardent segregationists blame Chief Justice Earl Warren, Attorney General Herbert R. Brownell, Jr., and Vice President Richard M. Nixon for varying degrees of responsibility for the school desegregation ruling of the Supreme Court, but exemtp President Eisenhower from their ire.

On the other hand, Republican Party officials say privately they expect the ruling to give Mr. Eisenhower a majority of the Negro votes in the State.

Harold Martin

Little Colored Boys Are Easy to Scare

It was one of those local buses that run from Knoxville to Chattanooga, stopping to let people off wherever they wanted to stop, picking up passengers wherever they stood beside the road. On the crest of the hill, waiting for the bus, was a huge Negro woman, her arms full of packages wrapped with string. She was the biggest woman you ever saw. Beside her stood a little boy about 5 years old. He had on a black leather cap like motorcyclists wear, with the ear flaps dangling loose. The cap was black and shiny as his skin and his eyes shone whitely out of his blackness. The door of the bus opened.

"Get up there," she told the little boy, nudging him in the seat of the pants with her knee. He climbed up. Then he saw the bus load of white faces, all the people staring at him. He turned and grabbed at his mama's knees. She couldn't see him below her ample middle but she could tell where he was. She started bouncing the packages up and down on his head.

"Get on down that aisle, boy," she roared. "You want me to soften your head?"

He started down the aisle, the people laughing, his thumb in his mouth, his two big eyes shining.

She started down the aisle. It was narrow and she was wide. She had to push hard, squeezing through. People were still laughing. She laughed, too. She got to the back of the bus and sat down.

"Anybody want this little boy?" she shouted. "Anybody want to take him home for Easter?"

She rode about four miles down the road. Then she pulled the bell cord. The driver pulled over and opened the door. He looked back at the big colored woman.

"Just leave him up here on the seat by me," he said. "I'll take him home. I'll tell my wife I brung her an Easter rabbit." He laughed. All the people laughed. The little boy didn't laugh. His eyes got bigger and bigger. He grabbed for his mama's knees again. She bumped him on the head with the packages.

"Go on, Rabbit," she said, laughing.

He saw the open door and he went like a rabbit. He came down the aisle of the bus like a small black streak, running. He popped out the door and his feet hardly touched the ground. He lit out across the fields, the ear flaps on his black cap flapping. She was still squeezing down the aisle. She got to the door and peered out.

"Where he go?" she shouted. "Where that chile at?"

The bus driver pointed across the field to a small black dot, growing smaller.

"Lawd hep us," she said. Then she set out across the field in a waddling run. She was hollering something, but in the roar of the engine as the bus pulled off nobody could hear what she said.

Holds B-Racial Dance; Loses His Beer License

Defender Chicago Ill. Aug 25-56

JACKSON, Tenn. — (ANP) — A cafe operator here has lost his beer license because he permitted Negroes and whites, even though separated by partition, to dance under the same roof.

In a group protest, headed by a white minister, Madison County Beer Commission acted last Monday after hearing a protest petition filed by 21 residents of nearby Meden.

A lawyer for the group said that although a partition separated them, both Negro and white customers were allowed to dance simultaneously, in defiance of segregation laws.

Consequently Earl Mills lost his beer license.

SEGREGATION BLOC WILL BE POWERFUL IN '57 LEGISLATURE

Commercial Appeal Sat. 8-4-56

Shelby Delegation Expected To Get Strong Support From Other Counties

Memphis Press

PLEDGED IN CAMPAIGN

Interposition Resolutions To Be Offered — Clement Forces Pleased By Number Of Friends Renominated

By JAMES EWING

From The Commercial Appeal Nashville Bureau

NASHVILLE, Aug. 3.—Strong support of pro-segregation legislation is assured for the 1957 legislative session, a check of winners in contests throughout the state showed Friday.

Besides the solid bloc of segregation advocates elected from Memphis and Shelby County under the Citizens for Progress banner, practically unanimous support is also expected from the other 21 counties in West Tennessee in keeping with pledges made by candidates.

Wide Support Expected

A check of winning candidates who replied to a questionnaire distributed by the Tennessee Federation for Constitutional Government showed the West Tennessee legislators will get substantial support from both Middle and East Tennessee.

None of the four candidates who informed the Federation they would oppose segregation legislation was elected.

Among legislation expected to be offered are resolutions asserting the right of interposition to which the Shelby delegation is committed, and proposals to strengthen preservation of segregation in schools, parks, transportation and public facilities.

Representative-nominee David Givens of Somerville has announced he will seek passage of a bill somewhat similar to the one which Senator Charles A. Stainback, also of Somerville, tried unsuccessfully to pass in 1955.

Clement Happy

Gov. Frank Clement and his leaders were pleased with the results and predicted the number of Administration friends will be even greater than at the last session, when practically all the Clement-sponsored legislation was approved.

Among Administration stalwarts renominated were Senate Speaker Jared Maddux of Cookeville, House Speaker James L. Bomar of Shelbyville and Representative Damon R. Headden of Ridgely, former Administration floor leader in the House.

Another highlight of the elections was the defeat of several enemies of the Clement Administration, among them Senators Justin Thrasher of Selmer and Brooks Eslick of Pulaski.

The only major setback to the Clement forces was their failure to defeat Senator Clifford Allen of Nashville, the Administration's most outspoken critic.

Few Newcomers

A survey of the background of the membership shows they will be among the most experienced in state legislative history.

Of the 33 who will serve in the Senate, only five are newcomers and a majority of the 99 House members also have previous legislative experience.

Administration leaders also were successful in electing a friendly state executive committee.

State Chairman H. S. Walters and Mrs. Albert Hill of Nashville, who were recently elected to the national committee, were among winners in contested positions on the 36-member committee.

Clinton Aim Was Peace —Clement

Constitution Mon. 9-17-56 Atlanta, Ga.

DALLAS, Tex., Sept. 16 (AP)—Gov. Frank Clement of Tennessee said today the decision to send state police and National Guardsmen to Clinton, Tenn., scene of violence early this month growing out of school integration problems, "was based on the necessity to live and work in peace."

"We did not act in the Clinton situation to promote integration, or on the other hand, to encourage segregation," Clement said in a luncheon address before the National Exchange Club.

"This was plainly and simply a decision based on the necessity—nay, the right to which every American is entitled—the right to live and work in peace," he continued.

"REGARDLESS OF ISSUES"

"It demonstrated to the people of Tennessee that law and order will be maintained in any community regardless of what issues may lead to the disturbance."

He urged his audience "to redouble your efforts toward preserving our democracy not only on the national level or on an international basis, but on the local level — on Main street, U.S.A."

"Redouble your efforts to inculcate in our children the spirit of family and community responsibility," he said. "Redouble your efforts to build up a respect for law and order in your homes and our home towns."

In reviewing the incidents at Clinton Sept. 1, Clement said, "A lawless mob incited to the possibilities of violence by outside agitators, roamed the streets" of Clinton and "the tiny forces of law and order in that community had been overwhelmed."

"NICK OF TIME"

He said 100 highway patrolmen and 600 National Guardsmen were sent to Clinton after he received appeals for help from the sheriff, the mayor, city officials and scores of "just plain citizens."

These forces arrived "in the nick of time to prevent bloodshed and further violence," he said. "Law and order were restored; the responsibilities of citizenship were faced."

"The guardsmen were not merely an occupying force," Clement said. "On the contrary they directed a special training course for local law enforcement officers and helped prepare civilian volunteers for the future, although I pray to God that such future trouble will never come to Clinton or any community in Tennessee or the nation."

Anti-Negro Censor Dies

Courier P. 22 Sept. 8-56

MEMPHIS, Tenn. (ANP)—Lloyd Binford, self-named as "the most notorious film censor in the world," died following complications and a siege of flu. He was 89.

Pittsburgh Pa.

Binford was tagged by critics as the America's worst censor for his bans on any film that depicted Negroes and whites in the same scenes.

He banned a Hal Roach movie "Curley" because of the "little Negroes in it."

He declared that the South does not recognize racial fraternization even in children.

Other movies he ordered not shown in Memphis included "The Wild Ones," "Duel in the Sun," "Night of the Hunter," and several Ingrid Bergman films.

Mixed Meeting

Courier

Negroes Told to Get Out

Sat. 11-24-56 Pittsburgh Pa. P. 2

MEMPHIS—Apparently too many Negroes spoil the "soup" at the Peabody Hotel, which accepts "two or three" at times, yet recently asked another group attending the National Conference on Government to leave the meeting because their presence was contrary to the hotel's policy.

Thomas McGinn, manager of the Peabody, said the hotel's policy has not changed. He said Negroes are not allowed to attend meetings there except in a few cases like that of the Mid-South Medical Association meetings which are attended by "two or three Negro physicians."

At the opening session of the Government meeting three Negro women were served with other guests in the Continental Room. Negroes also attended the afternoon gatherings.

■

THE FOLLOWING day a group of about 15 young Negro students was refused admission to a meeting.

Again the following morning five Negroes were asked to leave a panel discussion. The same afternoon Negroes attended the "Youth in Civic Affairs" program.

New York delegates protested, stating that "the Peabody management has gone back on its agreement with us. We had an understanding that Negro visitors would have every privilege except that of staying at the hotel."

McGinn said, "It was and is the Peabody's policy not to cater to the Negro race at meetings or any functions whatever.

The Mid-South Medical Society is an exception because the Negro members are very few, "probably not more than 2 per cent."

Tenn. Churches Push Integration

Constitution Atlanta Ga. Wed. 12-5-56

NASHVILLE, Tenn., Dec. 4 (AP). The Tennessee Council of Churches has asked the governor, the state board of education and the General Assembly to take steps to desegregate public schools in the state, officials said today.

The action came in a meeting here of 48 church leaders representing 11 denominations and 15 Tennessee towns.

Dixie Integration Manifesto Splits Tenn. Political Groups

Constitution & Journal 3-13-4

Atlanta, Ga

Senators Kefauver, Gore Among Five Lawmakers Withholding Signatures

Sun. 3-18-56

By JOE HATCHER

Staff Writer, The Nashville Tennessean
Special to The Atlanta Journal-Constitution

NASHVILLE, Tenn., March 17—Tennessee, like its congressional delegation, split into multiple pieces over the Southern manifesto against the U.S. Supreme Court's desegregation ruling.

Thus far, the splits are in the talking stages, but speculation runs high on possible political repercussions.

Originally, the bare majority of the 11-man delegation declined to sign, but two mid-state representatives added signatures to bring a bare majority into line.

Five Failed to Sign

Both U.S. senators, Estes Kefauver and Albert Gore, and Rep. J. Percy Priest of Nashville along with the Republican representatives, Howard Baker of Knoxville and B. C. Reece of Johnson City make up the unsigned group. Rep. Ross Bass of Pulaski, the small city where Gen. Nathan Bedford Forrest organized the first Ku-Klux Klan, lighted the torch for the statewide controversy in signing under what might be interpreted as bitter protest.

Rep. Bass, the youngest of the Tennessee delegation, branded the manifesto as a political movement designed to reassure the re-election of Georgia's Sen. Walter George and quoted Sen. Richard Russell in the cloakroom discussion as the basis for his charge. He explained that despite the political nature thus revealed and the lack of promise of any constructive benefit, he was himself signing because of pressures brought on him to follow the lead of the Southern group.

The young congressman was besieged by telegrams from Tennessee, some demanding he withdraw his name or pledge full support for the document, others praising him for his frankness. As a result he called a statewide press conference for Nashville and New home to "set the record straight."

Sen. Russell's denial of having made the cloakroom statement of the manifesto being primarily for Sen. George's benefit, did not change Bass' original statement on that conference. However, Bass em-

TENNESSEE

phatically declared his support of segregation, but declines to recede from his position of questioning the motives behind the manifesto.

Kefauver Stands Off

Whether the political repercussions, other than Bass' own spotlight on his second term ambitions, will be reflected further this year remained to be seen. Sen. Kefauver, as a candidate for president, did not participate in the conferences and was not expected to sign. Sen. Gore interpreted the document as without legal force and a threat to any further peaceful progress towards an ultimate settlement towards the civil rights problem. Sen. Gore sees in the manifesto the reopening of all kinds of civil rights legislation before the Congress at a time when other legislation needs more attention.

The document can "serve no particular good" and may well cause dissension and bitterness that would split the Democratic Party and disrupt the orderly proceedings of the Congress for a long time to come without accomplishing any constructive steps, as Sen. Gore interpreted it.

Gore does not face election until 1958 and Sen. Kefauver until 1960.

Gov. Frank Clement, a potential threat to either Gore or Kefauver, presumably can find no issue with either on this particular subject. He is strongly on record and has established the state's official position along the lines followed by both Kefauver and Gore on the segregation question.

Gov. Clement Silent

The governor prevented legislative consideration of any anti-desegregation bills in the 1955 Legislature and vetoed a number of strictly local bills on the subject and was upheld by the Legislature.

He has declined comment on the manifesto controversy.

Rep. Priest of Nashville may have precipitated new opposition for his August primary race, but it is questionable if he weakened his position. Priest represents Davidson County and Nashville, which is thus far strictly a "moderate approach county." Mayor Ben West of Nashville is potentially his strongest foe, but Mayor West's strong point would be opposition to Priest's vote on the natural gas bill and not his refusal to sign the segregation manifesto.

The three West Tennessee congressmen represented strong prosegregation areas and only in the case of Rep. Clifford Davis of Memphis is the issue likely to be influential.

Davis is a major holdover from the old E. E. Crump regime in Memphis and faced almost certain opposition from the new Memphis regime. Whether his prosegregation stand can save him or not is speculative.

Certainly the manifesto brings into sharp focus the upcoming legislative races in the state and may make it a bitter issue in many sections of the state despite the Clement administration's effort to keep the issue out of the 1956 primaries.

But the growing fear over the state among the Democratic leaders is that it may be a forerunner of another third-party movement in the South and a sacrifice of the opportunities for Democratic victory in the nation.

Gore Critical Of Southern Manifesto

Daily World Sat. 4-7-56

Atlanta, Ga.

COVINGTON, Tenn. - (ANP) - Tennessee's Sen. Albert Gore said in a letter to a public official here that "no particular good" has resulted from a recent Southern manifesto.

SBP.1

The letter, written by Roy Boyd, clerk and master of chancery court, thanked Tipton county citizens who had wired Gore, urging him to sign the document. He refused.

Gore declared that he did not think the declaration, signed by more than 100 Southern Congressmen, would "bring any improvement in a delicate and dangerous situation."

He said that "however vigorously one may disagree with the decision of the Supreme Court, we must recognize that it is, after all, a decision of the highest court in the land."

Mississippi Roundup—

Post-Herald p. 20

Segregation To Stay, Coleman Says

Birmingham Ala.

MEMPHIS, Tenn., April 11 (U.P.)—Gov. J. P. Coleman of Mississippi said today there "never will be" racial integration in his state and added that he thought the crisis is definitely past in Mississippi.

News 4-12-56

Coleman, visiting here during a brief vacation from his official duties, said "just about everybody in Mississippi knows Mississippi will maintain segregation of races."

"And Negroes in Mississippi are not interested in jeopardizing their own schools by seeking integration," Coleman said.

In saying he thought the crisis is past, Coleman told newsmen who interviewed him that he thought "in the next three or four years it (integration) will cease to be a subject of agitation."

"I think the Negroes are now making more progress and are becoming more valuable citizens than ever before in the history of Mississippi," he said.

"Putting it in a nutshell, the Negroes are perfectly competent to operate their own schools and educate their children and I don't think they want to be deprived of the privilege."

RACE ISSUE CURB TENNESSEE'S AIM

Times-Picayune p. 50

Problem Expected to Influence Campaign

Fri. 3-16-56

By ERNEST B. VACCARO

MEMPHIS, March 15 (AP)—Tension is high in west Tennessee over the race issue and opinion is divided as to how it will manifest itself in the November presidential election.

New Orleans

Troubled civic and business leaders are striving so hard to find ways to calm the hot-tempered on both sides of the school integration controversy that the personal fortunes of presidential candidates are of secondary importance in the minds of many.

The attitude the candidates take in the months ahead, and, more important, the party platform planks on integration and race questions generally may be a major factor in determining the decisions of many voters.

Experienced political observers say the tension in west Tennessee is higher than elsewhere in the state because the ratio of Negroes to whites is much greater than in middle and east Tennessee. Negroes make up about 40 per cent of the Memphis population.

Seek Tension Curb

The attitude of public and party officials in Tennessee in both Democratic and Republican ranks is to do all possible to keep the integration controversy out of the explosive stage and as much out of political debate as possible.

This attitude was reflected in a talk Gov. Frank Clement made to a "Davy Crockett Day" crowd at Rutherford the other day. He said he will tread carefully in the racial segregation controversy because "a few indiscriminate words on my part, as governor, could initiate conflict and bloodshed."

"If I listened to the urging of some people, it could cause trouble," he said. "My sacred duty is to promote peace in Tennessee among its citizens. With your help, I will continue to do my duty."

Only Oak Ridge Integrated

There hasn't been any integration of public grade or high schools in Tennessee, except at a high school at Oak Ridge, the atom plant city, and that is on federal property.

This reporter, trying to sample a bit of public opinion on President Eisenhower's prospects for repeating in November his Tennessee victory of four years ago, found most outspoken Democrats saying confidently that it can't happen again. He won in 1952 by 437 votes out of 892,000.

Eisenhower still has great popularity in the state. Some Democrats say he has lost a lot of his popularity because of the TVA issue. The Republicans dispute this and claim that he has made sharp gains. But more about that issue later.

Some who voted for Eisenhower in 1952, and who say they will vote for him again, told this reporter they believe Adlai Stevenson can carry the state this time if he is the nominee.

Stevenson Sentiment Heard

In Memphis, one notes a lot more Democratic sentiment for Stevenson than for Tennessee's Sen. Estes Kefauver, who is contesting with the 1952 standard bearer for this year's Democratic presidential nomination.

A housewife, Mrs. Albert C. Rickey, 822 Charles Place, said: "I think Tennessee will go Democratic this year mainly because so many people think President Eisenhower double-crossed them on the Tennessee Valley Authority."

Mrs. Rickey, a Democrat, said she voted for Stevenson four years ago, and will vote Democratic again, and that she thinks Stevenson "has the best chance of carrying the state."

Ike Man Speaks Up

A. Arthur Halle, Jr., a corrugated box salesman, who described himself as an independent, said he will vote for Eisenhower a second time in November.

"I'm for Ike," he said. "I think he has restored dignity to the presidential office and unified the country."

At the same time, Halle said that if the Democrats put up Stevenson "he might carry the state." Halle said he didn't believe either Kefauver or Averell Harriman could do so.

There is political division even in the Halle household. Mrs. Halle, reached at her home at 4605 Minden Road, said "I would like to see Mr. Stevenson elected."

Up at the 50 Club, an exclusive hangout for business and professional men, many of the members said they are for Eisenhower again. But some of them noted that Tennessee is basically a Democratic state and said if Stevenson convinces the South he is a "moderate," he might defeat their favorite.

Cite Kefauver Record

People who say Kefauver could carry the state point to his Democratic primary victory in 1954 when he defeated former Democratic Rep. Pat Sutton by a majority of close to a quarter million votes.

Those who argue the other way say that Kefauver's statements in his presidential primary campaigning have angered fellow Tennesseeans because of his positions on civil rights questions.

Some of the most ardent segregationists blame Chief Justice Warren, Atty. Gen. Brownell and Vice President Nixon for varying degrees of responsibility for the school desegregation ruling of the Supreme Court, but exempt President Eisenhower from their ire.

On the other hand, Republican party officials say privately they expect the ruling to give Eisenhower a majority of the Negro votes in the state.

Nixon Backers Divided

Most of the pro-Eisenhower people who were interviewed by this reporter said they favored another running mate for Eisenhower than Nixon. Yet, a Memphis Press Scimitar photographer interviewed five people at a downtown corner and found four of them favoring Nixon for vice president, only one against.

Gov. Clement and Tennessee's two Democratic senators, Kefauver and Albert Gore, are planning to base much of the campaign in the state on the TVA issue.

Clement told this reporter in Nashville that Eisenhower promised in his 1952 campaign to "promote and protect" the Tennessee Valley Authority.

"He has not done so," Clement said. "And the people will not forget the Dixon-Yates contract." The contract, for building a private steam plant at West Memphis, Ark., was finally canceled by Eisenhower after a long and bitter controversy in which Democrats accused the administration of trying to cover up improper dealings.

Pro-segregation speakers criticize ministers, papers

News p. 8

Mon. 3-5-56

MEMPHIS, March 5 — (AP) — Ministers, "moderates" and newspapers were the targets of pro-segregation speakers at a county wide rally here yesterday.

Memphis Mayor Edmund Orgill, Tennessee's Gov. Frank Clement and Sen. Estes Kefauver (D., Tenn.) were singled out for criticism for what the speakers called their neutral stand on segregation. Reporters estimated the crowd at about 3000.

Birmingham Ala.

CURT COPELAND of Little Rock, Ark., told the crowd that Southern preachers "are so carried away with this brotherhood mess of trash they haven't got the guts to preach the doctrine of segregation, which is the doctrine of God."

"The National Assn. for the Advancement of Colored People," he said, "is the worst organization to come along since the one that crucified Christ—and I may as well say it—it's the same organization."

H. W. Fancher of Minter, Ala., author of several pro-segregation pamphlets, deplored what he called the Southern clergymen's general indifference to the threat of integration.

"I wouldn't go so far as to say that segregation is equivalent to salvation," he said, "but segregation will bring about conditions that most likely will lead a lost soul to God."

Other speakers included J. D. Johnson of Crossett, Ark., leader of his state's citizens council movement, and Amis Guthridge of Little Rock, executive secretary of White America, Inc.

State Sen. Charles Stainback of Somerville, Tenn., in a message read to the audience, said Memphis newspapers were edited and managed by Northerners who "are carpet-baggers in the true sense of the word."

The Case of Dr. Lorch

State Press 2-4

Last week, 18 months after he had been cited for contempt of Congress and two days before he was to go to trial, the government abruptly dropped charges against Dr. Lee Lorch. No formal explanation was given. The Justice Department like Pontius Pilate just carefully washed its hands of the whole matter and turned its back to the irreparable damage done in character assasination as well as to the sensitivities of his family and Dr. Lorch.

The mathematician became the center of a highly publicized controversy while he was chairman of the department at Fisk university. Shortly after the Supreme Court decision of May, 1954, Dr. Lorch and his wife sought to enroll their daughter in a Negro school in Nashville. The child was already closely associated with colored children who were her playmates on the campus.

Fm. 5-4-54

However, for this act of heresy, some vague allegations of Communist ties while he was a student at the University of Cincinnati in 1941 were unearthed and Dr. Lorch was subpoeanaed to appear before the House Committee in Un-American Activities which held hearings in Dayton, Ohio. When he invoked the First Amendment to the Constitution on the grounds he had not been properly notified so as to prepare for legal counsel and this was a breach of his civil rights, the board of trustees of Fisk met and voted to dismiss him. Six of the 34 members — all Negro — voted against the action, but with pharisaical piety, Dr. Charles Johnson, president of the university issued a statement "explaining" the action of the board. According to it, an individual who took refuge in an amendment to the constitution was subject to immediate dismissal meaning that in their judgment he was guilty as charged without a trial.

Dr. Lorch is now teaching at Philander Smith college in Little Rock, Arkansas, but because he believes in the practical demonstration of democracy he and his wife and child have been hounded and driven from the campuses of three so-called free institutions of learning in America, City College of New York because the powerful Metropolitan Life Insurance Co., put pressure on the board to terminate his contract; Pennsylvania State college because he agitated for Negroes to be admitted to Levittown project built with Federal funds and Fisk. What is truly unforgivable is the emotional assault upon the prejudice-free mind of 11-year old Alice Lorch that this witch hunt has brought about.

Now that the government says it has no case against Lee Lorch, an indictment ought to be handed down upon the House Un-American Activities for its Nazi-tactics against innocent citizens solely because they believe in the principles of freedom and democracy. Indeed the committee has stooped to the same level of the same totalitarian form of government which it so vigorously tries to protect the American people against. As for the trustees and the president of Fisk, of Pennsylvania State and of City College, we wonder if their consciences encased in smug righteousness sometimes trouble them when they speak of democracy. —Chicago Defender.

A Distorted View Of Memphis

Press 2-4

From The Memphis Commercial Appeal

When a specialist on Southern history remarks that he's "shocked" and "distressed" by resistance to racial integration in Tennessee, and when he makes the blanket statement that "there is not too much culture in Memphis" he displays a certain naivete.

Birm. Ala.

These are attitudes credited to Dr. William B. Hesseltine of the University of Wisconsin, who was here to take part in the second annual Midsouth Leadership Seminar at Memphis State College.

Dr. Hesseltine put Tennessee in the "upper South" in discussing desegregation. In regard to Memphis, he must have forgotten that, as Shields McIlwaine wrote in "Memphis Down in Dixie," the people of Mississippi "have always claimed the Tennessee town as their own" and "for trade and fun it, not Jackson, is their capital." That has always had vast effect on the character of Memphis.

At the same time, Memphis, as a river port and a growing industrial city, is evolving from a big farm town into a somewhat more sophisticated city. An influx of industrialists, merchants and artisans from other parts of the country is affecting the cultural picture here.

When the Metropolitan Opera visits Memphis each Spring, music lovers pour in from Nashville, Little Rock and Jackson, Miss. Increasing interest in the arts has caused expansion of Brooks Art Gallery and led to planning for a municipal Fine Arts Center. Memphis State College is bursting at the seams, and Southwestern's Adult Education Program stirs avid interest among older citizens.

Those are samples of cultural growth wrought by the new industrial age in Memphis. Dr. Hasseltine, who maintains Memphians are primarily former farm folk with "their hearts in the country," could make a rebuttal by pointing out that a "country music" performer outdraws the Metropolitan Opera. But that phenomenon is national rather than local.

Memphis, we believe, is in a transitional period. It is by no means as urban or urbane as some Northern and West Coast cities. "For trade and fun" it is still a favorite of agrarian Mississippians and plantation attitudes remain prevalent. Acknowledgment of that would have softened the "shock" of resistance to integration which Dr. Hesseltine experienced. And a more careful study of cultural improvements would have shown him that in that field Memphis is growing up.

It would seem that, in some ways, Dr. Hasseltine has been observing Memphis through the wrong end of his binoculars and, perhaps, provoking a little publicity for Dr. Hasseltine.

NEWSPAPER URGES INTERPOSITION TEST

Commercial Appeal 2-4

Nashville Banner Advocates Study By States

Memphis Tenn.

VIRGINIA MOVE CITED

Fm. 2-3-54

From The Commercial Appeal Nashville Bureau

NASHVILLE, Feb. 2. — The Nashville Banner Thursday urged "respectful study" and a "full test" of the theory of interposition by the states.

In a column-long editorial the newspaper recalled it has consistently urged against "injudicious action" since the United States Supreme Court handed down its desegregation decree in 1954.

'Deserves Study'

"We believe, however," the editorial said, "that the Virginia resolution for interposition by the states deserves respectful study and that it demands that examination by the courts that can establish its legality; that submission to the states, if held valid, which can determine the wishes of the people anent the issue contained in the amendment it proposed.

"The Banner," it continued, "has always been a devout champion of state's rights and led the fight for their preservation. As an uncompromising believer in the Constitution, we have recognized that there are state's rights and Federal rights. Neither can safely encroach on the other."

Test Reason Cited

The interposition test was urged as "the approach of last resort to blocking encroachment" by the Supreme Court and to slow down "the precipitate action whereby eager-beaver elements are pressuring for instant conversion to the integration pattern."

"Entirely apart from the desegregation question," the newspaper said, "we believe that Virginia had the right to make the interposition proposal and it deserves an adequate test of its legal aspects. If it is not defective legally, it should proceed to establish the wish of the American people through their states concerning the amendment proposed."

Traffic Toll Cut, Segregation Among Tenn. '56 Problems

Journal + Constitution

Jan. 7-8-56

Legislative Seats Reapportionment, Better Highways on List of Issues

P. 5-E

By JOE HATCHER

Atlanta, Ga.

Staff Writer, The Nashville Tennessean
Special to The Atlanta Journal-Constitution

NASHVILLE, Tenn., Jan. 7—Gov. Frank Clement, looking into the new year, foresees at least four major problems and issues in Tennessee in 1956.

Safety on the highways, segregation problems, reapportionment of legislative seats, and improved highways are listed by the chief executive as certainly among the greater issues and greater problems facing the state.

Since there is no gubernatorial race this year, the campaigns will concentrate on electing a new Legislature, with the listed issues involved, and at the political level with a U.S. senator seeking the presidential nomination and the governor the vice presidential.

Tennessee accomplished the remarkable record of having no fatal accidents on the New Year's weekend and only eight on the

TENNESSEE

Christmas weekend, although setting an all-time year's record of 897.

Concentration of the highway patrol and some National Guard units on the highways received the credit for the low death tolls.

As the result, Gov. Clement says the patrol will concentrate on more patrolling, more frequent examinations of driver's licenses, and more attention to roadworthy condition of cars.

The state has purchased three electric speed timing clocks to supplement as many radar units. It will add 23 additional electric clocks as quickly as they are available.

No special sessions are anticipated to meet demands for additional safety measures or increase in the highway patrol. In fact no extra sessions are foreseen on any of the issues, unless it be the reapportionment of legislative seats if the state Supreme Court throws out the antiquated 1901 reapportionment law and thereby forces action before the November elections.

No legislative action is anticipated on the segregation problems in the state. Gov. Clement has insisted that the problem is entirely local and not a state problem, since the state has set up the integration at the college and university level starting in 1956-57 school terms.

Wants No Controversy

But segregation cannot be denied as an issue. As explosive as is the segregation issue, even in borderland Tennessee in some sections, there is little liklihood of more than local disturbance in the over-all political picture this year.

Gov. Clement's own national ambitions is reason enough to keep any controversy in the background if possible until after the Chicago convention at least.

Tennessee is particularly ready to march if and when a federal aid highway program is set up.

The state has been given a thorough two-year study by the Automotive Safety Foundation and its report will be made public this month.

The complete engineering study is designed to give the state's needs, immediate and future, and in general detail the over-all planning for an expanded and improved highway system.

Already the engineering recommendations have been embodied in recent highway lettings and the state's highway funds are in such excellent condition, state officials say, that any federal requirements can probably be met until the 1957 Legislature convenes.

The issue of at least a 100-million-dollar highway bond issue is already in the offing.

Big City Changeovers

Two complete changeovers in big city administrations featured the year's end.

Memphis installed Businessman Edmund Orgill after 50 years of E. H. Crump influence and domination in its city government.

Only major changes were three new assistant city attorneys, new park board members, a new school board chairman. At the same time, the Shelby County Commission also changed complexion with the retirement of E. W. Hale, commission chairman with 44 years' service as a close associate of Crump. Hale's health has been bad for more than a year. David N. Harsh, a prominent attorney, succeeded him as chairman, and placed the commission in a position to co-operate with the new city government.

In Knoxville, Republican Jack Dance replaced Democrat Mayor George R. Dempster. Dance will extend his housecleaning much further than the case in Memphis presumably. All Dempster appointees will likely walk the plank, although the bipartisan or other nonpartisan system will be preserved with a few Democratic appointments.

CLEMENT CRITICIZES PRO-SEGREGATIONISTS

Commercial Appeal

Special Session Request Is Turned Down

500 IN MOTORCADE TRIP

Jan. 24, 56

By JAMES EWING

From The Commercial Appeal Nashville Bureau

P. 4

NASHVILLE, Jan. 23.—Gov. Frank G. Clement told leaders of a 500-member pro-segregation delegation Monday that they were the unwitting allies of the National Association for the Advancement of Colored People.

"I believe with all my heart, for better or for worse, that your group is the greatest ally that organizations like the NAACP have," the Governor said.

Memphis

Gives His Opinion

He said he was not accusing them of "double-dealing", but said had one of them been state commissioner of education it was his opinion Tennessee would have been unable to obtain court acceptance of its plan for gradual desegregation in colleges.

Instead, he said, the "segregation bars would have been completely down and you would find yourself in the middle of the lake without a paddle."

The Governor turned down a request by leaders of pro-segregation organizations from Memphis and Chattanooga and intermediate points that he call a special session of the Legislature to pass laws aimed at escaping compliance with the United States Supreme Court's decree calling for desegregation in public schools.

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Governor Clement said he did not believe such a course would be "in the best interest of Tennessee and Tennesseans."

Leader Tells Aim

Harry W. Pyle of Memphis, chairman of the Pro-Southerners, said his answer to Governor Clement's decision is, "I'm going to go out and organize every county in Tennessee to prove the people did want a special session of the Legislature."

Mr. Pyle said he found the Governor "very courteous" but added that did nothing to "solve the race problem."

A. A. Canada of Chattanooga, president of the Society to Maintain Segregation, also took issue with the Governor's statement, pointing out that Virginia and Georgia have taken steps to resist the Supreme Court decision and there has been no breakdown of segregation in those states.

Mr. Pyle's group asked for a special session of the Legislature to declare the Supreme Court decision "null and void" and that legislation be enacted to carry out the recommendations of a proposed nine-member study commission.

Drastic Action Urged

The Chattanooga group proposed more drastic action, with recommendations for legislation "even to the extent of eliminating public schools as such if necessary."

Mr. Canada said one of the resolutions he read bore the signatures of 40,000 persons.

C. L. Mitchell of Chattanooga charged that Education Commissioner Quill E. Cope and other members of the state Board of Education abrogated their power in setting up the plan for gradual desegregation in colleges and that the "people have been muzzled by their Governor, who is more ambitious than loyal to his state."

Motorcades bearing members of the two groups arrived in the city shortly after 8 a.m. and the crowds milled about the capitol outside the Governor's office for several hours prior to and during the conference.

They bore placards and festooned their automobiles with banners bearing such messages as "we want a decent governor" and "Let's Preserve Segregation."

Each organization designated a committee to meet with the Governor in his conference room. Members of the press and radio, several of the Governor's cabinet members, and two Methodist ministers, a Catholic priest and a Jewish Rabbi were also present.

Lawsuit Role Told

Education Commissioner Cope and Atty. Gen. George F. McCanless, who sat on each side of the Governor, gave brief explanations of their part in the lawsuit which led to acceptance in court of the gradual desegregation plan for state colleges.

Mr. McCanless said if anyone is to be glamed for the year-by-year plan, he should be the one since he acted as the state's lawyer in arguing for it before Memphis Federal District Court.

Describing himself as a pro-segregationist acting completely independent of the Governor since he was appointed by the state Supreme Court, Mr. McCanless said his prime objective was to delay the time when the state's colleges would have to be desegreated.

Had the state not offered a plan, Mr. McCanless said, the court would probably have ordered a plan, Mr. McHvt(VR ordered immediate desegregation at Memphis State College.

Group Representatives

Representing the Pro-Southerners were Wayne T. Dewees, who acted as legal counsel for the organization; L. A. Watts, Mrs. M. M. Sullinger, Charley Bell, J. L. Hatley, J. A. Marshall, C. H. Sullinger, Brooks Varner, T. V. Rainey, Harry W. Pyle, James Piersol, local chairman, and A. B. Wren, all of Memphis.

Clarence Leopard and Frank Whisman of Memphis represented the Association of Citizens Councils of Tennessee.

Clement Lists Segregation As One Of State's Big Problems In 1956

Daily World
Sun. 2-1-56

NASHVILLE—(SNS) — The issue of racial segregation will be one of the big problems facing the state of Tennessee in 1956, Governor Frank Clement said in a news conference here last week.

Atlanta Da.

Others, but not all, of the problems facing Tennessee in 1956 outlined by Gov. Clement in his news conference include reapportionment, safety, and better highways.

The problem of segregation "certainly cannot be denied," Governor Clement asserted and added, "but it is one which the supreme court has made clear is to be dealt with on a local basis, and I do not think any broad, sweeping general statement by me will add anything at this time."

Turning to the problem of highways, the governor stated that a two-year study on state highway needs will be announced within a few weeks. He felt this would be one of the most solid accomplishments of his administration.

The State, the Governor declared will continue to do everything possible to cut the loss of lives on the state highways and in reply to a question ifg he though the state patrol needed to expand its personnel, Clement stated that they could use more men but would do the best they could with what they had.

In an executive order Governor Clement transferred $100,000 to the safety department last year to buy speed clock equipment. Three of these devices have been purchased and approximately 23 more will be bought to supplement the radar road checks.

The governor felt it was not proper for him to comment on the reapportionment question until it is settled by the state supreme court.

Drink Boycotted by Negro Dealers

Times Picayune
Thurs 2-2-56

JACKSON, Tenn., Feb. 1 (AP)—A soft drink was under boycott by Negroes here Wednesday because the bottler joined in a suit aimed at killing the state's gradual desegregation plan for colleges.

J. C. Jolly, operator of the Dr. Pepper Bottling Company plant, said Tuesday "12 or 13" Negro merchants had cancelled accounts with his firm.

New Orleans

He said the actions were taken because he is among 16 leaders of the Tennessee Federation for Constitutional Government who filed the suit in Nashville's chancery court last Tuesday.

Jolly said his firm had "felt the squeeze somewhat" but that he thought it was sometimes necessary to "sacrifice business for principles."

Isaiah Savage, a Negro merchant and a member of the National Association for the Advancement of Colored People, said the boycott was a spontaneous movement.

CHATTANOOGA STUDIES RACE FIGHT AT DANCE

Commercial Appeal

Negroes, Whites Hurl Chairs

Origin Is Confused

Wed. 2-1-56

CHATTANOOGA, Jan. 31. — (AP) — City officials Tuesday opened investigations into a "rock 'n roll" dance session Monday night that suddenly changed into a bottle and chair throwing brawl between Negro dancers and white spectators.

And in City Court, disorderly conduct against eight Negroes were dismissed, but public drunkenness charges against three of them brought $50 fines. A ninth person, a 17-year-old Negro girl, was scheduled for Juvenile Court hearing.

Mayor P. R. Olgiati refused comment except that he was having Police Commissioner Herbert Dunlap look into the Memorial Auditorium incident, which resulted in minor injuries to at least three whites and three Negroes.

Memphis

Asst. Police Chief Ernest Williams said every off-duty policeman in the city, white and Negro, was ordered to the auditorium, a public building, to help put down the brawl. About 60 officers joined in dispersing the estimated 5,000 persons.

Another investigation, reportedly into the use of the auditorium by mixed races, was under way by City Commissioner George McInturff, head of the department of public utilities, grounds and buildings.

The dance and concert, featuring Roy Hamilton, nationaly known Negro singer, was advertised primarily for Negroes, but there was a section reserved for white spectators.

No one was able to say definitely what started the brawl, but accounts given police said a non-performing member of the entertainment group sat in the dress circle open to whites. Another unidentified Negro, apparently a local man, sought to make him move out and a fight, joined by some Negro dancers, ensued.

The melee was expanded, officers said, by bottle and chair throwing by both races, but it was not known who tossed the first object.

Another report was that the brawl began after a white spectator in the balcony poured soft drink on Negro dancers below.

Memphis Negro Teacher Urges Calm Reasoning

Post-Herald
Birmingham, Ala.
Thurs 2-9-56

Says This Is No Time To Rock Boat Containing Friends Of His Race

Special to The Post-Herald

MEMPHIS, Feb. 8—A 70-year-old Memphis Negro, principal of the South's largest high school for Negroes, stepped into the integration-segregation debate this week after two meetings featuring NAACP speakers had produced tensions previously missing in Memphis.

The man, Blair T. Hunt, long has been a leader in the Negro community and a force in local elections.

Hunt described himself as a gradualist. But he said that "all of us subscribe to the broad objectives of the NAACP. None of us want second-class citizenship."

But Hunt said, he felt duty-bound to indicate the presence of a large body of 'middle-of-the-road' Negro feeling in Memphis which is based on a common-sense outlook."

Giving his views in a letter to Editor Edward J. Meeman of The Press-Scimitar, a Scripps-Howard newspaper, Hunt wrote allegorically of the "Health of Old Man Race Relations."

Old Man Race Relations, he said, "has undergone a major operation" with the "U. S. Supreme Court as surgeon.

"We, who live in the areas most affected by the 'operation' are the nurses and resident physicians," Hunt said. And: "Experience and observation have taught me that you cannot cure a disease in a day. . . . So, come let us reason together. Our job is clear-cut.

"Old Man Race Relations has suffered from a complication of phobias and manias, of fears and frustrations and frenzies, of misunderstandings and misquotes, of stupidity and stubbornness, of traditions and tragedies," Hunt wrote Editor Meeman.

Hunt made it clear that he was moved to write by the incidents of the week. He did this as he said: "Let us not rock the boat containing our friends. You cannot make progress in a storm. That's common sense."

This was a direct reply to a statement made at a church meeting by an NAACP leader. That speaker urged Negroes to "rock the boat." Though the meeting was primarily to clarify the NAACP position against communism, it was this remark that was quoted in one newspaper story.

Hunt said that the "middle-of-the-road" group's position is that "the Negro needs his friends, as any group needs friends. "Let us not place such friends in such an embarrassing position where they become the helpless targets of extremists in their own circles, because of intemperance of feeling and expression on our part," he urged.

The school principal said he believes that "the majority of Negroes are thinking as I am . . . but there is a widening gap among us regarding the methods."

Boycott Soft Drink Company

Louisville Courier-Journal
Sun. 2-5-56

JACKSON, Tenn.—The Dr. Pepper Bottling Company was under boycott by Negroes here last week because the soft drink company joined in a suit aimed at killing the state's gradual desegregation plan for colleges.

M. C. Jolly, operator of the company plant, said 12 or 13 Negro merchants had cancelled accounts with his firm.

Isaiah Savage, a Negro merchant and a member of the NAACP, said the boycott was a spontaneous movement.

HOUSTON ATTORNEY SUES J WREN FOR $60.000

Informer 8/14

Refused Service In County Courthouse

Houston, Tex.

Sat. 4-21-56

Screaming "Niggers...Niggers"

Council Leader Strikes Atty

BY NINIAN MCGOWEN ..

HOUSTON — Atty M W Plummer late Wednesday filed a $60,000 damage suit against J M Wren, a burly white man who had struck the lawyer earlier at the courthouse cafeteria. Mr Plummer also filed an assault and battery charge against Mr Wren and Judge Tom Mace set May 2 for the hearing.

Atty Doyle, counselor for plaintiffs, filed contempt of court charges against Mr Derrington and the four county commissioners Wednesday afternoon.

J M Wren, an official of the White Citizens Council of Houston, shouting "Mr Derrington won't stop you, the citizens will! Good niggers don't want to come in here" — swung a healthy right to the shoulder of Atty M W Plummer Wednesday in the doorway of the courthouse cafeteria.

Racial trouble flared in the three-year-old courthouse cafeteria suit as Mr Plummer and a group of Negroes descended the stairs to the basement where they intended to be served, following Federal Judge Ben C Connally's order that Negroes be served in the Harris County Courthouse Cafeteria.

The Negroes were stopped at the doorway of the cafeteria by Mr Wren shouting "Good niggers don't want to come in here, good niggers don't want to come in here" and at the same time Mr Plummer was still advancing to the doorway where Mr Wren swung at him several times, striking him once on the shoulder. When Mr Plummer made no effort to hit him back, Mr Wren ceased blows.

Attorney for the plaintiff Henry Doyle, one in the group of Negroes, immediately went for officers and Lee (Dee) Derrington, defendant in the suit and operator of the cafeteria, came meekly to the door stepped to the outside of the door and closed the cafeteria up, customers and all. "I am closing the cafeteria up" came his announcement in a pre-meditated cool air.

In the elbow-to-elbow crowd, during the racial altercation, statements of "Next time you had better bring 500 instead of 15" and "This is a political year between Communists, Niggers and White folks" rose above the fury.

Waiting for the invasion of the lily-white cafeteria by the group, which included Mrs Lilly Alonzo, Attys Francis Williams, Robert Ford and an Informer newswriter, were a battery of daily newspaper reporters, commentators and television cameramen, and they were told by some pro-segregationists in the crowd, "If you write it, send it to them New York papers."

FINGERS PLUMMER

A man in the crowd pointed his finger at Mr Plummer yelling, "I know you, you are the one who started all of this."

In a few minutes, Mr Doyle returned with Lt Harris and Lt Frazier of the Sheriffs Dept.

Apparently in an attempt to stay contempt charges, Mr Derrington with great deplomacy told Atty Doyle, counsel for plaintiffs he had closed the cafeteria, saying "I'm doing it the legal way. I have closed the cafeteria until I can get a hearing on a stay of operation" and before he could utter another word Mr Doyle made it known he too was doing it the legal way, and he asked Mr Derrington, "If Mr teria for service would you have served him?" Mr Derrington said he would not have, because he was Plummer had gone inside the cafe- thinking it would be better to close the cafeteria temporarily adding, "I don't want anything to happen here, because the county officials have been too nice to me for me to let something happen."

The cafeteria operator declared he was sorry about the occurrence, and speaking directly to the group asserted, "I had no part in this, I want you to know that."

As the group was leaving the cafeteria, several city policemen arrived at the scene, and apparently the rest of the cameramen, radio reporting personnel had begun to arrive also.

In a final judgement Tuesday, Judge Ben Connally ordered Lee Derrington, defendant in the case, to serve Negroes in the cafeteria. Prior to the group seeking service at the cafeteria at noon Wednesday, George Nelson, a plaintiff in the case, had gone to the cafeteria for food and was refused service. He is a plaintiff.

Also Mr Plummer and Mrs Alonzo are plaintiffs. Atty Williams and Atty Ford are part of the counselling staff for the pllaintiffs. Mr Williams is also, president, Houston Branch of NAACP.

When the proposed Bond Election for the new $6-Million courthouse was held during the General Election, November 1948, thousands and thousands of tax-paying Negro citizens along with whites signed affadavits to vote on the issue. Soon after the courthouse was opened in the summer of 1953, Mr Plummer along with a group of other Negroes were denied food in the cafeteria, which resulted in the suit being filed in August 1953.

Church Council in Texas Urges Against Interposition

Herald Miami, Fla.

Sat. 3-10-56

SAN ANTONIO, Tex. —(AP)— The Texas Council of Churches has adopted a resolution urging member denominations to oppose interposition.

The resolution, adopted unanimously, said racial discrimination is "contrary to the gospel of Jesus Christ." The council is made of 11 Protestant denominations.

Interposition is a seldom-used doctrine under which states would attempt, by joint action, to forestall federal government action which they believe encroaches upon rights reserved by the U. S. Constitution to the states.

Some Southerners opposing erasure of color lines have urged interposition be used to maintain segregation.

The council adopted another resolution urging legal measures to close what were described as loopholes that might tempt weak officials.

ANTI-BIAS PLEDGE URGED

Times 2/16

In Dallas, Baptist Convention Asks Patience in Crisis

Thurs. 4-13-56

The Baptist General Convention of Texas, in a meeting at Dallas has urged all Christians to join in a five-point pledge against racial violence.

This was announced yesterday by Baptist Press, news service of the Southern Baptist Convention, largest church body in the South. The pledge calls upon Christians to observe the following:

New York

"To behave with charity and goodwill toward all persons in a time of racial crisis; not to engage in, nor to encourage, any action involving or implying violence; not to join with any group in actions which a person would not carry out openly as an individual; to encourage moderation and patience at all times by word and action; and to show friendship and consideration for persons of all races with whom a person is associated."

The Southern Baptist Convention is the parent body of white churches in the South.

Shotgun Fired At Negro Firm

Courier-Journal Louisville, Ky.

Texarkana, Tex. Sept. 6 (AP) — A shotgun blast early today smashed a window of a service station owned by two Negro men here, stirring speculation that the incident was a continuance of violence resulting from integration at Texarkana Junior College.

Officials expressed that opinion, but said they could find no reason for the shot.

One of the station owners, J. L. Montgomery, has been an outspoken advocate of integration of the college.

An effigy of a Negro was found hanging on the junior-college campus this morning. Last night a cross was burned on the campus after the State-City school registered the first Negroes in its 29-year history.

Houston loses

Afro-American

HOUSTON, Texas — The Harris County courthouse cannot lease its courthouse cafeteria without making certain that colored citizens are allowed to use the facilities.

That was the ruling of the U.S. 5th Circuit Court of Appeals here Wednesday, upsetting a scheme of the county commissioners to maintain segregation in a public facility by leasing it to private operators.

COUNTY COURTHOUSE SCENE —— The above picture was photographed in the basement of the Harris County Courthouse Wednesday afternoon when a Negro delegation tried unsuccessfully to be served in ie courthouse cafeteria. Negroes facing camera are, front left to right, Attorney Henry Doyle, NAACP President Francis Williams, Attorney Matthew W. Plummer, and Mrs Lillie Marie Alomzo. The white man with the glasses is Dee Derrington, operator of the cafeteria. He appears to be concerned with something Attorney Doyle has just said.

—Photo. Courtesy of the Chronicle

Governor Answers Newsman's Queries

Shivers Against '3rd' Party

Courier p.3
Sat. 3-31-56

By CLIFF RICHARDSON
(Courier Texas Editor)

HOUSTON — With the studied aplomb of a seasoned and thick-skinned campaigner, Texas Gov. Allan Shivers lightly brushed off with an emphatic "No," the question as to whether or not the national attention on the NAACP picket and boycott of his TSU speech caused him to change or delete any of his remarks.

Pittsburgh, Pa.

The Governor was approached during the lull in the ceremonies which accompanied the inauguration ceremonies of Dr. Samuel M. Nabrit as president of Texas Southern University.

The newsmen present were anxious to talk with the Governor. To get his views on the segregation picture as a whole and, in particular, to wheedle from him if possible some views about the picket line which the Houston NAACP had thrown up on the TSU campus in protest against his appearance.

* * *

REPORTERS FROM daily papers and radio and TV stations were told by his aide Jack Dillard that the Governor did not want to have a press conference for fear of lending political atmosphere to the NAACP boycott.

Taking a long chance, we decided to tackle him alone. We waited until he and board chairman Mack Hannah were in the hall of the administration building and we asked for permission for a few questions.

Shivers seemed glad to grant the interview and Mr. Hannah suggested that we use a more comfortable place than the administration building hall.

* * *

SHIVERS IS a tall, muscularly-lean and handsome man. He resembles what most people think a Texan should look like. Added to this is a ready smile and stern gaze he fixes on people as he talks to them. He has the poise and confident gait that is typical of younger men of wealth and health. He parries questions neatly and is adroit at bypassing with silence or an icy smile those he regards as "off limits."

As we talked to him he answered our questions over his right shoulder as he continued to chat at the same time with others in the room.

* * *

HE DID NOT smile and appear at ease until we asked if his ardor towards Eisenhower had cooled because of the Harris Bill veto. He said that he had been in politics too long to fall out with a man over one disagreement in policy.

"I still have great respect for the President," he stated.

* * *

THE FOLLOWING are some of the questions posed by us:

Q.—Will you again lead the Texas Democrats Club for Eisenhower?

A.—I do not know because I do not know who will be running for President.

Q.—Does your failure to run for re-election this year mean that you are out of politics?

A.—No. It simply means that I am jut not running for governor this year.

Q.—Do you plan to run for any other office?

A.—I am not running for governor this year.

Q.—Will you spearhead a national campaign to set up a third party with its principal plank one of states rights and pro-segregation?

A.—No. I have always been opposed to formation of a third party.

Q.—Do you approve of the contents of the Southern Manifesto which advocates using legal means to delay or dodge compliance with U. S. Supreme Court public school desegregation decision?

A.—I can't say. I have not read it.

Q.—You have not read it? But it appeared in all of the papers.

A.—I have not read it and thus cannot comment.

Q.—Does your philosophy of interposition advocate nullification?

A.—I did not say that. I have never said that. I suggest you read my statement. To me interposition is a constitutional guarantee. It is a fundamental righ of the governed to petition. I believe strongly in local self-government and I think that we should have a national election to rephrase or restate the language of the Tenth Amendment of the Constitution. Most people think that I only speak of states rights because of segregation. It applies to any other kind of legislation. The tidelands, for example. Here in Harris County there could be legislation which you would want to retain the right of local government.

Q.—Do you think the action of Representative Sam Rayburn suggesting Lyndon Johnson to head the Texas delegation to the National Democratic Convention in Chicago will prevent you and your supporters from being seated?

A.—I do not. I believe we will be seated. Mr. Rayburn has not controlled the Democratic party in Texas for quite some time.

All the time we were asking these questions a dozen or more white reporters wrote down the quotes. There were no other Negro reporters present. Carter W. Wesley, editor-publisher of The Houston Informer, was on the picket line. He was delegated to represent his alma mater, Fisk University, but he refused to cross the picket line.

In San Antonio

Courier
Sat. 4-7-56

No More Segregation

P.3

SAN ANTONIO (ANP) — City Councilmen, in this home of the Alamo, took less than five minutes to pass an ordinance abolishing segregation in all city-owned facilities.

Pittsburgh, Pa.

The council unanimously passed an ordinance repealing a 1954 law requiring racial segregation in city swimming pools. Then in the most sweeping action taken by a major Southern city, the council ended all segregation.

The action, effective immediately, opens all municipally owned facilities to "all persons on an equal basis."

San Antonio Ends All Public Segregation

Kansas City, Mo
Tri. 5-4-56

SAN ANTONIO.—(ANP) — City councilmen, in this home of the Alamo, took less than five minutes to pass an ordinance abolishing segregation in all city-owned facilities.

The council unanimously passed an ordinance repealing a 1954 law requiring racial segregation in city swimming pools. Then in the most sweeping action taken by a major southern city, the council ended all segregation.

The action, effective immediately, opens all municipally owned facilities to "all persons on an equal basis."

The law covers public tennis courts, golf courses, swimming pools, rest rooms and the municipal auditorium.

Negro and white children swam together this week without incident.

San Antonio, like all Southwest cities, has a three-way racial population, with Mexicans forming a large percentage of the population. Previously, Mexicans have been segregated.

School districts in San Antonio were desegregated last fall.

De-Segregation on Busses Has Problem For Dallas

Kansas City, Mo.
Tri. 5-6-56

DALLAS.—As this is being written Dallas is at the close of the fourth day since the desegregation of busses was announced. There have been no incidents and no threats of incident.

None was expected since, for the past four years, seating on Dallas busses has been done without any stress on the strict observance of the separate seating signs. Very seldom within that time has any passenger, white or black, moved or turned a sign. And bus drivers have been content to drive safely and to handle all their passengers with courtesy.

On Wednesday, the Dallas Transit company announced immediate abandonment of segregation through its president, W. R. Burns, and work to remove the signs from all 530 company buses was started. The announcement followed a conference of transit officials with their attorneys who declared that "There is no question that the U. S. Supreme Court decision renders invalid all local and state segregation laws relating to city bus transportation."

In making the announcement of the abandonment of the policy of segregation, President Burns said: "We are merely doing what every legitimate American organization must do — comply with the decision of the nation's highest tribunal."

Bus Companies Not Disturbed By Opinion of Attorney General

Although Attorney General John Ben Shepperd said Thursday that bus and transit companies complying with the Supreme Court decree were acting hastily, there was no indication that serious attention was being paid to his opinion by the officials of the companies, all of whom were acting under advice from their attorneys.

Both in Dallas and San Antonio, the first two cities to put an immediate end to segregation in city bus lines, both races apparently were ignoring the segregation ban. Drivers in both cities reported that both Negroes and whites took their customary rear and front seats in city buses.

Like Dallas, the San Antonio Transit Company reported no incidents on their desegregated busses, from which the "white" and "colored" signs are being removed.

Fort Worth transit company officials said they understood the decision is not effective for 30 days and are reserving any action on the ruling pending advice from their attorneys.

Beaumont, Wichita Falls and El Paso were reported by United Press Thursday as also taking a "wait and see" attitude.

In Houston, Negroes were riding the rear of the bus from habit, said UP, although a city segrega-

tion ordinance has been unenforced since 1954.

Dallas City Manager Elgin Crull said the Dallas ordinance imposing enforced segregation, patterned after the State law, had not been enforced for "quite a number of months."

He added that no formal action is necessary to rescind an ordinance that has been found unconstitutional.

2 Negroes Dive in Pool, End Bias in San Antonio

Herald Tribune June 4 1956

New York N. Y.

Special to the Herald Tribune

SAN ANTONIO, Tex., Apr. 28.—Two teen-age Negro boys went swimming here this morning and a century of segregation of Negro and white races ended for this city of half a million people.

With their dive off a diving board at the gigantic San Pedro Park pool, San Antonio became the first metropolitan city in the South to completely integrate all public facilities.

Bus integration began last week with a decision by the privately owned San Antonio Transit Co. to remove signs calling for separate seating.

Golf courses, tennis courts, libraries and the municipal auditorium were thrown open to Negroes March 22 when the City Council declared void the city ordinance calling for race segregation. The action enabled mixed swimming at city pools also, but the pools didn't open until today.

No Incidents

No incidents have taken place at any facility.

The two boys who went swimming, Clarence Littlefield, sixteen, and Frank Glenn, fourteen, walked by three policemen, newsmen and the two pool managers to enter. All had been watching since 7 a. m. for the first Negro to show up. The boys were first seen when they stepped up on a diving board.

Later the boys said they had walked around the park for over an hour before getting up enough nerve to approach the ticket window.

Both boys attend city schools that have been operating on an integrated basis since beginning of the school term last September.

San Antonio College, which formerly operated the "separate but equal" all-Negro St. Phillips College, now has mixed students at both schools. Integration took place last June during the summer sessions.

End Medical Restriction

The Bexar County Medical Society some six months ago struck the restrictive wording from its charter and began admitting Negro physicians.

Two weeks ago the Board of County Commissioners issued a statement that there had never been any segregation at county parks and the 10,000-seat Coliseum. Their action followed that of the City Council.

Catholic parochial schools in the city have been integrated since one month prior to the Supreme Court dicision in 1954. Archbishop Robert Lucy made the move acting on his own by an insertion in the local Catholic paper that the schools were open "without regard to race, creed or color."

Texan Tells How Integration Works In His Native State

Times-Picayune New Orleans, La. Sat. 5-5-56

A large group of whites and Negroes, meeting at the Rabouin school Tuesday night, April 24, heard a fifth-generation Southerner tell of the favorable progress of integration in his native state.

The occasion was one in a series of discussions which has been carried forward by the Citizens Forum on Integration of this city. The idea is to effect a workshop in which persons interested in the problems of integration may learn at first hand how it was accomplished in other states and cities.

Thomas A. Sutherland, white, took the audience, step by step, through the process by which the people of his state achieved their goal. A former director of the Texas Commission on Race Relations, he was in a key position to know of the various forces in operation for and against integration. Upon more than one occasion he pointed out the impact of our racial program upon peoples of dark skin living in other parts of the world. In a recent trip to Panama he had noticed how keenly aware the Mexicans are of the changing race relations taking place in the South. At the last of his report he stressed the importance of implementing and carrying out the court's ruling if our country is to continue its role of leadership among the darker peoples of the world.

The speaker gave a short sketch of conditions in the state prior to the court's decision outlawing segregation. There were about a million Negroes in the state, "most of them living east of San Antonio and Fort Worth." There were also a million and a half Mexicans who had suffered a considerable amount of prejudice. They were segregated in schools and refused admittance into restaurants. With the coming of World War II, a Good Neighbor Commission was established with Federal aid, and this body took over the job of education along those lines. The returning Mexican veterans brought organized pressure through voting and by other means. Six years before the Supreme Court's decision, said Sutherland, Texas was already experiencing the desegregation of Mexican children.

Sat 5-5-56

He told of the rise of the Citizens Councils, the governor's recommendation to withhold state funds from integrated schools, the way in which "hate campaigns" were combatted by ministers and the "thoughtful and objective" handling of the situation by most of the members of the Texas press. Then followed a partial discrediting of the Councils and the overriding of the governor's recommendation by the state board of education.

There are two main factors opposing integration in Texas, warned the speaker. These are the "mischief-makers, more or less top dogs in business and politics," and a "psychopathic fear" on the part of some people that their world is being threatened with change. He stressed "the seeming coincidence" between integration and a favorable press, and the lack of prejudice among younger groups of people. Some fifty schools have already been desegregated without any unpleasant incidents, but he warned against passions which might be engendered during an election year.

Moderator of the forum, Dr. Samuel L. Gandy, Dean of the Chapel, Dillard University. Members of the panel: Rev. Norman A. Holmes, Professor of Religion and Philosophy, Dillard University; the Rev. Robert Grant, S. S. J., teacher at St. Augustine High School; and Dr. Robert Stone, Professor of Sociology, Tulane University.

NAACP LEADERS CONFER WITH HOUSTON CAFETERIA OPERATOR.— Before violence flared up at the Harris county courthouse in Houston over the serving of Negroes in the cafeteria, Houston NAACP leaders conferred with Dee Derrington, operator of the cafeteria, about the serving of Negroes. Shown here talking with the operator are Attorneys Henry E. Doyle, Francis Williams and M. W. Plummer and Mrs. Lillie Marie Alonzo. Later Plummer was the victim of an attack made by an oil man. With his back to the camera is the Chief Deputy Sheriff B. E. Williams. Spectators and newsmen are in the background.

—Courtesy Houston Chronicle.

Entire Court To Comply With Law

Chronicle 1-7-56

HOUSTON — Judge Bob Casey, speaking in connection with the recent order from Federal Judge Ben C Connally that Negroes be served in the courthouse cafeteria, declared that "the entire court will comply with the law."

He said that the cafeteria will be operated in compliance with the law and that he felt free to speak for the entire Commissioners Court in making the statement.

When the new $8-Million county courthouse was opened in the summer of 1953, W F (Dee) Derrington, lessee, for the cafeteria in the basement refused to serve taxpayers M W Plummer, an attorney living at 4917 Alvin, George Nelson, labor leader and barber, Mrs Lillie Alonzo, civic worker and barber, and James L Roberts, a porter living at 2206 Drew.

Following the refusal of Mr Derrington to serve the four they filed a petition in August 1953 seeking a permanent injunction restraining the courthouse cafeteria from refusing to sell food to anyone on basis of color.

Judge Connally has given Mr Derrington 90 days to comply with his order. It is not unusual for a 90 day period be given by a judge for a defendant to comply with the law, because the time is needed to make personal decisions such as maybe selling the lease or getting out from under it otherwise.

Mr Derrington has refused to make any statements until he talks to his lawyers, Scott and Merrill.

Judge Connally's ruling "the county so far as it is able must afford comparable and substantially equal treatment to all without regards of color" has caused some guessing in the interpretation of the order.

OPINION DISAPPOINTING

"The opinion was disappointing because it suggested to Commissioners Court and Mr Derrington a way to further discriminate," said Mr Plummer. Counsel for the plaintiffs were Attorneys Henry Doyle, Francis Williams, newly elected president for the Houston Branch NAACP and Robert D Ford. Here's how Attorney Doyle looks at the ruling: Doyle's statement.

EXPERTS COMPLIANCE

"While the language of the opinion may seem to be vague, as to what the Court intended, with reference as to how, the facilities, might be provided, it nowhere said that separate and equal facilities are to be set up. Therefore the only interpretation that can be reasonably given to the opinion is that the Court intends and expects the defendants to comply with its ruling under present constitutional interpretation which has specifically ruled out the doctrine of separate but equal.

Attorney Doyle further stated, "No doubt, this is what the Court meant when it stated that 'the defendant Harris county by its acts may not constitutionally deny the plaintiffs and other members of the Negro race similar situated the right to patronize the courthouse cafeteria' I will impute no other interpretation to the opinion unless the Court at a later date, makes a statement other than what is now embodied in the opinion."

Any appeal of the Court's decision would have to await further development."

In basing his ruling on the 14th Amendment to the United States Constitution, United States District Judge Connally cited at least 10 cases where similar constitutional rights of the plaintiffs were involved and where segregation had been stricken down in the cases, including the suits: Nash versus Air Terminal Service, Sweatt versus Painter, Bolling versus Sharpe, Beal versus Holcombe, Holmes versus City of Atlanta, Sweeney versus City of Louisville, Lawrence versus Hancock, Dawson versus Mayor of Baltimore, Kansas City versus Williams and Tate versus Dept of Conservation.

In view of these foregoing authorities Judge Connally so ruled;

"The plaintiffs contend the equal protection of the laws guaranteed to them by the 14th Amendment to the United States Constitution is denied them by excluding them from the courthouse cafeteria solely because of their race and color."

Judge Connally cites in the ruling the custom, practice and policy of excluding Negroes from facilities of the courthouse cafeteria constitutes a denial of equal protection of the laws to the plaintiffs.

There can be little doubt but that plaintiffs are entitled to relief against Harris county, having undertaken to furnish eating facilities to its citizens, the county so far as it is able must afford comparable and substantially equal treatment to all without regard of color."

"Conceding for the moment that a restauranteur at common law may arbitrarily select his clientele, in my judgement that privilege does not extend to the defendant, W F (Dee) Derrington, under present circumstances."

The Court has restrained the Commissioners Court from re-newing or extending the present lease or execution of a new lease or otherwise diverting itself of management and control of premises without specifically assuring that facilities will be made of use for colored people.

The first lease to Mr Derrington was from June 10, 1953 to Dec 31, 1594 and the second lease extends from Jan 1, 1955 to Dec 31, 1956.

Round one on the legality of the courthouse "jim crow" cafeteria was reached last Aug 8, in Judge Connally's Court. The question, Attorney Doyle, had before the Court was "Can the Commissioners Court in the execution of its legislative authority lease the courthouse cafeteria to a lessee who refuses to sell food to Negro taxpayers?"

Counsel for the defense County Attorneys Burke Holman and Madison Rayburn contended the plaintiffs were complaining of a social right, not provided for in the County Constitution, and this social and private right did not reach a federal question and was therefore in the wrong court.

Council for the plaintiffs cited pratically all of the cases, Judge Connally had cited for basis for his ruling, in showing the Court's Constitutional rights were involved in the class case.

Judge Connally ordered the plaintiffs to file briefs by August 17, showing why Negroes should be served in the cafeteria, and he ordered the defendants to file briefs by Aug 24 showing why Negroes should not be served in the cafeteria. The opinion in the case by Judge Conally was handed down, late Thursday evening Dec 29, 1955. The order to open the doors of the courthouse cafeteria to Negroes is regarded as a prelude to the door opening at the city hall, city jail and municipal airport cafeterias. The declaratory judgement suit of the courthouse cafeteria case was sponsored by the Houston Branch NAACP.

Citizens are already questioning the right of the Commissioners Court to close down the cafeteria, in case this avenue of escape is chosen by the county fathers. Citizens are also eyeing the courthouse to see if any saws and hammers might be going in. May be if they do and their guess is right that the order is being mis-interpretated, it is kind of likely the Civil Court of Appeals at New Orleans will be hearing something from Heavenly Houston.

Houston Negroes have had three cases in the Supreme Court including Smith versus Allright, Beal versus Holcombe (this suit was taken to the High Court by the City of Houston) and the Sweatt versus Painter cases.

Forced To Park At Gun Point

Houston Tex. Chronicle 1-28-56

MARSHALL — Rev Richard H. Dixon, pastor of the Second Temple Baptist church in Buffalo, New York, and chairman of the National Good Will Commission, was forced off Highway 80, at gun point, Friday, between 3 and 4 o'clock, about 12 miles from here, by what was presumed to be East Texas Citizens Council hoodlums.

Threatened by the gun's being pointed at him from a green truck while he drove, Rev Dixon finally ran his car into a bank. In the meantime, other cars came over the hill, and the armed and threatening hoodlums drove off. Rev Dixon abandoned his car and went back about two or three miles to the first telephone he could find and called the Highway Department and Sheriff's Department, where he talked to Officer Rosler, and a leading law firm in East Texas which he knew.

THE INCIDENT commenced when Rev Dixon, enroute from Longview to Marshall, stopped at a wayside inn, known as Pitts' Motel and Cafe.

The cafe had a showcase with chewing gum and other articles for sale, and a kitchen in back. Rev Dixon asked the lady in the cafe whether or not he could buy barbecue "to go."

The lady called back in the kitchen and the cook told her she had barbecue sandwiches. Rev Dixon ordered a barbecue sandwich, bought a package of gum and a package of Bayer's aspirin. He gave her the money for that and she took out for that and the barbecue sandwich which was to come.

IN THE meantime, while waiting for his sandwich Rev Dixon was looking at souvenirs. Just about the time his sandwich was ready to come out of the kitchen, a man walked in and told him he could not be served in there, he would have to go around to the kitchen to be served.

Rev Dixon reports that he told him he was not being served, that he had ordered and paid for a sandwich and was merely waiting for it to come, and it was about time for it to come out of then. But the man insisted that he had to go around to the back.

Rev Dixon, to avoid any trouble, walked out of the cafe to his car and left, leaving the sandwich there. When he had driven probably six or seven miles, there came behind him two men in a green truck. His first notice of them was when he heard a yell and a horn blowing.

The truck came on up beside him with the man on the right having a gun and pointing it at him, hollering for him to pull over. There was a post and other obstructions immediately on the side, and as Rev Dixon drove past them the truck was cutting in in front of him.

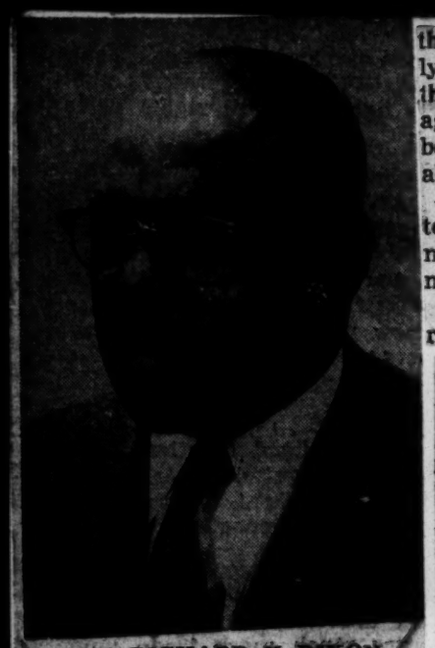
As the truck pulled in on the right, Rev Dixon ran his car on the shoulder and into an embankment.

IT SEEMS that the hoodlums were frightened off when other cars piled over the hill on the highway. Although Rev Dixon got out of his car, by that time the hoodlums had driven on off.

All of Rev Dixon's friends in East Texas told him that it was indoubtedly the work of the Citizens Council group. The matter is being investigated by whites in East Texas, who have had reports made on it. Among these is one of the leading law firms in East Texas.

Monday, when Rev Dixon was contacted, he said that he would prefer to give any further information about it after the investigation is made, which he said would be begun Monday if not completed.

Rev Dixon was in Texas in connection with his Good Will Commission work, and has had a number of interviews with important Negroes and whites. He has been strongly endorsed and encouraged by Ex-President Harry Truman.



REV. RICHARD H. DIXON

Open Drive For De-Segregation In Texas Parks

Fri 2-10-56

AUSTIN, Texas — (NS) — The National Association For the Advancement of Colored People fired the opening shot last week in a drive for desegregation of state parks in Texas.

The Texas executive committee of the NAACP urged Attorney General John Ben Sheppard to impress upon the people that the doctrine of "separate but equal" facilities is no longer lawful.

Sheppard was also petitioned to "use your high office to induce our governor and our legislature to take prompt action to remove from the statutes and the organic laws of this state, all traces and all suggestions of restraints or restrictions that would tend to limit the public generally in the use and enjoyment of the facilities provided by the state in our system of public parks."

San Antonio, Tex. Ends Segregation

Sat. 3-24-56

SAN ANTONIO, Tex., March 23 (AP)—City councilmen, in a few minutes Thursday, ended a century of segregation of whites and Negroes in municipally owned facilities.

They unanimously passed an ordinance ending racial segregation in city swimming pools, and then went a giant step further and threw open doors of all public functions in municipally owned facilities to "all persons . . . on an equal basis."

City Atty. Carlos Cadena said the action is effective immediately. There were no speeches and the City Council completed passage quickly. The measure has been under private discussion for about a week.

The ordinance covered public tennis courts, golf courses, swimming pools, rest rooms and the municipal auditorium.

All school districts here are already desegregated.

Negroes To Picket Shivers

Miami, Fla. Sat. 3-17-56

Houston Group Plans Protest

HOUSTON, Tex.—(UP)—Houston's Negro leaders said Friday 200 Negroes will picket Texas Southern University Sunday when Gov. Allan Shivers speaks at the inauguration of a new university president.

Attorney Francis L. Williams, president of the Houston Chapter of the National Assn. for the Advancement of Colored People, said "We intend going about this picketing in a prudent and lawful manner."

Shivers, a leader of Texas conservative Democrats, has vigorously backed the doctrine of interposition to stop "federal encroachment" on states' rights.

Shivers will deliver the main speech at the inauguration of Dr. S. M. Nabrit as president of the all-Negro university. The NAACP attacked the governor because of his "publicly declared views on integration in public schools."

Thursday night about 100 Negroes attending a meeting in the small Mt. Zion Missionary Church and voted to picket Shivers' appearance. The meeting was called by the executive board of the Houston NAACP branch.

Williams asked those present if they felt the boycott should be "active or passive." The NAACP had earlier urged Houston Negroes to stay away from the appearance, but there was no talk of picketing until Thursday night.

Williams said the NAACP believed "Gov. Shivers has a right to say anything he desires to say," but that "we also have a right to boycott his speech and to influence other people not to attend and listen to a man who has publicly declared he will do everything in his power to abridge the rights of the Negro citizens and their children in this state."

Houston opens its public facilities to all citizens

Afro-American p. 2

Sat. 3-31-56

SAN ANTONIO, Texas — City councilmen here Thursday unanimously passed an ordinance repealing an 1954 ordinance requiring racial segregation in the city swimming pools and then threw open doors of all public functions in municipally owned facilities to "all persons on an equal basis."

The new ordinance covered public tennis courts, golf courses, swimming pools, rest rooms and the Municipal Auditorium. All school districts here are already desegregated.

Baltimore, Md.

ELSEWHERE ON THE desegregation front the Baltimore County Board of Education at Towson voted unimously Wednesday to open 25 more public schools to integration when the fall term begins in September.

When added to the 28 desegregated last fall, the county will have 53 integrated schools.

* * *

THE SCHOOL, Nashville, Tenn., board here Thursday conceded that segregation provisions of Tennessee's Constitution and statutes are clearly "unconstitutional."

The board, however, requested a continuance of the suit seeking admission of 21 colored pupils to white schools and 2 white children to colored schools to permit more time for planning desegregation.

* * *

"UNTIL THE people say otherwise I'm going to uphold my oath to the U.S. Constitution, come hell or high water," Gov. James E. Folsom of Alabama declared in Montgomery Thursday.

He made the statement while charging that the Alabama Legislature "collectively and individually" violated its oath to the Constitution by passing a resolution declaring the Supreme Court's segregation decrees null and void.

Six Atlanta students who tried to enroll Friday in the State College of Business Administration failed in their uest after they visited the college the State Board of Regents and the Fulton County cancery judge, with their attorney, A. T. Walden.

Mr. Walden told reporters that he would continue his fight to have them enrolled.

In Raleigh, tse N.C. State Supreme Court was asked this week to speed up action on a case filed by parents of colored children seeking admission to a white elementary scsool at Old Fort by next fall.

Shivers Has Crowd at TSU, Pickets, Too

Kansas City, Mo. Fri. 3-23-56

HOUSTON, Texas — (INS) — Gov. Allan Shivers of Texas spoke Sunday, March 18, at Texas Southern university at the inauguration of President S. M. Nabrit, despite an anti-segregation picket line organized by the National Association for the Advancement of Colored People.

Shivers, labeled a "race baiter" in one of the placards carried by the 100 demonstrators, spoke out against what he called extremism—"the obstructionist and the impatient."

The picketing was approved by the Houston NAACP which opposes Shivers' views on segregation.

An overflow crowd of 1,200 Negro and white persons heard the governor, and a university spokesman described the boycott as a "failure."

Robert L. Winters, Mrs. Frazier V. Scurry,, Clifton O. Sylvester, L. D. Chadwick, Mrs. Signora E. Howard, Theo Harris, Willie F. Bunting, Mrs. Theo Harris, Mrs. Lillian H. Jackson, Carter Wesley, Moses Leroy, James L. Roberts, Mrs. C. V. Adair, Richard H. Moore, Mrs. Moses Leroy, Samson Ross, C F Richardson, Jd., Wm. O. Bonner, F. W. Scott, Mrs. W. H. Robinson, Quentin R. Mease, W. A. Samuel, Joseph H. Finche, Chas. A. Shaw, Dr. H. A. Bullock, C. h. Tarlett II and Rick Ravon Darnell.

right the wrong that has been done to Mrs. Baird's Bakeries, Inc., and set up machinery to prevent any recurrence of such an action by establishing a committee to evaluate and investigate, fairly without prejudice, any such charges which may be leveled against any organization, company or individual in the future, and

BE IT FURTHER RESOLVED, that this assembly has throughly evaluated the rumor concerning Mrs. Baird's Baking Company and finds that they, like Mrs. Baird's Baking Company has not made any contribution to the White Citizens Council or any such organization, and recommends that the citizens of Houston cease the unfair boycott against Mrs. Baird's Baking Company.

Among those signing were J. H. Hose, Mrs. M. V. Webster, Mrs. Jemison, Hobart T. Taylor, Julius White.

Mrs Baird's Bread Not Guilty, Group Says

Houston Post 11-10-56

ed rumors have been widely circulated which have placed this company in a situation of sales disadvantage, and

WHEREAS, The president of this company has gone on public record emphatically denying the truth of these rumors, and

WHEREAS, A representative cross-section of Houston's Negro citizens recognize the evils and danger of false accusation and rumor, and against individuals, organizations or companies based on unfounded rumo.

BE IT RESOLVED, That this Citizens Committee take whatever action that is within its power to

Representative citizens called the rumors about Mrs Baird's Baking Company false and found them untrue, and recommended that the citizens cease to honor the unfair boycott against Mrs. Baird's Bakery Company. The resolution follows:

(Adopted by the Harris County Evaluation Committee, Region November 1, 1956, at the South Central Branch of the YMCA.)

WHEREAS, The good name and integrity of an established Houston [illegible] and employer of many people has been maligned, and

WHEREAS, False and unfound-

In Houston—

Racial controversy closes cafeteria

Times 4-12-56

HOUSTON, Tex., April 12—(AP)—The cafeteria in the Harris County Courthouse remained closed today after a clash yesterday between whites and Negroes.

Fists flew when a group of Negroes sought to be served lunch at the cafeteria.

The Negroes approached the cafeteria a day after Federal Judge Ben C. Connally had directed that the place be made available to Negroes as well as whites.

J. M. Wren, an oil operator who was a candidate for governor of Texas in 1950, swung several punches at M. W. Plummer, a Negro attorney, when a group of the Houston Chapter of the National Assn. for the Advancement of Colored People appeared at the entrance to the cafeteria.

"If the court won't stop you, we will," Wren shouted. "I'm a citizen of Houston and I'm opposed to this."

He later added:

"We don't want Negroes in the cafeteria. If we've got to have a riot, let's have it. I'm not going to have Negroes here."

Wren ran for governor on a platform that advocated racial segregation.

PLUMMER WAS not injured but he immediately filed a charge of simple assault against Wren. He also filed a damage suit against the oil operator, asking $10,000 actual and $50,000 exemplary damages.

Representatives of the NAACP also asked that the operator of the cafeteria and county officials be cited for contempt.

The chairman of the Commissioners Court, Kyle Chapman, said the general feeling is that if the cafeteria is opened again it will be for county employes only.

Court Does Integration About Face

Herald P. 16-A
Mia. Fla. 4-13-56

HOUSTON, Tex. —(UP)— A federal judge stepped in Thursday and suspended his own anti-segregation ruling to re-open a cafeteria closed Wednesday after a white oilman punched a Negro attorney for trying to get a cup of coffee.

Federal Judge Ben C. Connally suspended his own injunction against W. F. (Dee) Dearrington, owner of a cafeteria in the Harris County courthouse, for refusing to serve Negroes.

Derrington closed the hitherto all-white eating place after several Negroes attempted to take advantage of Judge Connally's injunction and tried to enter the cafeteria.

In a melee that followed, oilman J. M. Wren, an independent drilling contractor, hit Negro attorney M. S. Plummer in the face. Plummer did not hit back. Wren was arrested, charged with simple assault.

The near-battle was witnessed by some 35 white patrons in the cafeteria and a group of Negroes Plummer brought to patronize Derrington's establishment. The group included Francis Williams, president of the local branch of the NAACP.

Derrington closed the cafeteria to everybody—"whites and Negroes alike" — after the fight.

He re-opened it Thursday after Judge Connally suspended his ruling ordering the courthouse cafeteria to serve Negroes, pending Derrington's appeal to the Fifth Circuit Court of Appeals in New Orleans.

Judge Connally said he based his later decision on whether the right of Negroes to use the services of the cafeteria for the next few months outweighed the loss that Derrington testified he would suffer if the cafeteria was "integrated."

Judge Orders Negroes Served In Courthouse Cafe In Texas

Chicago Defender 4-14-56

HOUSTON, Texas, April 11 — Federal Judge Ben Connally ordered Tuesday that Negroes be served in the Harris County courthouse cafeteria.

His order was in a final judgment issued in a case brought by Negroes against county officials and Dee Derrington, operator of the cafeteria.

The Negroes' attorney, Henry Doyle, said "Negroes will seek service in the cafeteria by Wednesday at the latest."

Derrington said he will refuse service to any colored persons "on the advice of my attorney."

William Scott, Jr., attorney for the operator, said he will file a motion asking that the judgment be suspended until his appeal is acted on.

Connally's decree, effective at once, enjoins Derrington from excluding Negroes and forbids the county to renew the cafeteria lease without "specific assurance that facilities are available for use of colored persons under circumstances and conditions equal to those of the white race."

Texas Cafeteria Re-Opened To Negro Patrons

Daily World Fri. 4-13-56
Atlanta Ga.

(HOUSTON, Tex. —(INS)— The cafeteria in the Harris County courthouse was opened Thursday following a new order by a federal judge.

Judge Ben Conolly granted a stay of execution on his decision Tuesday ordering the cafeteria to serve Negroes. The stay was granted after the cafeteria proprietor, Dee F. Darrington, asked for time to appeal the earlier decision to a higher court.

The courthouse was the scene of a violent flareup Wednesday when six Negroes sought to enter the cafeteria on the basis of Judge Connollys order. As they tried to enter, J. W. Wren, an oil man, attempted to hit William Plummer, a Negro attorney.

Two of the blows were warded off and a bystander intervened to break up the incident.

Then Darrington closed the restaurant.

Simple assault charges have been levied against Wren, and Plummer has brought a $60,000 civil suit against the oil man.

Tuesday's order throwing open the doors of the cafeteria to Negroes was the result of a suit brought five months ago by the National Association for the Advancement of Colored People.

NEGROES DRIVEN FROM TEXAS CAFE

New York Times 4-12-56

Courthouse Unit Is Closed After Violence—Singer Cancels Dates in South

Special to The New York Times.

HOUSTON, Tex., April 11—Violence flared here today when a delegation of Negroes sought to be served at the cafeteria in the Harris County courthouse. Dee F. Derrington, who operates the cafeteria under lease from the county government, closed it after the violence.

Federal District Judge Ben C. Connally signed an order yesterday making the cafeteria available to Negroes.

The delegation today was headed by Francis Williams, a lawyer and head of the Houston Chapter, National Association for the Advancement of Colored People.

A central figure in the violence was J. M. Wren, a white oil operator. He punched M. W. Plummer, a Negro attorney, who was instrumental in bringing the Federal Court suit against Mr. Derrington and the county government.

Mr. Plummer escaped injury, but later filed simple assault charges against Mr. Wren. The latter cried out as he saw the six-member Negro group approach the cafeteria:

"If the court won't stop you, we will. I'm a citizen of Houston and I'm opposed to this."

Mr. Derrington tried to calm Mr. Wren. He said he had asked a stay of execution of the court order opening the cafeteria doors to all races but Mr. Wren retorted:

"We don't want them in the cafeteria. If we've got to have a riot, let's have it. I'm not going to have Negroes here."

Henry E. Doyle, a Negro attorney with the delegation, said he would seek a contempt of court citation against Mr. Derrington.

'King' Cole 'Not Mad'

CHICAGO, April 11 (UP)—Nat (King) Cole said today he was "not mad" at southern whites and planned no legal action against those who attacked him on the stage during a performance at Birmingham, Ala.

The Negro singer canceled at least three more appearances in southern cities and flew here for "a few days rest" and a medical check-up. But he vowed that he would continue his singing tour.

Three white segregationists pounced on Mr. Cole while he was performing to a packed audience of whites last night and sought to drag him from the stage. He suffered a slight back injury but later finished his performance.

In Birmingham, three men were charged with inciting a riot. Three others were booked on the same charge as accomplices. Later the charges were changed to assault with intent to murder.

Ohio Integration Ordered

Special to The New York Times.

HILLSBORO, Ohio, April 11—The Board of Education must proceed immediately to end segregation of Negro from white children, Judge John H. Druffel of the United States District Court ordered in Cincinnati today.

The ruling was in compliance with a Circuit Court of Appeals decision the United States Supreme Court refused last week to review. The appellate court had directed the board to admit Negroes immediately on a non-segregated basis and end all segregation by September.

About 20 Negro children have been applying daily for admission to the "all white" Webster School, they were turned away again today, as usual.

Negro Struck For Seeking Cafe Service

Courier-Journal Thurs. 4-12-56
Louisville Ky.

Segregation Banned By Court Day Before

P. 4

From Wire Dispatches

Houston, April 11.—J. M. Wren, a white oilman, hit a Negro lawyer today for trying to eat in the Harris County Courthouse cafeteria.

United States District Judge Ben C. Connally ruled yesterday that it was unconstitutional for the cafeteria to refuse to serve Negroes.

The lawyer who was hit and stunned, M. M. Plummer, later filed charges of simple assault against Wren.

W. D. Derrington, operator of the cafeteria, later closed his place to both whites and Negroes to avoid being held in contempt of Judge Connally's court.

Refused 3 Earlier

Derrington refused to serve three Negroes before Plummer arrived. The first was R. H. Williams, 59, a railroad machinist, who was waiting to be called for jury duty.

He asked for coffee. Derrington said, "Sorry, I can't serve you." Williams left without saying anything.

George T. Nelson, a barber and member of the National Association for the Advancement of Colored People, and Clyde Bailey, 29, were also refused service.

When Bailey was trying to get service, witnesses said Wren told him:

"Let me tell you something; you people had better stop pushing yourselves or you'll end up boycotted and starved out of the area."

Looks In, Goes Away

Plummer came to the door, looked in, went away, and returned with a delegation of Negroes, including Francis Williams, president of the Houston branch of the N.A.A.C.P.

Wren hit Plummer about 8 feet from the entrance. Plummer warded off further blows with his arms and retreated. Der-

OILMAN HITS NEGRO IN COURT CAFETERIA

Federal Judge In Houston Desegregated Eatery

ESTABLISHMENT CLOSED

By The United Press

HOUSTON, Texas, April 11.—J. M. Wren, a white oilman, hit a Negro lawyer today for trying to eat in the Harris County Courthouse cafeteria under a Federal court order.

United States District Judge Ben C. Connally ruled Tuesday that it was unconstitutional for the cafeteria to refuse to serve Negroes. The lawyer who was hit and stunned is M. W. Plummer.

Assault Charge Filed

Plummer later filed charges of simple assault against Mr. Wren. W. D. Derrington, operator of the cafeteria, closed his place to both whites and Negroes to avoid being held in contempt of Judge Connally's court.

"I want you to know that I have nothing to do with this attack," Mr. Derrington told Plummer. "I have too much respect for county officials to do something like this. I am closing the cafeteria."

Plummer broke in to ask whether he couldn't have a cup of coffee before the place closed, but Mr. Derrington said the place was closed "to everybody — whites and Negroes alike."

'I'm Closing Cafeteria'

"I don't want to be held in contempt of court by refusing to serve you," Mr. Derrington said. "Therefore, I am closing the cafeteria."

Actually, Mr. Derrington refused to serve three Negroes before Plummer arrived. The first was R. H. Williams, 59, a railroad machinist, who was waiting to be called for jury duty.

He asked for coffee and Mr. Derrington said, "Sorry, I can't serve you." Williams left without saying anything.

"I was just waiting around for Judge Ewing Boyd's court to open and thought I'd like a cup of coffee," Williams said. "I don't belong to any group or anything like that."

Others Refused

George T. Nelson, a barber and member of the National Association for Advancement of Colored People, and Clyde Bailey, 29, were also refused service.

When Bailey was trying to get served, witnesses said Mr. Wren told him: "Let me tell you something, you people had better stop pushing yourselves or you'll end up boycotted and starved out of the area."

Plummer came to the door, looked in, went away and returned with a delegation of Negroes, including Francis Williams, president of the Houston branch of the NAACP.

Blow Near Entrance

Mr. Wren hit Plummer about eight feet from the entrance. Plummer warded off further blows with his arms and retreated, while Mr. Derrington and a bystander grabbed Mr. Wren.

After the fight, Mr. Derrington asked the other Negroes not to press him for service.

"I have an appeal before the judge," he said. "Why don't you be patient and wait for his decision."

"We have waited, and patiently," Henry Doyle, lawyer for the Negroes whose petition brought forth Judge Connally's ruling, said.

Doyle filed the petition for a group of Negroes who work in the courthouse but can't eat in the cafeteria.

Refuses To Play For All-White Dancers

Informer Houston, Tex. Sat. 8-18-56

HOUSTON—Fats Domino overruled Houston police Sunday night when they ran Negroes from their own dance floor to accomodate white dance lovers. Bandleader Domino refused to play for white dancers only.

Tempers flared and the police and the Houston police officials were red-faced when police abruptly stopped 5,000 Negro and white Rock n' Roll dance lovers from enjoying dancing to the music of Fats Domino, one of their idols, in the City Auditorium Sunday night. Police stopped tthe music when they noticed Negro couples and white couples dancing on the same floor in an unsegregated manner.

Unable to solve what the law enforcement officers termed a "problem", it was decided that the 1,000 Negro fans would get refunds and the 4,000 white fans could have the entire dance floor. This not only angered the Negro dancers, but Maestro Domino, too, didn't like the idea. He refused to play for an all-white group. Then the 4,000 whites got into the act.

What had been a peaceful evening turned into a horrid nightmare as the 5000 dance lovers protested the police action, by demanding their money back if the dance did not continue.

Still not showing any sign of racial disturbance (as police said they thought the dance would produce had they let the couples dance like they were at the beginning of the social), a committee of 12 dance fans- six Negro and six whites asked police to permit the dance to be continued.

W H Hollins, a spectator, told The Informer the white dancers told the officers they did not want segregation; they wanted to dance and that neither the Negroes nor the whites objected to dancing on the same floor.

The white committee men were quoted as stating to the officers that all the dancers were American citizens and that segregation was dead, hence they did not want at the dance.

The officer, it was reported, then told the committee that it was against the law for Negroes and whites to dance on the same floor. The police added that since whites were in the majority at the Negro dance, the promoters had agreed to turn it into a dance for whites, Mr Hollins said.

The announcement sent Negroes into a run on the box office for their money. But one of the promoters announced that the money would not be returned, and the Negroes stormed back into the the auditorium. Then Negroes and whites went on the dance floor and started dancing again.

Later, according to Mr Hollins, the officers stopped the band.

Negroes and whites then started singing 'Let the Good Times Roll," and danced to their singing until officers broke this up, too Mr Hollins said. He said there had been no disturbance or protests of any kind before the officers interfered with the dancers.

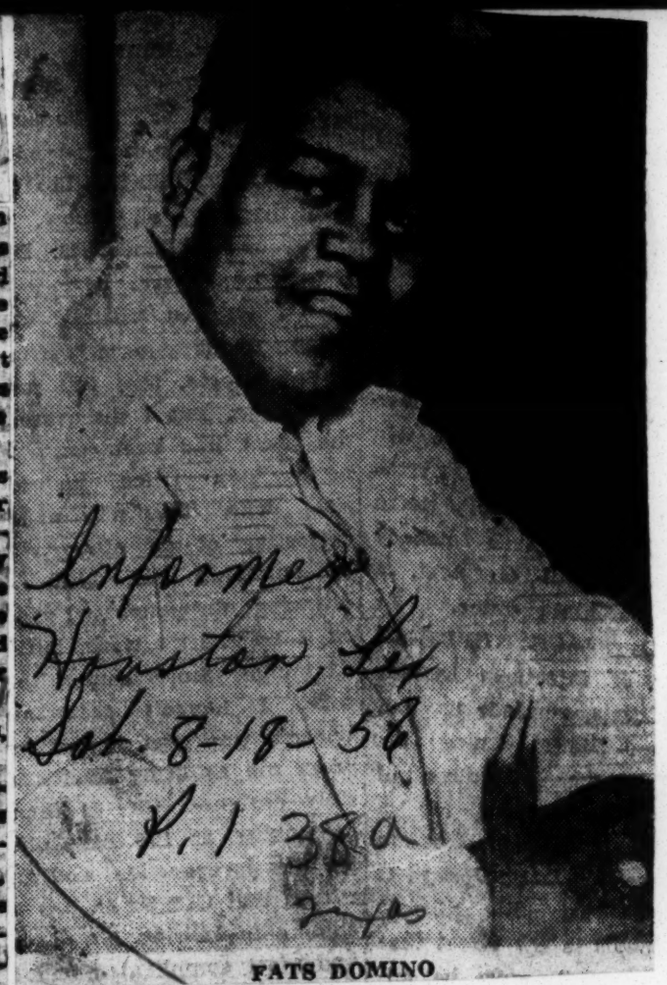
Sat. 8-18-56

According to the city Legal Department there is no ordinance on the city's law books prohibiting the two races from dancing at the same time, on the same floor, to the same music.

"There is absolutely no ordinance on segregation in the city, except on buses," a spokesman in the city's Legal Department said Monday in answer to the reporter's query. The ordinance he referred to covering the riding of city buses, was killed by a recent Supreme Court's decision, and segregation on buses is no longer being enforced.

In the absence of Sgt A C Wingo, whose order reportedly stopped the dance, Sergeant Evans of the Uniform Division said that the authority the police took in the matter was based on "the fact that there is a possibility of racial disturbance at mixed dances."

Fats Domino checked out of the Crystal Hotel early Monday before he could be reached by the reporter. He reportedly refused to play for a segregated dance, after learning of the police action. The popular rock and roll entertainer was quoted as saying that his reputation was at stake.



FATS DOMINO

Informer Houston, Tex Sat. 8-18-56 P. 1 38a

Meanwhile, reports have leaked out that police action broke up a dance at the Coliseum several Sundays ago when the white dancers insisted on dancing like the Negroes. The reports are that the dance was closed down by police within 45 minutes of the scheduled closing time.

In a late statement Monday evening, R J Rausaw, promoter of the dance, said he "tried everything but nothing worked."

The people just wanted to dance." Mr Rausaw said. He said he tried giving their money back, but that didn't work.

He then tried changing the dance into a white dance, and that didn't work either, Mr Rausaw explained. He then tried making it a Negro dance, "but the people just wanted to dance," Mr Rausaw said. He said he never advertises his promotions as "Negro" or "white", and that this time he had not given the dance any elaborate advertising, "but the people came."

Fats Domino came here from San Antonio where he played to a mixed audience and was booked for his next appearance in Opelousas, Louisiana

'Can't Keep Us Out'

HOUSTON, Texas — "We got them cold and they know it. Legally, they can't keep us out of the cafeteria."

Speaking was Francis Williams, president of the Houston branch of the NAACP.

His branch successfully pursued a suit which resulted in a Federal Court order to open the Harris County Courthouse cafeteria facilities to colored persons.

ON WEDNESDAY, when Williams and five other persons attempted to obtain service in the cafeteria, J. Mort Wren an elderly wealthy oilman, staged a "one - man riot" against their appearance.

The owner of the cafeteria, W. F. Derrington, closed the cafeteria.

"I'm closed as of right now—closed to everybody. I don't want to be held in contempt of court.

"I wouldn't have had this happen for the world. I have too much at stake to handle this that way," he said.

* * *

MR. WILLIAMS, however, debunks this.

"Before Mr. Wren struck Mr. Plummer, George Nelson, one of the plaintiffs in the suit against the cafeteria, had gone to the cafeteria and had been refused service."

Mr. Williams gave the AFRO the following history of the suit, that was filed Aug. 28, 1952, by four residents of Houston and named the county commissioners, the county judges and the proprietor of the cafeteria as defendents.

ON DEC. 29, Judge Ben C. Connally of the U.S. District Court bench, ruled that it was unconstitutional for the cafeteria to refuse service to colored persons.

"However, taking into consideration the sociological questions involved in racial changes, he decided to wait 90 days before issuing the order," Mr. Williams reported.

"On April 9, the 90 days were up and he issued the formal order," saying:

"IT REQUIRES W. D. Derrington, operator of the cafeteria to serve colored people and made it clear to the county officials that colored persons could not be denied the use of facilities on public property," Mr. Williams said.

ON WEDNESDAY morning, at about 8 a.m., George Nelson, a barber and one of the plaintiffs in the suit against the owner of the cafeteria, sought service.

He was refused service.

At 11 a.m., Nelson returned to the county courthouse with Mrs. Lillie Alonzo, a barber, and M. W. Plummer also plaintiffs in the suit.

They were accompanied by Henry Doyle and Robert D. Ford attorneys, and Mr. Williams.

* * *

"WE WERE met at the door by J. M. Wren, a wealthy oilman and a member of the local Citizens Council," he said.

"He waved his arms and cursed at us. 'You n...rs can't come in here,' he screamed," said Mr. Williams.

"Wren hit Plummer, who warded off other blows before he was restrained by a bystander.

* * *

"HE CONTINUED to rave and rant 'if the court won't stop you, we will. ... ...

"'It's trash like you that is causing this trouble,' Wren shouted, 'The good colored people don't want this and neither do we.

"'If you are going to have a riot, let's have it now,' he continued," Williams said.

* * *

"NOBODY SAID anything, but him. And there were a number of whites standing around.

"The newsreel cameramen got a picture of him striking Mr. Plummer," he said.

"Derrington, the proprietor, asked us not to attempt to eat there until the appeals court had ruled in the case.

* * *

"WHEN WE refused, he closed up the cafeteria to everyone. Williams said.

On Thursday, Judge Connally granted a stay of order until the appeals court could rule. The ruling means that colored cannot use the cafeteria at this time.

* * *

MEANWHILE, Williams reports that "we are hitting at our opponents three ways.

"Plummer has filed a $60,000 damage suit in civil court against Wren.

"He has also filed a simple assault charge against Wren which will be heard in city court on May 1.

"On April 23, a motion for contempt of court charge against Derrington, the proprietor, will be held in Federal Court.

"Derrington could have hidden behind the Wren incident.

However, Nelson had sought service earlier Wednesday and was refused service.

"We feel that we have a good case," Williams said.

* * *

WILLIAMS IS a graduate of the Howard University Law School. He is a native of Austin, Texas.

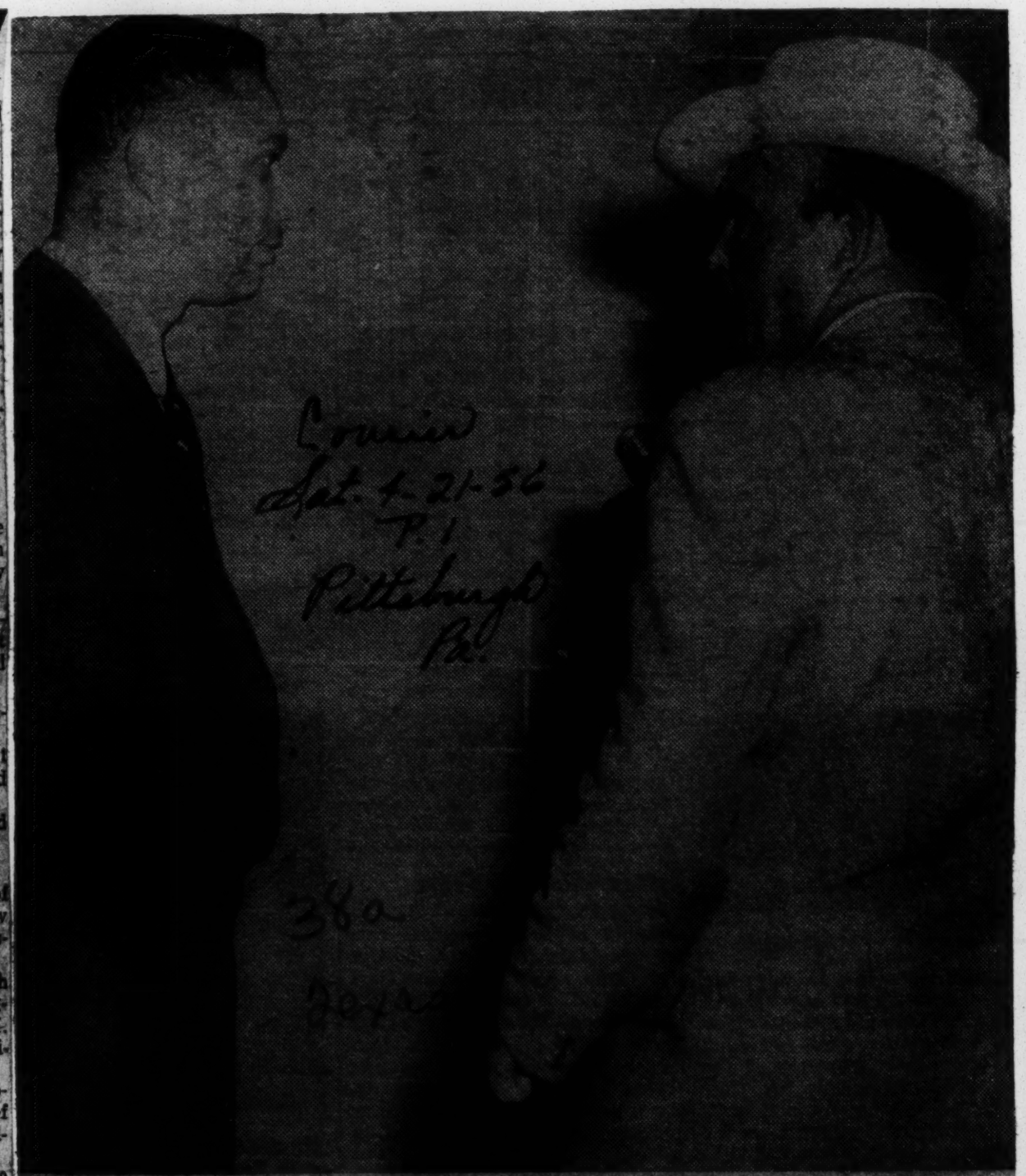
It was the Houston branch which picketed the recent inaugural ceremonies of Dr. S. M. Nabrit at Texas Southern University.

The demonstration was a protest against the appearance of Gov. Allan Shivers as a principal speaker at the ceremony.

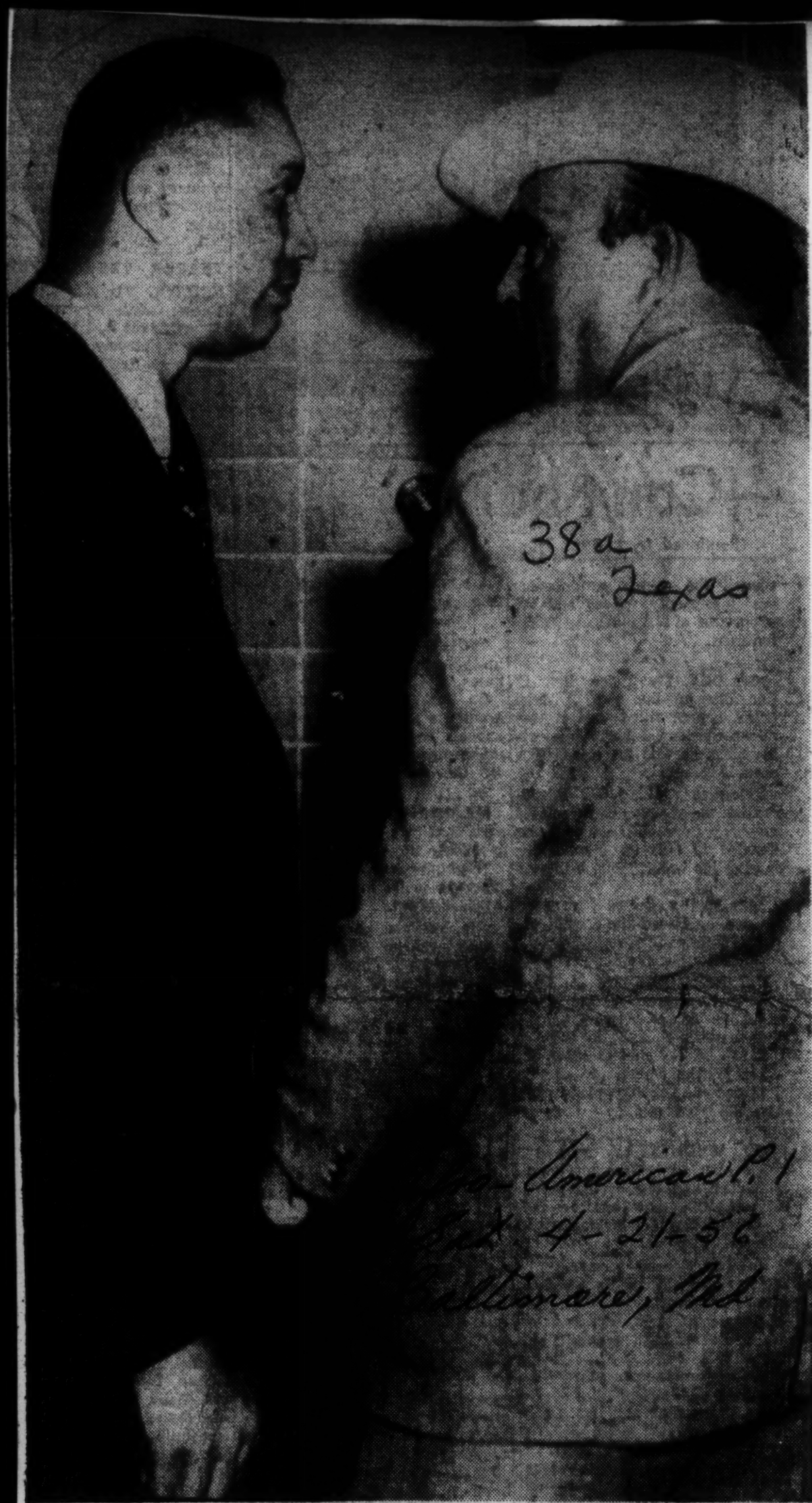
The Houston branch has 7,000 members. It is currently fighting for the desegregation of the city schools.

Schools in such Texas cities as Corpus Christi, San Antonio and San Marcus and El Paso have desegregated, he points out.

"We have many colored persons registered to vote in this city. However, under the [illegible] party system they have [illegible] choice in the elections," Mr. Williams revealed.



Loud Mouth—Shouting racial epithets and slurs, J. Mort Wren, right, Houston contractor, gets ready to toss a punch at Atty. M. W. Plummer who led a group of Negroes into a cafeteria of the Harris County (Tex.) Courthouse. Plummer's group was seeking to confirm a Federal Court order which gave Negroes the right to be served in the cafeteria. Attorney Plummer is suing Wren, a White Citizens Council leader, for $60,000.—Story on Page 3.



M. W. PLUMMER **J. M. WREN**

Hot words lead to blows in Houston courthouse safe fight

Interposition Support

Post + Times Herald

Four Governors to Ask Integration Protests

Wed. 1-25-56 P. 1

Washington, D.C.

By Robert E. Baker
Staff Reporter

RICHMOND, Va., Jan. 24 The Governors of four southern states today said they would ask their State legislatures to adopt resolutions of "interposition or protest" against the United States Supreme Court's desegregation decision.

In a joint statement, issued after a day-long, closed session at the capitol here, the governors declared the states have not delegated to the Federal Government the power to prohibit racial segregation in public schools.

They recommend that their State legislatures:

They said they would also

- Call on Congress to act to "protect the states" against "present and future encroachment by the central Government."
- Enact legislation to protect state sovereignty and "the rights of its people."

The brief, 200-word statement was read by Gov. George Bell Timmerman, of South Carolina. It was unanimously agreed upon by Governors Marvin Griffith, of Georgia, J. P. Coleman, of Mississippi and Thomas B. Stanley, of Virginia. They represented southern states where legislatures now are in session.

Gov. Luther H. Hodges, of North Carolina attended the session, but said he did not participate in the formulation of the statement, since the North Carolina legislature is not in session and he was attending only as an observer. He said the statement gives "expression to the position of the South" and will be given serious consideration in North Carolina.

The statement left wide open the question of how far each state would go with resolutions of interposition or protest. Interposition is a historic doctrine challenging the authority of the U. S. Supreme Court in making its desegregation dicision.

Interposition is a maneuver by the South designed to attain the opposite and its ostensiblv seeks. It proposes a constitutional amendment that would forbid racial segregation in schools.

Interposition proponents in the South expect the amendment would fail to secure the approval of the 36 states needed. The effect of this, in their view, would be to affirm that segregation is constitutional, thereby invalidating the Supreme Court decision for disegregation.

Going into the session, Griffin said he favored a "very strong resolution of interposition," interpreted as meaning he would support a measure declaring the Supreme Court decision null and void. In this case, the State would declare its intentions to maintain segregated schools until the United States Constitution was amended to specifically prohibit them.

But Mississippi's Coleman, going into the meeting, said he opposed nullification. The Governor's statement used the words "resolution of interposition or protest in appropriate language," thus leaving the question of how strong a protest should be up to the individual states.

Virginia has three resolutions of interposition already introduced in its General Assembly. One would nullify the Supreme Court decision, a second would expressly state it is not a nullification resolution and the third lies somewhere in between. Post + Times

The statement marked the first time Governor Stanley has taken a stand on interposition or protest. Herald

Although the Governors would comment no further than their joint statement, their stand evidently left the way open for enactment of plans by individual states to deal with the Supreme Court mandate by legislation—like Virginia's Gray Commission program to avoid enforced integration in the public schools.

Thus, the Governors' policy indicated this course for the South: (1) A long range plan, by way of interposition or protest, in the hope of retaining segregated schools by constitutional amendment and (2) for the immediate future, enactment of legislation to avoid enforced integration. P. 12

Attending the meeting were legal staffs of the various states and, from Virginia, state Sen. Garland Gray of Waverly, Attorney General J. Lindsay Almond Jr., and Gray Commission Counsel David J. Mays.

Clement Disappoints Segregationists

NASHVILLE, Tenn., Jan. 24 (AP)—Gov. Frank Clement told a group of segregationists he will not accede to their request for a special session of the Legislature to seek w ays to block integration of the races in public schools.

Several hundred segregationists converged on the Capitol Monday.

Labor Hits Changes In Compensation Law

RICHMOND, Jan. 24 (AP)—Organized labor opposed several amendments to the Unemployment Compensation Act at a hearing today before the Senate Finance Committee. The hearing will be resumed Friday.

The hearing turned largely to a discussion of the guaranteed annual wage provisions under contracts proposed between some unnions and automobile manufacturers. The bill would provide the Governor's recommended additional benefits to unemployed persons and would extend the disqualification for such benefits.

One amendment proposed to the Virginia law would bar an unemployed person from benefits if he receives unemployment benefits under any private plan, such as would be provided under the guaranteed annual wage proposals.

Beecher E. Stallard, counsel for the Virginia Federation of Labor, termed the bill a vicious one. He said it would penalize old persons who, w hile collecting retirement insurance, might seek to supplement this income with part-time work.

Other labor spokesmen who appeared in opposition to some of the bill's provisions included Julian Carper of the State CIO; Harry Boyd of the Virginia Federation; Jim Boyett of the Automobile Workers Union; and Silas Switzer, international representative for the textile workers.

Other legislative developments today:

1. The Senate passed a package of bills making various changes in judicial circuits and giving Virginia six additional jurists. An additional judge and another to the 16th Circuit (Fairax and Prince William counties and the cities of Alexandria and Falls Church) was allotted to the 36th Circuit (Arlington County)
2. The House received an Administration measure to limit the tenure of members of the State Highway Commission to two successive four-year terms.
3. Del. W. R. Stone of Martinsville proposed penalties for overweight trucks wherein they would be fined 2 cents per pound for each excessive pound. Should the excess amount to more than 5000 pounds, the fine would be 5 cents for each pound above 5000.
4. Del. Tayloe Murphy dropped in Monkand.s.w ETAOIN bills to carry out Virginia Advisory Legislative Council proposals for upping the maximum small loan that may be obtained from $300 to $600.

Meanwhile, Del. Sam Pope of Southampton said he would proposed a study to the sales tax issue if he became convinced his bill to enact the levy stood no chance of passage.

A Pope colleague, Del. Felix Edmunds of Waynesboro, said he would support the 2 per cent sales tax levy offered yesterday by the Southampton law-

Race Ruling Challenged By 5 States

Advertiser

Montgomery, Ala.

Sun 1-29-56

Interposition Plan Holding Major Hope Of Dixie Lawmakers

By THE ASSOCIATED PRESS

With five Southern states holding legislative sessions, U.S. Supreme Court decisions against racial segregation are being challenged in a variety of proposals.

The little-known doctrine of interposition appears to be the major hope of many Dixie advocates in the South's traditional separation of races. Through it they seek to nullify the segregation decrees.

But legislators in Alabama, Georgia, South Carolina, Mississippi and Virginia are pondering many other moves to maintain segregation.

There appears to have been a slackening of litigation to force desegregation and activities — such as economic sanctions — designed to discourage integration supporters.

IRREGULAR PATTERN

However, in an irregular pattern, integration continues to encroach gradually upon the Deep South.

Sponsors of the interposition doctrine hold that the federal government has only such powers as have been surrendered by the states, that the states have never surrendered the right to operate segregated schools, and the the U.S. Supreme Court exceeded its authority in holding public school segregation illegal.

Therefore, they contend, the states can interpose their sovereign power and declare the ruling to be void and of no effect.

Alabama has passed such a resolution, one is awaiting committee action in the South Carolina Legislature and one is ready for introduction in Georgia. In Virginia, a milder resolution, strongly protesting but not defying the court ruling, has been introduced.

PLAN TO CURB

Gov. Luther H. Hodges, who may call a special session of the North Carolina Legislature before next fall, also favors that possibility of curbing "assumption of authority" by the Supreme Court.

Interposition and other legislation to maintain segregation probably will be discussed Tuesday at a meeting called by Virginia Gov. Thomas B. Stanley. Attending will be governors Marvin Grifin of Georgia, J. P. Coleman of Mississippi, and George Bell Timmerman Jr. of South Carolina.

Georgia is moving toward a private school system. Administration bills to close public schools which are forced to integrate and make direct grants to students were unanimously passed in the Senate. They will encounter House opposition, but passage there also seems assured.

The Georgia Legislature also has before it bills to close state parks if segregation cannot be enforced, to prohibit mixed athletic contests and to revoke charters of cities which do not maintain segregated parks and other facilities.

PRIVATE SCHOOLS

At the direction of voters, the Virginia Legislature has called a constitutional convention on the proposal to give grants to students who attend private schools either because parents refuse to send them to integrated schools or because public schools are closed.

Other legislation pending includes bills in Georgia and Mississippi to require separate transportation waiting rooms despite a recent Interstate Commerce Commission order; a Mississippi proposal which could bar out-of-state attorneys in segregation cases; a proposed Alabama "freedom of choice" constitutional amendment to let parents say whether their children will attend integrated or segregated schools; and a South Carolina bill to remove the tax exemption on church property which is used for meetings by Communists or the National Assn. for the Advancement of Colored People.

Advertiser

LAWSUITS PENDING

There are a number of segregation lawsuits, most of them seeking school integration, pending in the various states. But there were few reports of recent new cases.

Use of economic sanctions by integration supporters apparently has been sporadic, and in only a few instances, organized. P. 24

Most of the targets of such tactics have been individual Negroes signing petitions seeking integrated schools or NAACP leaders.

However, the Falstaff Brewing Co., was boycotted for a time in Mississippi and in Georgia. Roy Harris of Augusta, States Rights Council leader, in his political newspaper, is urging boycott of Ford products because of activities of the Ford Foundation and the Fund for the Republic.

The Southern Gentlemen, a Louisiana prosegregation group of unknown strength, claims to have effectively boycotted several companies, including the Ford Motor Co.

COUNTER BOYCOTTS

In at least two instances, Negroes have fought economic pressures with counter boycotts. Such a move cut heavily into city bus patronage in Montgomery, Ala. and some Orangeburg, S. C., businesses are reported to have been hurt by loss of Negro business.

The segregation situation is quiet for the time being in Louisiana, where Gov. - elect Earl Long pledged to maintain it, and in Florida where the theme of officials is gradualism.

The situation also is calm in Tennessee, where courts have ordered some school integration by next fall; and Arkansas, where some schools already have ended segregation and others are under orders to do so.

Oklahoma and Kentucky are moving quietly toward full compliance with the court rulings against segregation.

Dixie Legislators Urge Interposition

Ford v. Finds

Associated Press

A Mississippi house member called on states yesterday to follow the theory of interposition and declare the Supreme Court's decision on school integration "illegal and invalid and of no force and effect" within their borders.

In an hour-long speech in the House, Rep. John Bell Williams (D-Miss.) said not only is the question of segregation involved but also the question whether the court has the right to amend the Constitution" and usurp the sovereignties of the 48 states.

"The time is at hand when the states must reassert their constitutional rights or suffer their own destruction," Williams declared.

"The zero hour for state governments has arrived, and it might well be the zero hour also for our republican form of government."

(Interposition is a maneuver by the South designed to attain the opposite end it ostensibly seeks. It proposes a constitutional amendment that would forbid racial segregation in schools.

(Interposition proponents in the South expect the amendment would fail to secure the approval of the 36 states needed. The effect of this in, their view, would be to affirm that segregation is constitutional, thereby invalidating the Supreme Court decision for desegregation.)

Williams said he had heard many persons say they favor interposition but oppose nullification.

"The very purpose of interposition is to nullify," he declared. "If that is not to be the purpose, the act of interposition becomes merely an expression of disfavor and is meaningless. Interposition is the action by which a state attempts to nullify."

If states are to preserve their sovereignties, if they are to preserve the constitution, Williams said, "they must interpropose and declare the black Monday decision (the court's decision on school segregation) to be illegal and invalid and of no force and effect within the territorial limits of their respective jurisdictions."

Williams was joined by a string of Southerners in one of the most vigorous house floor discussions of the year.

"Crowd," "Crew" and "Outfit" were some of the words used to describe the Supreme Court justices.

Only one Congressman, Rep. Charles A. Boyle (D-Ill.), defended the court. He said he felt it was his duty as a member of the legal profession and of the House Judiciary Committee.

"I don't think we win anything when we deprecate the Supreme Court with a lot of loose language," Boyle said. "That court is recognized the world over as the loftiest judicial body in the world."

Rep. John J. Flynt Jr. (D-Ga.) called on other states to join Georgia in interposition," "to resist the illegal encroachment on our sovereign powers. We know we are right. We shall not falter. We shall not fail."

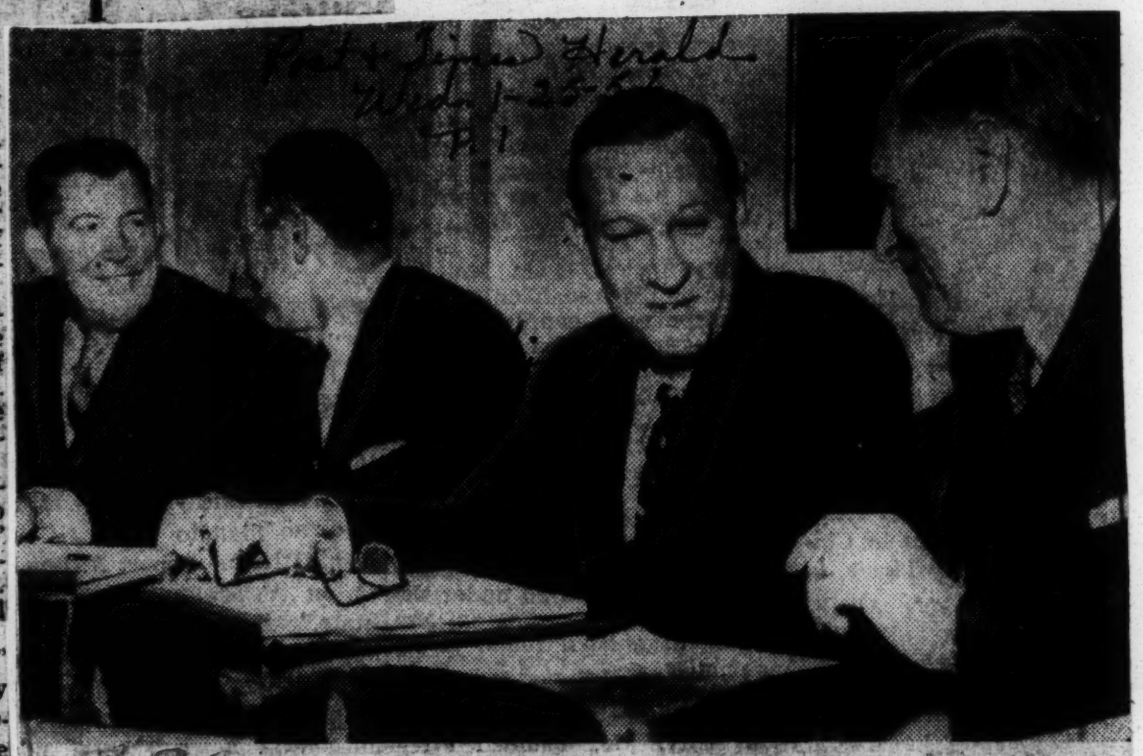
Rep. Thomas G. Abernethy (D-Miss.) said he does not believe members of the Supreme Court should be appointed to that body within five years of having served in a political job. Chief Justice Warren was a Republican Governor of California when appointed to the court.

McKeldin Expects State To Solve Desegregation

Gov. Theodore R. McKeldin said yesterday he is confident Maryland will work out the desegregation problem in as good a fashion as the earlier settlers of the state did religious freedom.

He said the state tried religious freedom "somewhat reluctantly, perhaps as reluctantly as we are now trying desegregation. But try it we did, and it proved to be in line with the march of history."

The Governor told the Maryland State Society of Washington that "in the matter of desegregation my pride in Maryland is not that it has given us no trouble, but that we have tried to meet that trouble in a fashion worthy of civilized men."



Associated Press

Pictured as they met yesterday in Richmond, Va., to dsicuss their fight against integrated schools, are (from left) Gov. J. P. Coleman of Mississippi; Gov. Marvin Griffin of Georgia; Gov. George Bell Timmerman Jr. of South Carolina; and Gov. Thomas B. Stanley of Virginia. They agreed to take unified action on interposition.

Integration Battle Gets Hotter in Va.

Afro-American Sat. 9-8-56

Baltimore Md.

By RUFUS WELLS

P. 3

RICHMOND

While Virginia legislators try to find a way to get around the Supreme Court's desegregation decree, NAACP attorneys pushed plans looking toward eventual integration in schools throughout the state.

After outlining the status of pending school suits in the state, Spottswood W. Robinson III, of the NAACP staff, was asked about plans to meet any laws enacted by the current special session of the General Assembly.

* * *

MR. ROBINSON explained that no one would venture to say what type of legislation would come out of the General Assembly at the current session, but the attorney added:

"But I can say unequivocally, without any hesitation, that we will fight any laws that seek to curb or have the effect of restricting the civil rights of citizens of Virginia that are enacted by the General Assembly at this or any other session."

Public schools throughout the state will open on a racially segregated basis next week, some 27 months after the historic May 17, 1954, ruling outlawing jim-crow public schools.

By adopting a policy of delay, state officials have managed to forestall implementation of the high court ruling for more than two years. But now that their time is running short, the politicians are of differing opinions as to which plan should be adopted.

As the legislators sought a way around the momentous school desegregation decision, school officials in five Virginia municipalities found themselves before the guns of the Federal courts and in imminent danger of being cited for contempt.

* * *

IN CHARLOTTESVILLE Tuesday, Federal Judge John Paul agreed to stay his decision in an appeal to the U.S. Fourth Circuit Court of Appeals.

Judge Paul granted a motion by attorneys for the school board which will delay his desegregation order past the Sept. 4 opening date of schools. Mr. Robinson, NAACP attorney, had asked that the motion be denied.

"Under established practice, in lawsuits, I have no other course," the jurist said in granting the motion.

* * *

DESPITE THIS delay, Judge Paul warned the school board it would be unwise not to plan for desegregation in the meantime.

He told former Gov. John S. Battle, an attorney for the school board, that if the appellate court upholds his decision he will "look with less patience" upon the board if it has marked time in the intervening month.

While a motion filed by the state, similar to that filed and denied in the Arlington school desegregation suit, will be argued in the Newport News school suit Nov. 17, the trial date has been set for Feb. 11, 1957.

* * *

IN THE NORFOLK school suit, a pretrial conference has been set for Sept. 7, at wrich time the trial date for that case will be set, according to present plans.

A hearing in the Prince Edward County school suit is scheduled before Judge Sterling Hutcheson in U. S. District Court in Richmond on Nov. 14.

An injunction against the Arlington County School Board and a desegregation order has been stayed pending an appeal by the state to the U. S. Circuit Court of Appeals. The appeal is still pending.

Gov. Thomas B. Stanley is advocating the withdrawal of funds from localities that permit desegregation of their public schools, either voluntarily or under a court order.

A group of legislators, headed by State Sen. Charles Fenwick, are supporting a modified version of the pupil assignment plan originally devised by the Gray Commission and later abandoned.

* * *

MEANWHILE, THE General Assembly which convened in special session Monday to consider bills to circumvent the Supreme Court school ruling, adjourned late the same day until Tuesday after Labor Day.

When the assembly reconvenes it will hold public hearings on Tuesday, then consider the 61 bills aimed at overcoming the high court's ban on segregated schools.

Included in the bills designed to hold the color line in Virginia schools were these proposals:

Del. W. C. Cleaton of Mecklenberg and six other delegates put in a House bill that would prohibit any city, county or town from levying taxes for the maintenance or operation of any desegregated school.

* * *

DEL. JOHN BOATWRIGHT of Buckingham submitted a resolution which would have the assembly express itself as being "unalterably opposed to mixing the races in the public schools."

Sen. E. O. McCue of Charlottesville introduced two bills that would give the General Assembly direct control of the public school system.

This plan envisions continued segregation in schools with the assembly the buffer between local school authorities and the Federal courts.

In the interim, five of the seven members of the state board of education in a closed door session Wednesday indorsed the original Gray plan and opposed the plan supported by Governor Stanley.

Tyranny Replaces Law

38a Va.

A SET OF SEVEN bills that will make it a crime to contest laws that discriminate against non-white people only was passed last week by the Virginia Assembly.

We have not read the texts of the several acts in detail, but from the explanations of their aims that have been made public, they reach the bottom of legislative inanities.

P. 8

What the legislators have done is to erect a structure on a sand bar, using as timber the epitome of bigotry, arrogance, and tyranny.

In effect, the legislation—stripped of verbiage and reduced to its simplest terms—aims to do these things:

Norfolk, Va

(1) Abolish every personal and individual right guaranteed to Negroes, by the United States Constitution, including freedom of speech, the right to peaceably assemble, the right to petition, and a free press.

Sat. 9-29-56

(2) Make it a crime for Negroes to undertake to contest the new legislation which is designed to nullify the Supreme Court's school decision.

(3) To involve lawyers in disbarment proceedings, or subject to criminal prosecution, if they engage to serve clients seeking to establish their rights under the U. S. Constitution and the constitution of Virginia.

(4) To stop any further complaints against racial discrimination in any form and against public school discrimination in particular, from being filed in a federal court.

(5) To make it unlawful for non-whites to have access to the courts on any question of civil rights.

That is a frank, plain, condensed statement of what the Virginia General Assembly enacted a new set of laws to accomplish.

It was naively stated in press reports that the laws would also apply to the Defenders of States Rights, White Citizens Councils, and so forth, as well as to the NAACP. That would not happen. Some of the men who passed the laws are sponsors and members of the Defenders and similar organizations. Some of the judges who would enforce the laws are members of the same organizations and have been prominent speakers at organizational meetings of the Defenders of State Rights.

What would happen to a case that came before Virginia's Judge Gravatt, for instance:

Suppose a case, based on these new repressive laws, were to come before such judges? It is beyond belief that they would administer justice impartially.

The seventh of these punitive laws was conjured up by a 32-year old Delegate representing Alexandria.

He is a native of New Orleans, and a former government worker in Washington.

His gimmick, strenuously opposed by Senator BREEDEN of Norfolk, and Senator SPONG, of Portsmouth, (both of whom supported all the rest of the bills) sets up a gestapo of 10 men who have the power to subpoena anyone, from garbage collectors to bankers, in its efforts to find a way to arrest and imprison persons who hold memberships in organizations which the gestapo does not like.

MRS. KATHRYN STONE, a member of the Assembly's House of Delegates from Arlington, Va., who alone spoke out against the anti-NAACP bills, was never more right than when she told her hate-filled colleagues: "You are tossing the Bill of Rights, in whose drafting other Virginians had so vital a part, right out of the window."

Under the impact of emotion, ignorance, and (in some cases) an almost pathologic hatred, Virginia's lawmakers have placed tyranny over law.

Virginia's 'Cosmopolis'

Post & Times Herald Washington, D.C. 10-11-56

Integration Is Progressing in Norfolk

By Felton A. Gibson

Newspaper and Magazine Columnist

SOME PHASES of integration are working successfuly in Norfolk and parts of Tidewater Virginia. Norfolk could become—because of its uniqueness—one of the first cities in the state to accomplish school integration. One educator explains it this way:

"Norfolk is more cosmopolitan than any other city in the state. Its population is drawn from all parts of the world. Most of the people are probably accustomed to integrated schools, jobs, seating on transportation systems, and use of other public facilities. . . . They have come here from everywhere, either to take private jobs, as members of the Armed Forces, or to work at Government installations."

On Jan. 9, when the Gray Commission Plan was put to a referendum vote, the Norfolk area favored the plan by a 1678-vote margin out of 23,404 votes cast. The Gray Commission Plan, which called for a constitutional convention for amendment of Section 141 to permit use of state funds for private nonsectarian schools, would probably have permitted integrated classrooms.

Results of the referendum showed that many precincts in new residential areas appeared to favor maintaining the current segregated public school system. Votes against the plan were interpreted by many as acceptance and willingness to abide by the Supreme Court's May 17, 1954, decision that segregated schools are unconstitutional.

INTEGRATION in many other areas is already a fact in Norfolk.

The Norfolk Minister's Association integrated its membership more than two years ago. It has sponsored two annual city-wide preaching missions in the city's municipal auditorium, at which guest speakers have been Negro and white. Music was furnished by an interracial choir composed of singers from white and Negro churches. Seating was unsegregated at all meetings, with few of the 33,000 seats vacant. There were standees most nights.

For some time, Government and military installations have been integrated, both job-wise and in their eating, recreation and entertainment facilities.

Immediately following the Supreme Court's statement on segregated transportation seating facilities, Norfolk's bus system—the Virginia Transit Co. — dropped its practice of racial seating. Not one incident has occurred as a result.

As recently as Aug. 29, Negroes were granted free and unrestricted use of all facilities at the Portsmouth City Park Golf Course. Inasmuch as it is a city park, Negroes also are now using the tennis courts and the picnic area, and Negro children are using the playground facilities.

The Oceana Golf Course, a few miles from Norfolk, has been open to Negroes for unrestricted play for some time.

AS FOR integration in the schools, the Norfolk Catholic High School is in its second year of successful interracial classes. There are 16 Negro pupils attending classes this year. There were 11 last year. Three Negro pupils are attending each of two Catholic elementary schools. This conforms to Diocesan policy which applies to all of Virginia. No friction or resentment has been exhibited in any of these schools.

For a number of years, Norfolk's school administrators and teachers in special fields have met interracially without friction. For the last two summers, a fully integrated teachers' workshop has been held in Norfolk. They have been sponsored by the Norfolk School Board in cooperation with the Extension Department of the University of Virginia.

Negro graduate students attend Norfolk Division of the College of William and Mary, study at the Norfolk Museum Workshops, have full use of the Norfolk Public Library, and can enroll in some private schools offering special field courses.

The Parent-Teacher Association Councils have been working together for some time. Negro and white members attend each other's workshops. The general view of Council members is in favor of integration—on a gradual scale. Officials of both councils speak of their "wonderful race relations."

The Norfolk Women's Council for Interracial Cooperation has been doing a featured series of interracial projects for several years. Last year the council sponsored an interracial kindergarten for the full year at one of the local churches. This year's planned project features book reviews, movies and panel discussions on "Rearing Children of Good Will."

THE WOMEN'S COUNCIL was one of the first groups to appear before the recent special session of the General Assembly. Its spokesmen objected to Gov. Stanley's plan to withhold funds from schools which went ahead with integration. Their feeling is summed up in the statement they read to the General Assembly:

"Our Norfolk school administrators have stated that they can operate our schools efficiently in compliance with Federal law. Our City Council and local legislators ask for local autonomy. We join them in asking for the right to administer our schools according to our local needs. In this way our school board can make long-range plans for operating schools so that all of our children will have the best possible training.

"We, the Women's Council for Interracial Cooperation, do not set fires or burn crosses but we are typical of thousands and thousands of Virginia citizens who value the security of the public schools over and above racial prejudice."

The Norfolk City Council resolved its objection to the Governor's plan on Sept. 2. The Norfolk School Board concurred. There are many Norfolkians who feel that integration could be accomplished here without undue stress because of Norfolk's uniqueness of location and its heterogeneous population.

Race Law Arrest Stirs Heated Arlington Parley

Evening Star Oct. 11-2-56

The arrest of a white woman for sitting beside a Negro and a heated argument that nearly ended in fistcuffs brought the Arlington candidates' meetings to a hectic conclusion last night.

Held at Jefferson Junior High School, the meeting was the fifth sponsored by the Arlington Committee for Candidates' Meetings. About 300 persons attended.

Arrested was Miss Faith Bissell, 43, a librarian with the National Research Council. Her address was given as the 3000 block of North Third street, Arlington. Chief of Police William Fawver and another Arlington policeman asked her to move out of a section of the hall reserved for Negroes. When she refused, they arrested her and took her to headquarters.

Charged with violating a State law requiring segregation at public assemblies, she was released on $100 bond for an Arlington Court appearance today.

Case Continued

When she appeared in court, Judge Paul D. Brown continued her case until November 13 to allow her to get a lawyer. Schools Supt. T. Edward Rutter, representing the county school board, agreed to the continuance.

Miss Bissell told reporters she had decided to make a test case "as a matter of personal conscience." She said she attended the previous candidates' meeting, after Attorney General Lindsay Almond's ruling holding the school board responsible for segregating the meetings.

"I was horrified," she said, "to see those Negro citizens sitting in segregated seats."

Miss Bissell said that before the Attorney General's ruling, the meetings had been integrated. "We're not making progress by doing this, we're regressing," she said. Miss Bissell said she is a member of the League of Women Voters, but that her action had no connection with that organization.

A native of New Jersey, Miss Bissell came to Washington in 1941 and moved to Arlington in 1951. She said she had not "made a test case of any racial issue" before.

Segregation Law Applied

The sponsors of the meetings had been advised that the sessions fell under the terms of the statute after the Defenders of State Sovereignty and Individual Liberities had requested a ruling from the State Attorney General. Accordingly, the group set the first four rows on one side of the auditorium as space for Negroes.

Miss Bissell sat in the third at first. When a Negro man came in and sat in the first row, Miss Bissell promptly moved up to sit beside him.

Miss Bissell is not a member of the Arlington chapter of the National Association for the Advancement of Colored People and her action was not connected in any way with the NAACP, chapter president Thomas Monroe said later.

Both candidates for the County Board, Dr. L. H. Blevins of Arlington Independent Movement and Curtis E. Tuthill of Arlingtonians for a Better County, said later they regretted the incident.

The second uproar came later in the meeting during a question-and-answer period. A real estate man, G. A. Metzler, jr., of 3419 North Randolph street, asked Mr. Tuthill to "tell me directly, do you believe in integration?"

Mr. Tuthill said he would support the Constitution and laws of the United States and of Virginia. Mr. Metzler, rising and shaking his fist, shouted that he had not been given a direct answer.

When meeting officials asked him to sit down, Mr. Metzler advanced toward the stage, pounded it repeatedly with his fist and demanded an answer. When members of the audience hooted at him to "sit down," Mr. Metzler shouted, "I could make Demosthenes look sick, if I wanted to." Several members of the audience came up to him and after a heated exchange, including threats to beat him, order was restored.

Dr. Blevins, announcing that "tonight, I'm going to be a stinker," charged that his opponent "has many top NAACP supporters." He named a number of members of the Arlingtonians for a Better County group who, he said, are members or supporters of the NAACP and asked, "will they stay in the background once this campaign is over, or will they be appointed to high positions," on county bodies?

Promise on Appointments

Some of these supporters, Dr. Blevins said, "want their children to go to school with colored children." He asked, "Does Dr. Tuthill disavow these agitators? With all the ranting and raving my opponent has done, why hasn't he brought out these skeletons in the closet?"

The AIM candidate added, "I promise not to appoint a pro-integrationist to the school board and I will not appoint a Negro to county office."

Mr. Tuthill said that the 150 members of the ABC Council "represent all sections and points of view" in Arlington.

Virginia Loses Move To Segregate Parks

Evening Star Washington, D.C.

Supreme Court Refuses to Hear Lease Plan

Sun. 10-28-56

By MARY LOU WERNER

Virginia's hopes for getting around segregation decisions with lease arrangements were shattered today after the Supreme Court refused to review the Seashore State Park case.

By denying the review, the high court upheld a decision which bars lease of the park for operation on a segregated basis. It may even bar sale of State property—parks, schools or other public facilities—for use on a segregated basis.

The Seashore State Park suit had been regarded as a key case in the State's efforts to maintain segregation in its parks and other facilities. It had been speculated that school buildings might be leased to private groups and operated on a segregated basis—thus circumventing the Supreme Court decision barring racial segregation in public schools.

The Seashore case developed when the State sought to lease the park to a private group.

Stipulation Banned

Federal Judge Walter E. Hoffman held that the State could not bar Negroes from the park and that it could not be leased in such a way that would result in racial segregation.

Judge Hoffman ruled that the State could not do indirectly what it had no right to do directly. "In short," he said, "the power to sell or lease (public property) must not include the power to discriminate against members of any race."

Rather than operate an integrated park, the State has kept Seashore, near Virginia Beach, closed for the last two summers. The State's other eight parks—including one for Negroes—have remained open, since there has been no effort to push integration at any of them. State leaders have indicated, however, that all parks will be closed if they are directed to integrate.

Judge Hoffman's ruling was upheld last April by the United States Supreme Court of Appeals, and a review was denied yesterday by the Supreme Court.

Dormant Status Anticipated

The Associated Press reported that Virginia Attorney General J. Lindsay Almond, jr., had the following comment when notified in Richmond of the Supreme Court's action:

"It might safely be assumed, I think, that the recreational facilities of Seashore State Park will remain dormant. Under our system of government, unfortunately, there is no appeal from the Supreme Court of the United States."

State Parks Commissioner Randolph Odell said his office had "nothing definite in the way of plans for the park," but indicated some decision might be reached by the Board of Conservation and Development at a meeting later this month.

JUDGE WILLIAMS had dismissed the suit. It was brought by a group of colored South Carolinians to enjoin racial segregation in Edisto Beach State Park near Charleston. They had been refused admission to the park solely because they are colored.

The appeals court said "in view of the fact that the park had been closed by act of the legislature, there was no basis for the issuance of an injunction with regard to its use."

Park suit dead, Va. court rules

Afro-American Baltimore Md. 10-27-56

RICHMOND, Va. (NNPA) — The Fourth United States Circuit Court of Appeals upheld the decision of the Federal District Court in Charleston, S.C., dismissing a suit to enjoin racial segregation in a park the State had closed.

Acting with unusual speed, the three-judge court heard arguments Monday and rendered its decision Tuesday morning. Usually several days or weeks elapse between argument and opinion.

The appellate court agreed with Ashton H. Williams, a South Carolina Federal judge, that the case was hypothetical since the park was closed.

2 School Suit Appeals Slated

Evening Star Washington D.C.

RICHMOND, Oct. 9 (AP).—Appeals by two Virginia communities from school desegregation orders will be heard in Baltimore November 27 by the United States 4th Circuit Court of Appeals.

Tues. 10-9-56

The communities are Charlottesville and Arlington.

The Charlottesville School Board and its school superintendent are appealing an order of the Federal District Court which ordered desegregation last September in the city's schools. A stay was granted until hearing of the appeal.

The appeal from Arlington, made by the school board and superintendent, stems from a Federal District Court order requiring high school desegregation January 31, 1957, and elementary school desegregation by the beginning of next school year.

Virginia's General Assembly has passed a series of bills aimed at holding the color line in the public schools. The bills were passed since the decisions involving Charlottesville and Arlington.

Va. White Woman Draws Fine For Sitting Near Negro Man

Bell New Orleans, La. 9-16

Sat. 11-17-56

Arlington, Va. -- (ANP) -- A white woman arrested for sitting beside a Negro at a meeting last week has decided to make a test case of a new Virginia segregation law "as a matter of personal conscience."

Miss Faith Bissell, a 43-year-old librarian, was arrested at a Committee for Candidates Meeting here when she sat beside a Negro at the meeting where 300 persons attended.

Miss Bissell was jailed, according to Police Chief William Fawver, when he asked her to move out of a section of the auditorium reserved for Negroes and she refused.

She said she is a member of the League of Women Voters, but that her action had no connection with the organization.

Meanwhile, Thomas Monroe, president of the Arlington chapter of the NAACP, said that Miss Bissell is not a member of the civil rights group and that her action had no connection with the group.

She Sat Beside Negro at Debate; Virginia White Woman Fined $15

Herald P. 1B Miami, Fla

ARLINGTON, Va. —(AP)— A white librarian was convicted Thursday of violating a Virginia segregation law by sitting beside a Negro at a public political meeting here.

Miss Faith Bissell, 43, was fined $15 by Judge Paul D. Brown of Arlington County Court. Her attorney, Edmund D. Campbell, appealed to the Circuit Court which convenes Dec. 17.

Campbell said he did not argue the case — admittedly a test case — because if he had won in County Court it would have foreclosed a possible Supreme Court ruling. The state could not have appealed because the offense is a misdemeanor.

Miss Bissell was arrested Nov. 1 when she sat down in a section of the Jefferson Junior High School Auditorium which had been reserved for Negroes.

The occasion was a debate by candidates for the Arlington County Board.

In line with an opinion by Atty. Gen. J. Lindsay Almond Jr. the auditorium had been divided for a segregated audience.

Almond held that political debates fall under the state statute requiring segregation at a "public assemblage."

Issues in Virginia

Post & Times Herald

Numerous issues apart from the presidential and congressional contests will command the attention of Virginia voters on Tuesday. In addition to local matters in Arlington and Falls Church, three proposed amendments to the state constitution will be presented for approval. One of these would prohibit members of the State Corporation Commission from accepting free transportation and telephone service—a practice already discarded but which it would be well to forbid by law. A second amendment would permit the General Assembly to redefine the personal property tax so that cities and counties might abandon or partially abandon this levy. The personal property tax is an obnoxious and much abused means of raising funds, but it also is an important source of local revenues. Approval of the amendment would not repeal it, but would encourage communities to develop other and fairer means of taxation. Finally, a third amendment would extend the term of the Governor until the moment after his successor has been inaugurated so as to avoid the possibility of an interregnum. We think all three amendments merit a "yes" vote.

In Falls Church three bond issues—for a $450,000 municipal building, for a $210,000 public library building and for a $595,000 street and drainage improvement program—will be before the voters. These public works are important to enable Falls Church to meet its responsibilities as a city, and we hope they will be approved. In Arlington there is a more controversial question in the referendum over whether to require that future bond issues be approved by a majority of voting property owners, or freeholders. This is a particularly touchy question in Arlington because some 45 per cent of the county's population consists of apartment dwellers. The argument that such persons pay no real estate taxes and hence do not pay their share of the cost of the bond issues they vote is superficially plausible but lacks real validity. Apartment dwellers pay real estate taxes through their rent, and many apartment dwellers in Arlington are long-term residents. To qualify their vote on bond issues would be, in effect, partially to disfranchise nearly half the population and perhaps greatly to inhibit needed public improvements. We think this proposal ought to be turned down.

Probably the greatest local interest in Arlington is centered on the contest between Dr. Lucas H. Blevins and Dr. Curtis E. Tuthill for a seat on the County Board. The struggle really is between the conservative Arlington Independent Movement (AIM), represented by Dr. Blevins, and the more liberal Arlingtonians for a Better County (ABC), represented by Dr. Tuthill, for control of the board; the remaining members consist of two ABC representatives, one AIM representative and a conservative Democrat. Dr. Tuthill has focused his attack on the part played by AIM members in promoting the legislation in Richmond which deprived Arlington of its elected school board. For his part, Dr. Blevins has sought to dissociate himself from the extremist Defenders of State Sovereignty and Individual Liberties, but he has acknowledged his support of the notorious and punitive Moncure bill.

INTEGRATION FOE GAINS IN VIRGINIA

New York Times 12-9-56

Attorney General Attracts State Leaders' Backing in '57 Race for Governor

Sun. 12-9-56

Special to The New York Times.

RICHMOND, Va., Dec. 8—Lindsay Almond Jr., Attorney General of Virginia and a strong foe of racial integration, emerged this week as the man most likely to be the next Governor of the state.

The election will not be held until next November, but in Virginia the Governorship often hinges on early decisions within the dominant conservative wing of the state Democratic party. This wing is aligned with United States Senator Harry F. Byrd.

Mr. Almond stayed out of the 1953 race reluctantly in favor of party harmony while Thomas B. Stanley, a wealthy furniture manufacturer, won a Democratic primary and a close election.

Several legislators helped Mr. Almond's cause this week. United States Representative Watkins Abbitt of Appromattox, one gubernatorial possibility, said he would not be a candidate next year. State Senator Armistead Boothe of Alexandria also discouraged his backers. The key announcement came when State Senator Garland Gray, a wealthy lumber man, said he had decided not to run. Mr. Gray was chairman of the legislative commission that studied means of retaining segregated schools.

Seeks to Avert Disunity

He said he and Mr. Almond both had worked to prevent integration and he wanted to forestall "a division among the proponents of segregated schools.

Lieut. Governor A. E. S. Stephens on Friday ended speculation that he might seek the Governorship by announcing he would run for re-election.

There were indications that the Byrd organization would support Mr. Almond, but no formal declarations were made.

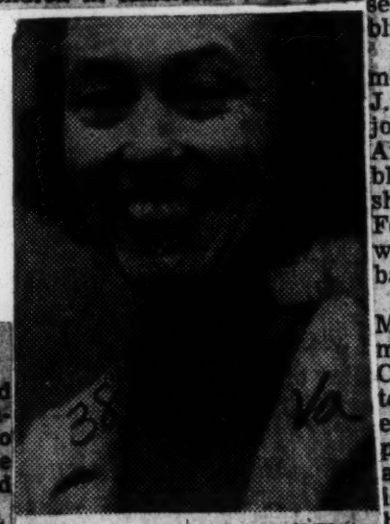
Two other principal sources of opposition to the Almond candidacy are expected to develop. One would be a more liberal wing of the Democratic party. Staff Senator Robert Whitehead of Lovingston, who failed to obtain sufficient financial support to make the 1953 race, is considered its most likely candidate.

GOP Encouraged

The other opposition source is the Republican camp. It has been cheered by the victories of President Eisenhower in traditionally Democratic Virginia, by the two places it holds in the ten-man delegation to the United States House of Representatives, by an unexpectedly strong race its candidate made in the First Congressional District last month, and by the last gubernatorial election in which the Republican candidate had a bare 45 per cent of the vote.

The Republicans, under a new state chairman, I. Lee Potter of Arlington, are seeking a strong candidate for next year. Their 1953 standard-bearer, State Senator E. Ted Dalton, is regarded as the most likely prospect but has announced he did not plan to run again.

For years Mr. Almond has been arguing in various courts for retention of segregated public schools. He is a prominent Lutheran layman and a member of the Board of American Missions of the United Lutheran Church in America.



Staff Photo

FAITH BISSELL

... tests segregation law

Segregation Act Upheld In Test Case

Post & Times Herald Fri. 11-16-56

Washington, D.C.

An Arlington white woman through her attorney, took the first legal step yesterday in testing a Virginia law requiring segregated seating at public assemblages.

Faith Bissell, 33-year-old librarian, was fined $15 in Arlington County Court for sitting in a Negro section at a recent political meeting in Thomas Jefferson Junior High School.

Her attorney, Edmund D. Campbell, noted an appeal to the guilty verdict of Judge Paul D. Brown. The case will move next into Arlington Circuit Court. A date for trial there is expected to be set on Dec. 17.

Miss Bissell, of 3007 N. 3d st., was arrested Nov. 1 when she refused to leave a section reserved for Negroes at a political meeting sponsored by the Arlington Committee for Candidates' Meetings.

Miss Bissell said later she deliberately sat in the Negro section to test the validity of the Virginia code requiring segregation at "public assemblages."

Enforcement began last month after Attorney General J. Lindsay Almond Jr. ruled the joint candidates' meetings in Arlington were public assemblages as described by law and should therefore be segregated. For several years, the meetings were held on a nonsegregated basis.

Campbell, who said he took Miss Bissell's case without fee, merely cross-examined four Commonwealth witnesses yesterday after iMss Bissell pleaded innocent. Campbell explained later that if he had argued and won the case, a test in a higher court could not have been made because the Commonwealth cannot appeal a misdemeanor.

Miss Bissell is free on $100 bond.

Arlington test case attracts wide attention

Afro-American Sat. 11-17-56 Baltimore, Md.

WASHINGTON

"The NAACP does not think anyone should be forced to attend segregated meetings, but we are not a party to Miss Faith Bissell's case."

Dr. Edwin B. Henderson, former D.C. school administrator and president of the Virginia State Conference of NAACP Branches, made the above statement in explaining the organization's position on the test case of Virginia's segregated seating law.

Miss Bissell, an Arlington resident, made the first step toward testing the controversial law, last Thursday, when she sat in the "colored" section of a political meeting at the Arlington Unitarian Church.

"I JUST wanted to test the law," Miss Bissell said at the time of her arrest after she sat next to Dr. J. B. Johnson of Arlington, Va.

Dr. Johnson was the only colored resident who agreed to sit in the segregated section in order to make the test, the AFRO learned.

Miss Bissell has been unavailable for comment since her action, but she has indicated to close associates that she intends to carry the test case to the Supreme Court, if necessary. Her attorney is Edmond Campbell of Washington.

DR. HENDERSON said the NAACP tried several years ago to get a test of the segregated seating requirements in Richmond but the State Attorney General ruled that NAACP meetings were not public.

"We are watching this case with interest" he said.

Arlington ministers are also reported to be preparing to challenge Attorney General Lindsay Almond's recent ruling that political meetings held in churches are public and should be segregated.

A city-wide meeting of ministers to protest the ruling was called recently by the Rev. Aaron Mackley pastor of Mt. Olivet Baptist Church. The Rev. Mackley said he called the meeting after the segregated pro-segregationist defender organization suggested that separate meetings be held in colored churches.

The Rev. Mackley said Wednesday that even though the elections are over, a committee of clergymen is still studying ways of protesting the ruling.

Stanley Hails Manifesto, Defends States' Rights

Evening Star, p A-13
Washington, D.C.

RICHMOND, Mar. 13 (AP).—Gov. Stanley indorses the anti-segregation manifesto signed by Senators and Representatives from 11 Southern States.

"The protest by such a large group of Senators and Congressmen," Gov. Stanley said, "emphasizes the seriousness of the usurpation of power (by the Supreme Court) and the urgency of corrective action."

The Governor expressed the hope that "the means employed will be effective in the protection of the rights of the States which have been threatened in so many instances, in and outside of the South, and which include the right of operating our public school systems."

Meanwhile, Senator Byrd, Democrat of Virginia, told reporters in Washington the Manifesto is "a part of the plan of passive resistance we are working for, and I hope and believe it will be an effective action."

Senator Robertson, Democrat of Virginia, said he thought it might "enlist the sympathetic consideration of those who believe in a dual form of Government and the preservation of the rights of the States and of the people."

Representative Smith, Democrat of Virginia, remarked that the manifesto "might have a sobering effect on the rest of the country and make them stop, look and listen."

The leading spokesman for Virginia's anti-organization Democrats, Delegate Robert Whitehead of Nelson County, praised the language of the manifesto.

He said it was "right in line" with a joint resolution he presented to the House of Delegates during the recent General Assembly session "as a substitute for the interposition resolution."

Merry-Go-Round

Herald
Miami, Fla.

Sen. Byrd Inspired Manifesto

Sun. 3-18-56

By DREW PEARSON

WASHINGTON — Untold story behind the Southern Manifesto attacking the Supreme Court is that most Southern senators signed it reluctantly.

PEARSON

Virginia's Sen. Harry Byrd, whose cherubic face belies his political prowess, mainly inspired the document and wangled his Dixie colleagues into signing it.

Chief resistance, surprisingly, came from two outspoken conservatives — Sens. Spessard Holland of Florida and Price Daniel of Texas.

They succeeded in toning down the original inflammatory language. The first draft scathingly denounced the Supreme Court's desegregation ruling as an "illegal and unconstitutional seizure of power by the nine men composing the court."

This was reduced to the simple charge that the verdict was a "clear abuse of judicial power." Other smouldering passages that were removed included such words as "flagrant and unjustifide" and "invasion of (state) sovereignty."

Holland and Daniel warned that the first draft was a declaration of anarchy. They also managed at the last minute to insert a calm paragraph acknowledging majority rule.

The Manifesto idea was concocted by Byrd, who had already gone out on a limb urging "passive resistance" to the Supreme Court decree. He wanted more company on the limb, so he got busy behind the scenes.

BYRD EASILY recruited South Carolina's unrepentant Dixiecrat, Sen. Strom Thurmond, to be his front man. Surprisingly, two Southern moderates, John Stennis of Mississippi and Sam Ervin of North Carolina, eagerly joined Thurmond in drafting the first angry Manifesto.

They quietly lined up what support they could, then presented the document as an accomplished fact to the rest of the Dixie senators.

Southerners were faced with a tacit ultimatum that they must sign it or be branded as pro-National Association for the Advancement of Colored People. With the temper of the South what it is today, the NAACP label is political poison below the Mason-Dixon line.

Alabama's Sen. Lister Hill, whose state is torn by racial strife, almost tripped over himself in his hurry to sign the manifesto. Another who wasted no time was Louisiana's Sen. Russell Long. They are running for re-election this year.

John Sparkman of Alabama hung back. So did Smathers of Florida.

Holland and Daniel, however, led the backstage fight against the Manifesto, but signed it along with the rest after watering down the language.

They warned that the document, at least in its original form, challenged the Consitution, itself. They also pointed out that the signers could do nothing about the Supreme Court decree, short of declaring civil war again.

Most Southerners who signed the Manifesto admitted privately that they were only adding fuel to an explosive situation.

Only Southerners who flatly refused to sign were Kefauver and Gore of Tennessee. Lyndon Johnson of Texas also did not sign. He stated that he was not asked to do so.

★ ★ ★

DISGRUNTLED Democrats, who had counted their parity chickens before they hatched, are blaming their Senate leader, Lyndon Johnson, for the farm bill's defeat.

It was a case of the Republicans' 66-year-old heart patient, they say, working harder than their own 47-year-old heart patient.

Eisenhower was busy on the phone lining up GOP votes for flexible supports, while Johnson was flying to Texas for rest and worrying about the natural gas fiasco.

The White House strategy was astute and shrewd. On top of this, Ike put through personal phone calls to the unpersuaded Republicans and turned on the charm. Result was an overwhelming GOP vote for flexible supports.

Benson's trade with the cotton-bloc senators was more than enough to catch the Democrats by surprise.

What time Johnson devoted to his duties, meanwhile, was spent fighting a rear-guard action on the natural gas bill. He all but ignored the farm bill while maneuvering the manipulating to hamstring the Senate lobby investigation.

Special Session Seen On Integration Issue

Evening Star Washington, D.C.

Gov. Stanley May Ask Return Of Lawmakers

Mar. 3-12-56

RICHMOND, Mar. 12 (AP).—Virginia lawmakers wondered today when their next call to Richmond will come. They have just ended a regular 60-day General Assembly session that produced significant legislation on many subjects—but failed to prescribe a clear-cut cure for the segregation problem.

Gov. Stanley's farewell message to the 140 Assembly members late Saturday indicated he may call the lawmakers into special session later to enact legislation aimed at avoiding compulsory integration of Negro and white pupils.

Two frequent critics of the administration sounded a caustic note on the handling of the school problem. Senator Ted Dalton, Republican leader from Radford, said the assembly had "failed to provide the legislation that will be needed in court." Delegate Robert Whitehead, anti-organization Democratic leader from Nelson County, said there was "inadequate and divisive leadership" in dealing with the problem.

One segregation measure that did pass was the Pope resolution against athletic integration at the high school level.

Resolution of Protest

Earlier, the Legislature had given rousing approval to a resolution of interposition voicing Virginia's protest against the Supreme Court's 1954 decision outlawing segregation in public schools. The resolution opposed what was described as "illegal encroachment" on States' rights and called for an amendment to the Federal Constitution to spell out the authority of the States to regulate their schools.

The Senate before adjournment directed its Courts of Justice Committee to prepare a report on the history and application of the historic doctrine which holds that a State may interpose its sovereignty between its people and the effect of a Federal order it deems an encroachment on State's rights.

The committee was authorized to have 50,000 copies printed for distribution to public officials, students and other interested persons. The report would be designed to inform other States and the public generally of the nature of Virginia's school problem.

During the closing hours of the session, a proposal popped up to tie in school funds with maintenance of segregation. But budget conferees discarded the suggestion and the State's $896 million appropriation bill for Commonwealth Operations the next two years quickly gained approval.

Funds Increased

The final bill actually was bigger than the original measure sent to the Senate, which cut it about a quarter of a million dollars.

The Conference Committee added $55,145 each year to the Senate increases of $130,000 and $180,000 for vocational education and the same amount of increase above previous Senate increases for pupil transportation.

It also added $55,800 to the appropriation for Confederate widows to increase their annual pensions from $480 to $600 a year. A $25,000 item stripped from the Game Commission's fish pond fund to finance a study of the commission was reinserted because the study resolution was killed.

A $50,000 sales tax study was authorized as evidence mounted that Virginia soon may join 33 other States that have the levy.

To Probe Milk Board

The solid line of defense for the Milk Commission was broken, too, as a resolution was rammed through to investigate the function of the 22-year-old agency that sets retail and wholesale prices. A tightened accounting system for milk distributors also was ordered.

The truckers were given their long-sought goal of a highway weight limit of 56,800 pounds. The present top is 50,000. They agreed to a 2-cent boost in fuel taxes in return for the increased limit.

The truckers' traditional enemy, the railroads, got something, too—permission to make short hauls by trucks between certain stations.

The legislature gave the go-ahead to a proposed $200 million bridge-tunnel to link the Eastern Shore to the Virginia mainland. The Chesapeake Bay project will be undertaken by the Bay Ferry Commission, whose membership was increased from 7 to 11.

More Unemployment Pay

Unemployment compensation was increased, but a controversy developed over a provision to deny benefits to workers who might be entitled to layoff pay from large manufacturers and other firms. The provision remained in the legislation, despite strong opposition of organized labor.

Citizens Await State's Move In Parks Case

Journal & Guide Sat. 4-21-56 Norfolk, Va.

Special to Journal and Guide

RICHMOND, Va.—Now that it has been made clear by Federal District court ruling that Virginia cannot expect to operate its recreation parks system on a segregated basis, citizens of the state are looking to officials to see exactly what their stands will be.

So far, following last week's District court upholding of a ban on lease of the Seashore state park for segregated use, state officials have been divided in their ideas of what the future of the parks system will be.

* * *

ATTORNEY GENERAL J. Lindsay Almond, yuite forthrightly said of the state's nine parks: "If we operate them, it has got to be on an integrated basis, or we stand to be sued with no hope of prevailing."

The state's plan, as sanctioned by Gov. Stanley, was to run eight of the state's park run eight of the state's parks exoludi n g Seashore) on a coming season. But the question arose as to whether the ruling of the District court, brought in the Seashore state park case, did not cover the entire system.

Journal & Guide

THIS QUESTION brought Mr. Almond's reply that the state could not hope to prevail if suit is brought against any other park charging racial discrimination.

Conservation Director Raymond V. Long, after a conference this week with Gov. Stanley, is expected to anpounce what the state's policy will be this season in regards to the operation or non-operation of Seashore State park.

IT IS GENERALLY felt that the parks department wants to consider the Seashore State park a separate matter and not involve the entire system. But Att'y General Almond has already pointed out the impracticality of assuming this position and now the state's citizens wait to see what move Virginia official-dom will make.

Regardless of its move, the state makes itself liable to litigation if any move other than full integration of park facilities is made, observers

'All citizens have right to use parks'

Afro-American p. Sat. 4-21-56 Baltimore, Md.

RICHMOND

Virginia cannot deny colored citizens use of State parks by leasing them to private operators.

This, was the ruling Monday of the U.S. Court of Appeals for the Fourth Circuit, in the Seashore Park case. The appellate court affirmed a ruling of the Federal District Court at Norfolk, enjoining the State of Virginia from leasing Seashore Park to a private operator unless all citizens are admitted without regard to color.

Monday's decision was a major defeat for the State in its battle to mantain racial segregation in the face of Supreme Court rulings ordering desegregation.

It is of special significance because many southern states had contemplated leasing public school property as a means of evading the high court decree prohibiting racial segregation in public schools.

In its decision handed down "It is perfectly clear under recent decisions that citizens have the right to the use of the public parks without discrimination on the grounds of race.

"And we think it equally clear that their right may not be abridged by the leasing of the parks with ownership retained by the states.

"And it is no grounds for abridging the right that the parks cannot profitably be operated on a non-segregated basis."

In the three-page opinion, the appeals court affirmed Judge Walter Hoffman's decree enjoining the state, its agents or lessess, from denying colored citizens, because of race "the right to use and enjoy the facilities" of the park.

* * *

HOFFMAN'S ORDER further provided that if the Commonwealth leased Seashore or any part of the park it must see that the rights of all races are protected.

The opinion quoted with approval federal district Judge Walter E. Hoffman's decision in granting an injunction to prevent the state from leasing the park except on a non-discriminatory basis.

Judge Hoffman had said:

"The short answer to the argument advanced by the defendants (the state's Department of Conservation and Development), that there is insufficient evidence to justify a prominent injunction based upon future threatened irreparable injuries, lies in the testimony of the director, Raymond V. Long.

* * *

ARGUMENTS IN the case were heard on Mar. 21st when NAACP attorneys Spotswood W. Robinson and Victor J. Ashe contended that the State Department of Conservation and Development planned by the lease of Seashore Park to continue to operate it as a governmental facility.

On the other hand, J. Lindsay Almond Jr., attorney general for the State of Virginia, contended that the park has not yet been leased and therefore no citizens' rights have been violated. He termed the lower court order prohibiting the leasing arrangements "confusing, too broad and indefinite."

Almond charged that the injunction granted by Judge Walter E. Hoofman was "based on mere conjectures, speculation and hypothetical threats."

Norfolk Man's Neighbors . . .

Journal + Guide

Protest Effort To Keep Area 'White'

Sat. 4-21-56 P. 1

Norfolk, Va.

By T. D. YOUNG

NORFOLK, Va.—"The language on that sign is a simple falsehood. It can't be true because that sign speaks only for the man who put it out there."

That was a typical comment coming from residents of the 1500 block of W. 40th street, as they told of their reaction to a large painted sign that was posted at 1512 W. 40th street. The sign appeared after Negro prospective home-buyers made inquiries in the neighborhood about homes listed for sale.

The wooden sign referred to was painted white with black lettering, easily read from a passing car. It stated:

"Notice, The people living on this street are very unhappy because colored want to move in here with us. We like to live to ourselves. We cannot be happy in any other invivement (sic)."

38. Va

IT SEEMS doubtful, however, that the sign spoke for more than one person, according to voluntary statements by residents of the neighborhood.

The person who says he put up the sign is J. W. Belvin, who owns several pieces of property in the block. He said he got "jittery" about the prospect of having Negro home-owners in the block. It was pointed out that are several Negro families within a half-block of Mr. Belvin's house. Nevertheless, he said he intends to put up more signs, with the hope of discouraging Negro buyers.

Journal + Guide

OTHER residents of that block believe the sign would offend any respectable buyers, white or Negro. Some said that it was a bad reflection and a false indication of how the people on that street feel. One owner, whose home is for sale, has to move to another climate for reasons of health. He said that Negroes would be equally welcome as buyers or neighbors on that street.

A small smear campaign has been going on sporadically since the first home went up for sale. Anonymous senders mailed clippings from Southern daily papers which attempt to discredit the integration movement. Another party, unknown, left copies of a national Negro newspaper and a popular magazine on a porch late at night. A note attached said, "Compliments of the N.A.A.C.P." It was obviously not sent by that organization.

The Lamberts Point neighborhood is attractive, with neat lawns and well-kept homes.

Virginia Loses Appeal For Segregated Park

World-Telegram Sun 4-9-56

By the United Press

RICHMOND, Va., April 9.—The fourth U.S. Circuit Court of Appeals today turned down Virginia's effort to lease seashore state park for private racially-segregated operation.

The ruling turned down the state's appeal to dismiss a lower court injunction against the leasing.

New York

The appeals court said "under recent decisions (of the U.S. Supreme Court) citizens have the right to the use of public parks in the state without discrimination on the ground of race."

Wash. 4-9-56

"We think it equally clear that this right 'may not be abridged by the leasing of the parks with ownership retained in the state."

Negroes obtained an injunction against the leasing of the park, near Norfolk. The injunction was granted by District Judge Walter Hoffman in Norfolk.

Bias Laid to Hotel By Queens Woman

Bklyn Eagle

A Queens woman today filed charges with the State Commission Against Discrimination accusing a Hot Springs, Va., resort hotel of rejecting her reservation request "solely because of my being of the Jewish faith."

Wed. 6-6-56

In her complaint, Mrs. David Kaplan, of 32-33 88th St., Jackson Heights, said she applied for reservations at the Homestead Hotel on April 12 and soon received a letter turning down her request. In the letter, Fay Ingalls, president of the Homestead, explained that the hotel was booked solid for the summer.

New York

However, Mrs. Kaplan alleges, a similar reservation request made by someone else on the same day was accepted.

Her complaint against the Homestead's "unlawful discriminatory practice" is the first filed with the commission against an out-of-state hotel. Mrs. Kaplan filed under the State Anti-Discrimination Law because her servation was processed through the hotel's New York City booking office.

Va. Democrats Adopt Platform on Segregation

Eagle Thurs. P. 1

Thurs. 5-24-56

Tulsa, Okla.

Warn That Heart and Core of White Race is at Stake

RICHMOND, Va., (ANP- — The Virginia State Democratic Convention last week adopted a platform which calls for the "right of separation of the races in our schools and all institutions involving personal and social relations."

The convention adopted the platform after listening to speeches full of talk of "mongrelization of the races" and warnings that the "heart and core of the white race is at stake."

Eagle

Most bitter of the speakers was Committee Chairman Albrook, who said the issue is not so much whether white children and Negro children will go to school together.

"The fundamental issue," he cried, "is whether the Anglo-Saxon race is to become a mongrel race."

P. 4

The convention's platform stated:

"The Democratic Party is particularly proud of the manner in which our state has met and continues to meet the crisis in public education created by the segregation decisions of the Supreme Court. In the calm and manner traditional to North Carolina, the governor and the advisory committee on education, we have attempted to solve the problems we face.

"The Democratic Party believes in the preservation of the rights and liberties of the citizens of the state. . . .As we interpret the Constitution of the U.S., this includes the right of separation of the races in our schools and all institutions involving social and personal contact . . ."

Some opposition developed to the platform but it was quickly drowned in the overwhelming pro-segregation sentiment.

Declined to review a case involving segregation in a Virginia state park which the state has kept closed two years in the face of a lower court ruling it must be open equally to all races.

This action by the Supreme Court leaves in effect the lower court ruling that Virginia may not operate or lease its Seashore State Park under any arrangement which would discriminate against Negroes. Virginia has appealed the lower court ruling and asked that it be reversed.

Ruling May Keep Virginia Park Closed Permanently

Washington Post 5-26-56 Chicago, Ill.

WASHINGTON — (ANP) — The Seashore State Park in Virginia which closed two years ago rather than admit Negroes, may never open again according to Virginia Attorney General G. Lindsay Almond.

This decision was made after the United States Supreme Court upheld the ruling of a lower court last Monday prohibiting the lease of the park to anyone who desires to operate it on a discriminatory basis.

The lower court's decision remained valid after the high court refused to review the case. When this decision was announced, the Virginia Attorney General in good faith said he safely assume that "the recreational facilities of Seashore State Park will remain dormant."

FOUR SUE

The case was initiated by four Negroes — Lavinia G. Tate, Samuel R. Robinson, Leon A. Woodhouse and Otis B. Watts — who were denied admission to the park.

The State closed the park but sought to lease it to a private group to be operated as it saw fit.

Federal Judge Walter E. Hoffman held that the state could not bar Negroes from the park, and it could not lease it in a way that the lessee could operate it on a segregated basis.

PARKS OPEN

While the Seashore Park, near Virginia Beach, was closed for the past two summers, the other eight state parks, including one Negro park, were kept open since there has been no effort to push integration in them.

State officials hinted that all parks might be closed if they are forced to integrate.

State Park Commissioner Randolph Odell reportedly announced that his office had no definite plans for the parks. He stated, however, that the Board of conservation and Development might offer some recommendations at a meeting to be held later this month.

JUDGE RULES

The state cannot do directly or indirectly what it has no right to do itself, ruled Judge Hoffman.

"In short," he added, "the power to sell or lease (public property) must not include the power to discriminate against members of any race."

The park case was quite significant in Virginia's effort to maintain segregation in parks and other public facilities. It has been speculated that the State might lease the schools to private groups who would be permitted to operate them on a segregated basis thereby circumventing the Supreme Court decision barring racial segregation.

At Secluded Conference—

Post-Herald

Negro Leaders Seek Way To Ease Racial Tension

Lynchburg, Va. P. 3

Lynchburg 3-8-56

BY JAMES DANIEL
Post-Herald Correspondent

WASHINGTON, March 7 — A group of top Negro leaders held a two-day conference at a private Virginia vacation lodge last week and considered how to restore normal relations between white and Negro Southerners.

No publicity was given the meeting and none apparently was planned. But an interview with one of the participants in the conference developed a summary of the discussions.

The first point agreed upon by the Negro leaders was that for the past six or seven months it has become increasingly difficult for Negroes and whites to discuss their points of difference.

One conference participant said that throughout the South it was as if the white and Negro communities had "lost contact."

On the Negroes' side they feel they no longer can talk with people who can really speak for the white community.

The Negro leaders attending the conference included Ralph Bunche of the UN, Roy Wilkins of the NAACP, Rep. William Dawson of Chicago, A.M.E. Bishop Frank Reed of South Carolina, William Trent of the National Negro College Fund, Willard Townsend of the AFL-CIO, and a number of Negro educators, businessmen and editors.

The group discussed the Authurine Lucy case and the mistake made in accusing the University of co-operating with a mob. It was decided to recommend shelving her case for some months to see what luck would be had with other student applicants.

The conferees discussed a story appearing in The New York Herald Tribune which quoted Dr. O. C. Carmichael in a way indicating that other suitable Negro students might be admitted.

The Negro leaders were told by one of their number that they shouldn't expect to win every battle, that they would have some victories and some defeats and must not get desperate if one issue went against them.

Quite a debate was held over the move of Rep. Adam Clayton Powell to tie a desegregation rider to federal aid to education. Powell originally proposed no federal funds to a state with segregated schools. He amended this to say no funds to a segregated state unless the Justice Department found it was taking steps to comply with the Supreme Court order.

The big labor union lobbies in Washington are upset with Powell now because they want federal school construction aid so they can tie their "prevailing wage" rider onto the bill and so jack up Southern construction wages. Powell has tried to make a deal with the White House to save his face, without success.

The tentative thought of the conference was that the unpopularity Negroes are getting as a result of blocking federal school aid may be unnecessary, because federal aid to schools probably wouldn't pass anyhow.

The conference took up the Montgomery bus boycott. It was reported that social scientists from a Negro college are making a record of how the boycott is operating. They also considered white boycotts. It was reported that a beer company is being boycotted for having given $1000 to the NAACP to try to drum up Negro customers.

The mere whisper that a cigaret company had done the same was reported to be affecting its sales in the South.

The conference discussed a Mississippi situation where Negro cotton farmers are reported having trouble getting their crop loans. Negro financial aid may be necessary.

Biggest question asked at the meeting was whether, as some former white defenders of NAACP are charging, the Negro leadership is pushing too aggressively. In recent weeks The Washington Post and Times-Herald, in its Virginia news column, has twice cautioned the NAACP "to go fishing."

Some of the participants said that if Negroes let up the pressures now there was no assurance that pressures against them would be relaxed. In this group were several who said that only by keeping up the pressures have Negroes made any gains.

It was recalled that after the Supreme Court school decision the "line" of the NAACP was that, of course, the law-respecting South would comply.

The group adjourned to make plans for a bi-racial meeting which they hope to hold within the next two months. It is planned to invite top Southern white leaders to meet with them privately and see if contact can be re-established. They hope to have some Northern whites present, too, but don't want to make Southerners feel they're being dictated to by Yankees.

One of the most disturbing facts the conference disclosed was that the participants feel that in many ways they are "behind" the Negro population. One of the participants was afraid he couldn't "sell" a policy of moderation to his organization which is in a belligerent mood.

If the Southern white community could show some intention of complying with desegregation of cooling off the hotheads would be easier, the conferees felt.

Race Fight Flares At Negro Dance In Roanoke Hall

Rich. P. 14-A Sun. 5-6-56

Washington, D.C.

ROANOKE, Va., May 5 (AP).—A bottle tossed from the white spectators' gallery at a Negro dance at American Legion Auditorium here early today touched off a disturbance that required the combined efforts of 30 police to quell.

Police reported the bottle was tossed just as the dance was breaking up about 1:15 a.m. and it was answered by a barrage of bottles thrown from the floor. Five persons were arrested and one was reported injured. He was reported to be a white Virginia Tech student who suffered a cut mouth. He was among the five arrested on charges of drunk and disorderly conduct.

Seats were ripped from the balcony, fixtures smashed and dozens of windows were broken by flying bottles.

Gerald Glass, promoter of the dances, said about 4,100 persons attended as dancers or spectators. Names of those arrested were not immediately available.

The Future of State Parks

Journal & Guide

THERE IS A great deal of discussion, of course, on the status and future of the nine state parks operated by Virginia. This is prompted by the federal court rulings barring use of the parks on a segregated basis. Technically, the rulings covered only Seashore State Park near Virginia Beach, but in principle it applies to them all. One aspect of the discussion warrants clarification. It is that Negroes are denying themselves the facilities by recourse to the courts.

Sat. 2-5-56 P. 9

This is silly. Negroes have *never* enjoyed the advantages of eight of the parks. This was true for years; in fact from the time the first of the parks was opened. Only after a colored taxpayer threatened to test the exclusion of the minority race from the parks some years ago did the state provide the one colored park near Burkeville.

Norfolk, Va.

The commonwealth of Virginia never even attempted to operate the parks on a segregated basis under the now invalidated "separate but equal" policy laid down by the Supreme Court in 1896. Had access to the parks been available on some reasonable basis to all citizens, the present "dilemma" of the officials now deploring the court action would have been avoided or postponed a considerable time at least.

However, the Norfolk-Portsmouth plaintiffs in the suit were denied even the privilege of riding through Seashore State Park as sightseers, as had earlier some children from a nearby camp for underprivileged youth. Now the state has closed Seashore Park and threatens to close any others if confronted with judicial directions to open them up equally to all. There is even talk of selling them, and one Norfolk organization has offered to buy the park here.

If the white citizens of the state find the parks closed to them, it is not the fault of Negroes. It is the fault of the officials they elected, but also it is their own fault for letting the governor, attorney general, and the officers of the Department of Conservation, which operates the park, be so prejudiced and unwilling to share with some citizens the public parks which their taxes helped purchase and develop.

If it is right for the state to deny a park to any of its citizens, it would be equally as logical to deny them the use of some specified highways, or any other public facility. Virginians of all the generations to come will forever condemn those now in power if they make the mistake of disposing of the parks rather than allow their use by a third of the population which happens to be colored.

Broyhill Tells Why He Signed The Manifesto

Post & Times Herald

Sun. 6-10-56 P. 4-B

Washington, D.C.

By Richard L. Lyons
Staff R

Rep. Joel T. Broyhill (R-Va.) signed the Southern Manifesto

because he believed in it, but also because he could find "no middle ground" left on which to stand.

Broyhill and his fellow Virginian Richard H. Poff were the only Republicans among the 101 Southern Congressmen who last March signed the declaration urging "all lawful means" to resist and reverse the Supreme Court's school integration decision.

Broyhill is a stanch supporter of Presidenta Eisenhower on most issues. His 10th District just across the oPtomac voted against the Gray Commission's plan to get around integration by providing tuition grants to let students attend private schools.

Broyhill's signature on the manifesto has become an issue in the 10th District since the three contenders for the Democratic nomination have stated that they would not have signed it as Broyhill did.

Broyhill sounds as though he would have preferred that the Manifesto had never been written. But once it was, he was one of the first to sign. In fact, he signed the first draft "which had more punch," he said

Broyhill in an interview explained his signing first of all as a protest against what he considered an error by the Court. He is not a lawyer.

"The Manifesto," he said, was a statement of principles with which I agree. It does not necessarily deal with whether you are for or against segregation. It merely states that the decision was an unlawful decision.

"In no way does the manifesto imply that any signer is not a loyal supporter of the Constitution as the supreme law of the land. Nor does it repudiate the Supreme Court as the proper body to interpret it. It says only that we feel the nine members erred in this case. They are human and can err like other humans.

"The Court has made other decisions that have been objected to by many persons in the country. Abraham Lincoln said he would try to reverse the Dred Scott decision. So why all the hullabaloo? The big issue is not that 100 members of Congress disagreed with the Court, but that they disagreed with it on segregation."

Broyhill indicated that the hullabaloo was an important factor in his signing.

"One of the problems in solving this is that the two side are drawn, leaving no middle ground approach," he said. "You're for it or against it. Both extremes are bad. But if the lines are drawn I have to go on the side of segregation. I'm for segregation. I am in favor of giving every citizen equal opportunity and justice under the law. But I recognize that cannot be accomplished while men's minds and hearts won't accept it as a matter of custom."

Racial problems can be licked by the gradual educational process that is going on, said Broyhill, but not by a court order.

"White people in the South accept many things they would not have accepted years ago," he said. "The South is gradually coming around, but they won't take it by force.

"How does the Negro stand in the North? Is he a social equal? No. He doesn't hold as many high postions in northern schools as he does in the South."

Broyhill acknowledge there are probably proportionately fewer pro-segregationsists in his district than in any other part of the state. But he feels northern Virginia must work out the problem along with the rest of the state.

"It is still geographically a part of the State of Virginia," he said. "The solution to this problem has got to be worked out in cooperation with the state as a whole."

Both Virginia's senators and all 10 of its House members signed the manifesto.

Broyhill feels the Tenth District's vote against the Gray plan did not necessarily prove a majority of his constitutents favor integrated schools.

"I do not take it (the referendum) as a vote on integration versus segregation as such, nor as agreeing or disagreeing with the opinion of the nine men on the Court," he said.

"It was a vote on whether they would agree to this method (Gray plan) solution to the problem," he said. "I talked to many people during debate on the referendum who were basically for continuing segregation but were fearful that the Gray Commission approach would jeopardize the public school system."

Broyhill makes no attempt to reconcile his support of the President with his signing the manifesto.

"Not more than 10 members of Congress have a better record of supporting the President than I," he said. "But my record isn't 100 per cent and it's not going to be.

"I'm not a rubber stamp. There a few things on which I disagree with him and this is one of them."

U.S. Discrimination Raging In Norfolk?

Afro-American P. 3 Sat. 6-9-56

Norfolk, Va.

NORFOLK, Va. (ANP)—The dispute over discrimination at government installations in the Norfolk area flared up anew last week following an address in South Norfolk by Clarence Mitchell, director of the NAACP, Washington bureau.

After Mr. Mitchell's speech at a freedom rally sponsored by the South Norfolk NAACP, he was privately questioned by several persons as to what is being done about the complaints of discrimination at the Navy Yard, Army Depot, Amphibious Base at Little Creek and other nearby places.

More than a dozen colored employees at government installations in the Norfolk area have filed complaints with the Norfolk branch of the NAACP, and some with officials in Washington.

However, no case has been settled satisfactorily because of the difficulty of getting at the facts in the cases and because of the great amount of time devoted by lawyers to the school and travel segregation cases.

* * *

THE NORFOLK BRANCH of the NAACP, headed by Robert D. Robertson, has been flooded with cases, some of which were not logically cases that qualify for NAACP support, but all complaints brought to the attention of the local branch have to be disposed of one way or another.

Colored workers at the Norfolk Naval Shipyard have insisted in recent weeks that they are being discriminated against in the matter of employment and upgrading.

They insist that they are denied positions as supervisors and that the policy of the personnel director or other officials is to keep them in unskilled jobs and lower paid positions.

Officials at installations reply to specific questions on how colored workers fare under the nondiscriminatory policy of the Federal Government with respect to the order against racial discrimination in employment and upgrading in very general terms.

They call attention to the government order and merely state that the order is being obeyed.

* * *

THROUGH GENERALIZATIONS, broad statements or the contention that it wouldn't be in keeping with security regulations to reveal the number of colored persons employed in various capacities, the commanding officers parry all questions.

As a result, the Navy Yard Amphibious Base, Army Headquarters, Fifth Naval District Headquarters, Naval Ammunition Depot, Naval Base and Supply Center and Supply Depot have managed not to reveal what the policy in practice is with reference to the employment or upgrading of colored workers.

The charge by Rep. A. Clayton Powell that the Army is returning to segregation has resulted in a request among colored leaders in Virginia for an investigation of the charge to include a check on what is happening to colored employees at government centers in the Norfolk area.

Publisher sues civic leaders; asks $60,000

Afro-American Baltimore, Md. Sat. 2-22-56

BY RUFUS WELLS

ROANOKE, Va.—Ten prominent Roanoke civic leaders, including six ministers, have been named defendants in a $60,000 damage suit filed by the Rev. F. E. Alexander, publisher of the Tribune, a local weekly.

The suit was brought against: Dr. Harry T. Penn, Dr. Lawrence E. Paxton, Reuben E. Lawson, attorney and president of the Roanoke NAACP branch; Mrs. Cordelia S. Williams and the Revs. Samuel T. Stone, Winslow S. Medley, Robert J. Smith, Thomas B. Wright, William N. Hunter and William Moore.

IN THE litigation, filed in Law and Chancery Court, the Rev. Mr. Alexander alleged malicious damage in statements made and published about him as a result of his stand on the segregation issue.

He had advocated a policy of moderation on the controversial integration problem prior to the alleged remarks and statements.

The publisher-minister contends that a censure motion adopted by the ministers, identified as the Roanoke Pastors' Conference, on July 25, was publicized in daily newspapers here and subsequently inserted as an advertisement.

Judge Opens Links To Norfolk Golfers

Norfolk, Va. Sat. 9-15-56

NORFOLK, Va. (ANP) — A temporary injunction granting Negroes the free and unrestricted use of the Portsmouth city park golf course was granted by Federal District Court Judge Walter E. Hoffman.

He indicated a permanent injunction will follow.

The course previously has been open to Negroes on Fridays only.

Persistent Mr. Almond

Journal & Guide

VIRGINIA HAS appealed to the United States Supreme Court JUDGE HOFFMAN's ruling in the Seashore Park case, after the Fourth District Appellate Court affirmed JUDGE HOFFMAN's decision.

Norfolk, Va.

ATTORNEY GENERAL ALMOND declared in his petition to the Supreme Court that DISTRICT JUDGE HOFFMAN "placed the cart before the horse," in that he "has attempted to decide a purely abstract question which is premature at this time because of lack of evidence."

Sat. 7-14-56

The State announced plans to lease the park to a private operator, after the court held that segregation was illegal. On a hearing on the lease question JUDGE HOFFMAN held that, "the lease must not, directly or indirectly, operate so as to discriminate against the members of any race."

This ruling was affirmed by JUDGES DOBIE, SOPER and PARKER, of the Fourth District Circuit Court of Appeals.

MR. ALMOND is entitled to another day in court. It is doubtful, however, if the outcome will be different.

A Commanding Event In The Resistance

Advertiser P. 4-A

THE THUNDEROUS REVOLT in the State of Virginia against the U.S. Supreme Court race mixing order is one of the commanding events of the Resistance.

Montgomery Ala

It is a dull one indeed who cannot read the signs by the light of this fire.

Virginia is the most distinguished of American states. It is the womb of this nation. Its people are the descendants of august figures in the founding of this Republic and the heirs to a matchless tradition of statesmanship.

38a

Virginia is the Upper South, bordering the North. It is no isolated Deep South state.

Wed. 1-11-56

America's capital is established upon a plot of earth carved out of Northern Virginia.

Our impression is that most members of the Supreme Court live across the river from Washington in Virginia and vote in Virginia. So do most of the chief officers of the Washington government.

The state's leading newspapers, its foremost political leaders and the people were as one Monday in voting by the overriding majority of 2 to 1 to defy the court's race mixing order.

Virginia is acting in the best and oldest American tradition of defying the Supreme Court. It learned the ropes from the Hartford Convention in New England, from the North's snarling defiance of the court in the case of the Fugitive Slave Law, and from Abraham Lincoln's folksy contempt of the court and habeas corpus.

The significance of the Virginia vote is that Virginia leadership is pure of rabble rousers, that its best brains took a 14-month look at the problem before contriving this artful dodging of the race mixing order. Then its citizenry, amidst whom dwell Supreme Court justices, adopted the dodge by a vote of 2 to 1.

It couldn't have been any more in the teeth of the Supreme Court had they counted the ballots under the white dome of the Jefferson Memorial in Washington.

This event will resound through the South. It will warn the rest of the country more than if it had happened in any other Southern state.

It means, as we have said repeatedly, that there isn't going to be any general mixing of the races in Southern schools for years to come.

Madison And Nullification

Advertiser P. 4-A

Irving Brant In The Nation

VIRGINIANS promoting the state amendment to evade school integration by using public money in private schools are well aware that the Supreme Court is likely to strike the move down as a subterfuge. To salvage their plan in that event, they are resurrecting the 1830 doctrine of "nullification" under the less aggressive name of "interposition."

A set of resolutions modeled on the famous Virginia Resolutions of 1798 against the Alien & Sedition laws is being promoted in the Virginia General Assembly, which opened its session on Jan. 11. The resolutions call on other states to exercise a disputed right to "interpose" against the Supreme Court's integration decrees. South Carolina, Louisiana and Mississippi are giving it considerable support, although incoming Gov. Coleman of the last-named state terms it "legal poppycock."

The idea is that the states shall severally ask Congress to submit a constitutional amendment legalizing racial integration. Until the amendment is adopted (thirteen states could block it) the "interposing" states are to be governed by a declaration of their legislatures that "the decisions and orders of the Supreme Court relating to separation of the races in its public institutions are, as a matter of right, null, void and of no effect; and the General Assembly declares to all men that as a matter of right, this state is not bound to abide thereby."

THIS scheme, thought up by the *Richmond News-Leader*, is presented with a great allegation of support from Madison and Jefferson. Supposedly paraphrasing Madison's Virginia Resolutions of 1798, it is in fact a garbled hodgepodge; its actual counterpart, in the great "nullification" battle of the 1830's, was denounced by Madison and unanimously condemned by the Virginia General Assembly of 1833-34. The crucial words "null, void and of no effect" were added to Madison's 1798 draft by W. C. Nicholas at Jefferson's suggestion, and were unanimously stricken out by the House of Delegates, as Madison explained later, because they might give "pretext for some disorganizing misconstruction." That is they might be thought to convert the resolutions from a call for united constitutional action into an act of resistance to law.

Concerning Jefferson, who died in 1826, Madison wrote five years afterwards: "It is remarkable how closely the nullifiers who make the name of Mr. Jefferson the pedestal for their colossal heresy, shut their eyes and lips whenever his authority is ever so clearly and emphatically against them." Pointing out that "nullification" (like the "interposition" now proposed in Virginia) put it in the power of a small minority of states to give the law to the great majority, Madison wrote in December, 1831: "For this preposterous and anarchial pretension there is not a shadow of countenance in the Constitution, and well that there is not, for it is certain that with such a deadly poison in it no constitution could be sure of lasting a year."

IN THE same letter, to President Jackson's private secretary and his own close friend Nicholas Trist, Madison said of the fundamental issue—the denial of national supremacy:

"A supremacy of the Constitution and laws of the Union, without a supremacy in the exposition and execution of them, would be as much a mockery as a scabbard put into the hands of a soldier without a sword in it."

The man who wrote those words is being cited in Richmond today as the legal and historical authority for the asserted right of Virginia to nullify the Constitution.

Court Cafeteria Refuses Negroes at Fairfax Trial

Star P. A-20 Fri. 2-17-56

A group of colored persons attending the rape trial of four youths in Fairfax Circuit Court yesterday were denied admission when they tried to eat lunch in the Courthouse cafeteria.

Francis Rathwick, operator of the lunch concession in the basement of the courthouse, said 13 men and women asked to be served.

Washington D.C.

Attorney James Raby, representing three of the colored youths on trial, said other colored persons had asked him about eating in the cafeteria. Mr. Raby said he made inquiries and was told the cafeteria operator would serve sandwiches to colored persons at a table in the hall.

"I told the people who talked to me about it not to go down to the cafeteria after I checked," said Mr. Raby. "I didn't know anyone had gone down there."

Mr. Raby said some of the people involved were parents of the colored youths on trial. He said there was no other place for them to eat so they went without lunch.

Mr. Rathwick said he could not admit them because the law in Virginia prohibits non-segregated eating places. He said he asked Judge Paul Brown for advice, but the judge would not order him to admit the colored persons. Judge Brown had no comment on the incident.

The four youths are being tried by Judge Brown for the rape of a 29-year-old white woman in a lover's lane along Arlington boulevard last July 26.

Negro Reply Attacks Leasing Of Parks To Escape Mixing

Advertiser P. 3-C
Fri. 3-16-56

RICHMOND, Va., March 15 (AP) — Negro attorneys have told a federal appellate court the State of Virginia cannot escape anti-segregation precedents by leasing a state park to a private operator.

"If the state allows the performance of governmental functions to devolve upon a non-governmental agency, that agency assumes those attributes of government which bring the constitutional safeguards into play," they said in a brief filed with the court yesterday.

SEASHORE LEASED

The case, now in the U.S. Court of Appeals of the 4th Circuit, tests whether Virginia may lease Seashore State Park to a private operator without specifying that civil guarantees will be observed.

The outcome of the case could have far-reaching effect on any plan to provide grants from state funds for pupils attending private schools. Virginia's Gray Commission, named to study means of avoiding enforced integration in the public schools, has proposed such a plan.

Written arguments were filed with the court by attorneys for the National Assn. for the Advancement of Colored People in answer to papers filed earlier by Atty. Gen. J. Lindsay Almond Jr. Almond has attacked as "unwarranted" Norfolk Federal District Judge Walter E. Hoffman's enjoining the state against leasing the park without a guarantee that racial segregation would not be enforced.

Verbal arguments will be heard next Wednesday by the court. The same court banned segregation in publicly - operated recreation facilities last year.

The Seashore Park case arose in 1951 when four Negroes filed a civil suit complaining they had been denied admission. When Hoffman ruled in their favor, the state closed the park which is just a few miles from Virginia Beach. In deciding the case, Hoffman ruled that segregation was unlawful not only in a state-operated facility but in a state-owned park leased to a private operator.

Negro Civic Heads Hold Va. Meeting

Post + Times Herald P. 6-B
Wash. 3-18-56

Eighteen of the Nation's prominent Negro educators and civic leaders met quietly in Virginia recently to talk over rising racial tension in the South and what to do about it.

Out of this meeting, held in Capahosic, Gloucester County, on the York River, came reports that some of the Negroes requested the National Association for the Advancement of Colored People to ease up, at least temporarily, its efforts to push desegregation in the South.

But Roy Wilkins, NAACP president, denied these reports yesterday. So did other persons present at the session. Said Wilkins:

"All history has shown that, if you don't do a little nudging, you don't get anywhere. Our program remains the same: we are continuing to urge desegregation and confer upon it with any officials in any locality who want to talk.

Strategy Shift Sought

"And in the 'hard core' states, where we have received nothing except inaction, it is likely suits will be filed—if the plaintiffs come forward and want to sue."

But it is known there is a segment of the NAACP that now believes it wise to shift strategy, to let the states of most resistance alone for a while and to turn to those localities where desegregation could be accomplished more easily.

This proposal poses a problem for the NAACP, however, because such a shift, some members feel, would be interpreted as defeat. After all, the law—the Supreme Court decision—is on their side, they say.

Manifesto Is Problem

Another problem faces the NAACP. Some members have been put on the spot by the Southern manifesto criticising the Supreme Court desegregation decision. That call for every legal effort to overthrow the decision was signed by more than 100 Southern Congressmen—some of them considered by the NAACP and other Negroes as "progressive" in racial relations.

The NAACP believes these particular legislators signed the manifesto as a political expedient for "home consumption." The organization wants these men reelected—but cannot say so publicly for fear such indorsement would defeat them.

Some members of the NAACP believe these signers will work for "progressive" race relations again—after election.

The meeting at Capahosic was called by Dr. F. E. Patterson, former president of Tuskegee Institute and now director of the Phelps-Stokes Fund of New York, a foundation dedicated to the education of Negro youth in the United States and Africa.

Among those attending were Ralph J. Bunche, United Nations Under Secretary; Rep. William L. Dawson (D-Ill.) of Chicago; President Charles S. Johnson of Fiske University, Nashville, Tenn.; President Rufus E. Clement of Atlanta University and Dr. Charles H. Thomson, dean of the Howard University Graduate School.

Those attending the meeting said it was "exploratory" in nature, that no conclusions were reached and it was intended to lead to future bi-racial meetings on the racial tension subject.

Dr. Patterson issued a short statement at the conclusion of the session, held on March 3 and 4.

"Their aim is to achieve the more effective use of reason and good will in overcoming difficulties in desegregation and working toward advances in interracial relations," he said.

Race Parley Idea Hailed

Star P. 2-C
Wash. 4-3-56

RICHMOND, April 3 (AP).—Five Virginia political figures yesterday gave generally favorable comment to President Eisenhower's hint he may invite Southern governors to discuss the South's school segregation problems.

Attorney General J. Lindsay Almond, Jr., said the "conference ... might be a very good idea" and he would subscribe to the idea.

Representative Abbitt, Democrat of Virginia, said he "saw no objections" to the conference. He said the governors and attorneys-general could "certainly let the President know the real problems we are facing down here, and it might do some good."

State Senator Ted Dalton of Radford, a Republican, said "we ought not to neglect any opportunity that may prove helpful."

Representative Tuck, Democrat of Virginia, said he could see no objection to "meeting with the President or anybody else to discuss this problem."

"On the other hand," Mr. Tuck said, "it seems to me this is a matter that can best be worked in the individual States without any interference from Washington. We have had too much of Washington already in this matter."

Richmond Delegate J. Randolph Tucker, jr., a member of the Governor's Commission on Public Education, said he did not see how the conference could do any harm.

SEGREGATION PLEA ON PARK IS DENIED

Times P. 20-C
Wash. 4-10-56

Appeals Court Bars Virginia From Such a Lease Plan —'Negro' Music Fought

RICHMOND, April 9 (AP)—The Fourth United States Circuit Court of Appeals held today that Virginia could not lease seashore State Park under any arrangement that would operate "to discriminate against" members of any race.

It upheld a Norfolk Federal District Court ruling restraining the state, its agents or lessees from denying Negroes, because of race, "the right to use and enjoy" the facilities of the park, near Virginia Beach.

District Judge Walter Hoffman's order had further provided that if the state leased Seashore or any part of the park it must see that the rights of all races were protected.

The state did not open Seashore Park last year and does not plan to operate it this year. However, the seven other state parks for whites and one for Negroes have continued to run.

When the case was argued here March 21 J. Lindsay Almond Jr., Virginia Attorney General, contended that the District Court ruling should be modified.

He argued that its effect would be to restrain the state "from divesting itself of authority" over the park if Seashore were leased to a private operator. Mr. Almond said the state would be held responsible "for the actions of the private citizens over which it has no authrity" and added:

"Our position is that bare legal title permits a lessee to allow anyone he sees fit to enter a state park. The state, in fact, would have no control over that lessee."

Attorneys for the National Association for the Advancement of Colored People contended that leasing of Seashore would bring up the possibility of continued exclusion of Negroes.

The Seashore case was initiated in 1951 when four Negroes charged in the Norfolk District Court that they were denied use of the park.

Early in 1955 the Department of Conservation and Development announced plans to lease the park. The case, which had been dormant for several years, came before Judge Hoffman a few months after the department's announcement.

'Negro' Music Protested

Special to The New York Times.

BIRMINGHAM, Ala., April 9—Members of White Citizens' Councils have started a campaign against "be-bop and Negro music." They say it contributes to moral degradation of children and serves the cause of integration.

Representatives of seventy-three councils in North Alabama met here over the week-end and voted their approval of an Action Committee appointed by a suburban Birmingham council.

The Action Committee says it will protest the use of such music on the radio and in public gatherings. Action Committee members did not define "Negro music."

ORANGEBURG, S. C., April 9 (UP)—The entire student body at South Carolina State College for Negroes boycotted classes today.

Although none of the 1,498 students appeared willing to say so, the walkout was apparently in protest against a resolution passed by the South Carolina Legislature calling for an investigation of N. A. A. C. P. activity on the campus.

Wildlife Group Seeks State Parks

Post + Times Herald
Wash. 4-22-56

FARMVILLE, Va., April 26—The president of the Virginia Wildlife Federation says his organization will make a "vigorous" fight to have state recreation parks that become involved in litigation over the race issue converted to hunting and fishing areas.

E. Floyd Yates of Powhatan said yesterday the Federation's board of directors voted unanimously to recommend such action. Under the proposal, the state would retain ownership, but jurisdiction over the parks would be assigned to the Commission of Game and Inland Fisheries.

THOMAS R. WARING- EDITOR-DAILY NEWS AND COURIER , Charleston, South Carolina

Who Is A Negro Moderate ?

Thomas R. Waring, editor of the Charleston, South Carolina, daily News and Courier, and vice chairman of the Southern Education Reporting Service, which publishes the Southern School News, recently wrote an editorial in his paper entitled: "Negro Moderates In The South Need Understanding From Whites." Who is a Negro moderate in Tom Waring's book? He is one who has "a reluctance to agitate for racial changes." What does that mean as a practical matter?

Well, the city of Charleston provides a city college for whites, but none for Negroes, and the State of South Carolina provides a military college for whites in Charleston, but none for Negroes. The State of South Carolina provides the University of South Carolina for whites, but none for Negroes; it provides Clemson College (Agricultural and Engineering) for whites, but no such separate college for Negroes; and it also provides Winthrop College for white women, but none for Negroes.

Now, in Tom Waring's book, a Negro moderate is one who is satisfied not to agitate but to let the city of Charleston and the state of South Carolina provide all these things for white children, but none of them for the Negro moderate's children. Is it any wonder that Mr Waring pleads for understanding on the part of whites for such Negroes?

Along with this plea for understanding of Tom Waring's moderate Negro, this editorial says that "white people rightly resent the NAACP and its agitation." Now, why is this right in Tom Waring's book? It is simply and only because the NAACP does not think it is right for the city of Charleston and the state of South Carolina to provide all these educational opportunities for whites and none of them for Negroes. When the NAACP goes into the Federal Courts and seeks to open these educational opportunities to Negroes, then that is the "agitation" which Mr Waring says "white people rightly resent."

Teachers Say Dance Photo Was In Error

World P.P. Sat. 10-13-56

Birm. Ala.

PRINCETON, W. Va. — (ANP) — Photographs of an integrated dance here, taken and published in Life magazine showing a pictorial story on racial integration, were called "a mistake" last week by a principal and two school teachers.

A written report released by School Supt. W. A. Cooke following a meeting with principal Melvin McClain of Princeton High School and two physical education teachers, Mrs. Charlotte Harman and Ward Webb, described the photographs as errors.

One pitcure showed white and Negro s'udents, boys and girls, dancing in the school gymnasium.

The board report said McClain and the two teachers were asked why the Life photograph was permitted to take the pictures when it is against general policy rules to conduct mixed physical education classes for boys and girls.

The crux of the report follows:

McClain gave the photographer permission to take the requested pictures and took him to the gym. McClain told the instructors to allow the photographer to take pitcures of integrated physical education groups.

McClain said he did not see the photographer after that. Mrs. Harman and Webb told the board several pictures were taken of boys and girls in separate groups. They said the photographer, whose name was not given, then asked that the boys and girls combine for one final shot. Mrs. Harman and Webb quoted the photographer as promising that the picture would not appear in the magazine.

The two instructors said they agreed to the final integrated group shot and sent to other classes of children for the picture. The photographer took the picture and left the building.

Bus Protest Case Inspired Ike's Plea

World Pg 1
From Ala.
Fri. 3-23-56

WASHINGTON — (INS) — A question on the trial of Montgomery (Ala.) Negroes accused of fostering a bus service boycott inspired President Eisenhower's call Wednesday for the South to "show progress" toward ending the segregation dispute.

The Chief Executive was asked at his news conference if he would state how he felt "about Negroes being brought to trial for refusing to ride the (segregated) Montgomery buses."

Mr. Eisenhower replied: "Well, you are asking me I think, to be more of a lawyer than I certainly am.

"But, as I understand it, there is a state law about boycotts, and it is under that kind of thing that these people are being brought to trial.

"I think that the statement I made last week on this whole subject represents all the views that I now have to make; and I do believe that it is incumbent on all the South to show progress. That is what the Supreme Court asked for. And they turned it over to local district courts.

"I believe that we should not stagnate, but again I plead for understanding, for really sympathetic consideration of a problem that is far larger, both in its emotional and even in its physical aspects than most of us realize."

Later, when he was asked if he had "any plans to mobilize religious or other leaders of the South" to his stand for moderation and progress on the segregation issue, Mr. Eisenhower referred to the work of Evangelist Billy Graham.

He said the Rev. Mr. Graham, both at home and abroad, tries to "promote mediation instead of conflict, tolerance instead of prejudice."

World Pg 8

Mr. Eisenhower added: "I said that is one thing Billy Graham teaches not only abroad, he teaches it among ourselves, and frankly, I believe that the pulpits do have a very great responsibility here.

"This is a very tough one, and people have to search their own hearts if we are going to get a decent answer and keep going ahead.

"Now, let's don't try to think of this as a tremendous fight that is going to separate Americans and get ourselves into a nasty mess.

"Let's try to think of how we can make progress and keep it going and not stop it. Now that, I believe, the pulpits can help on."

ing he would have been dismissed.

"I have an affidavit from the agent emphatically stating he did not make any such statement to the county solicitor. The county solicitor persists the statement was made.

"The FBI has no interest in whether they planned to try him again or not?" Presto asked.

Negro Bus Line Plan Rejected

Times-Picayune
New Orleans La.

Montgomery Turns Down Boycott Leaders' Idea

MONTGOMERY, Ala., April 2 (AP) —The Rev. M. L. King Jr. and several other leaders of the Negro boycott against Montgomery City Lines buses were denied city permission today to establish and operate an all-Negro bus company.

Lex. 4-3-56

The delegation, most of whom are under indictment on charges of conspiring to boycott the segregated buses, proposed that a new company "owned and operated by Montgomery Negroes" be licensed to "provide adequate transportation for our people."

City Commissioners, who met with the group for nearly 90 minutes, denied the application for a franchise on the grounds that the present bus company is offering "excellent bus service for the entire city."

P. 12

Most of the earlier issues of the boycott, including seating arrangements and a request that Negro bus drivers be employed, were discussed.

Mayor W. A. Gayle, saying bus revenue from the city as a whole would not support two bus companies, suggested the Negroes request Montgomery City Lines to operate buses exclusively for them.

As to an earlier request that Negro drivers be employed on predominately Negro routes, the mayor said, "That is up to the bus company altogether. It's their money, and they have the right to hire whom they please."

Asked after the meeting if the boycotters would confer with City Lines on this point, King said the decision would have to come from the Montgomery Improvement Assn. executive board "and the Negroes of Montgomery."

Likewise, he said any decision on ending the boycott if the bus firm agreed to the employment of Negro drivers would have to be given by Negroes at a mass meeting.

King had introduced members of the group as representatives of the improvement association, of which he is president. The delegation consisted of King, whose conviction and $500 fine on a boycotting charge has been appealed to the Alabama Court of Appeals; Rev. H. H. Hubbard; Rev. W. J. Powell; E. D. Nixon; J. E. Pierce; attorneys Fred D. Gray and Charles Langford and Mrs. A. W. West Sr., widow of a Negro physician.

In support of their proposal, King told the commission, "We are only seeking satisfactory transportation. We don't want to put the other company out of business—that never has been our goal. We are trying to make for wholesome relations and the elimination of tension among the races in Montgomery.

Stating the reasons for denying the Negro franchise Mayor Gayle said "40 or 50 buses are now standing empty."

BUS LINE IS DENIED NEGROES IN SOUTH

Times 4-3-56
New York

Montgomery Turns Down Bid by Boycott Leaders to Set Up Own Company

Lex. 4-3-56

MONTGOMERY, Ala., April 2 (AP)—The Rev. M. L. King Jr. and several other leaders of the Negro boycott against city buses were denide permission today to establish an all-Negro bus company.

The delegation, most of whom are under indictment on charges of conspiring to boycott segregated buses, proposed that a new company, "owned and operated by Montgomery Negroes," be licensed to "provide adequate transportation for our people."

City commissioners, who met with the group for ninety minutes, denied the application for a franchise on the ground that the present company was offering "excellent bus service for the entire city."

Most of the earlier issues of the boycott, including seating arrangements and a request that Negro bus drivers be employed, were discussed.

Mayor W. A. Gayle said bus revenue would not support two companies. He suggested the Negroes request Montgomery City Lines, Inc. to operate buses exclusively for them.

As to the request that Negro drivers be employed on predominantly Negro routes, the Mayor said: "That is up to the bus company altogether. It's their [the company's] money, and they have the right to hire whom they please."

Asked if the boycotters would confer with City Lines on this point, Mr. King said the decision would have to come from the Montgomery Improvement executive board "and the Negroes of Montgomery."

Similarly, he went on, any decision on ending the boycott if the company agred to employ Negro drivers would have to be given at a mass meeting.

He introduced members of the group as representatives of the Improvement Association, of which he is president. The delegation consisted of King, whose conviction and $500 fine on a boycotting charge has been appealed; the Rev. H. H. Hubbard, the Rev. W. J. Powell, E. D. Nixon, J. E. Pierce, Fred D. Gray and Charles Langford, attorneys, and the widow of Dr. A. W. West Sr.

Mr. King told the commission: "We are only seeking satisfactory transportation. We don't want to put the other company out of business; that never has been our goal. We are trying to make for wholesale relations and the elimination of tension among the races in Montgomery.

Permission To Form Negro Bus Line Denied

Post-Herald P. 8
Birmingham Ala.

Montgomery Boycott Leaders Renew Meetings With City Commissioners

Lex. 4-3-56

MONTGOMERY, April 2 (AP)—Leaders of the racial boycott against city lines buses asked in vain today for permission to operate an all-Negro busline in Montgomery.

The City Commission turned them down with the observation that the boycotted Montgomery City Lines, Inc. is offering "excellent bus service for the entire city" and that "45 or 50 buses are now standing empty."

Negroes for 19 weeks have refused to ride the segregated City Lines buses and the company has discontinued some routes and shortened others. Ninety leaders of the bus protest are under indictment for violating the state's anti-boycott law.

Members of a Negro delegation, led by the Rev. Martin Luther King Jr., asked the City Commission today for authority to form a new bus company to "provide adequate transportation for our people." They said the company would be owned and operated by Montgomery Negroes."

Mayor W. A. Gayle, speaking for the commission, said bus revenue wouldn't support two lines. He suggested instead the Negroes ask Montgomery City Lines to operate buses exclusively for them.

King, only one of the indicted Negroes brought to trial thus far, told the commission, "We are only seeking satisfactory transportation. We don't want to put the other company out of business—that has never been our goal. We are trying to make for wholesome relations and the elimination of tension among the races in Montgomery."

The Negro Baptist minister was convicted of boycotting and fined $500. He has appealed the fine and the Negro attorneys said they take the case to the U. S. Supreme Court if necessary.

Most of the original issues in the bus boycott—including better seating arrangements and the hiring of Negro drivers—were discussed again today at the 90-minute conference.

Gayle said the employment of drivers "is up to the bus company. It's their money and they have the right to hire whom they please."

After the meeting, King declined to say whether the Negroes would confer with bus line officials. He said that decision would have to be made by the Montgomery Improvement Assn. executive board and "the Negroes of Montgomery."

FEDERAL COURT RULED TUESDAY, JUNE 5, 1956
RACIAL SEGREGATION ON CITY BUSSES IN MONTGOMERY, ALABAMA VIOLATES FEDERAL CONSTITUTION

Judge Lynne dissents in 2-1 decision—

Segregation of bus lines is ruled Montgomery invalid

In his dissenting opinion Judge Lynne declared he felt the "separate but equal" doctrine still applied in intrastate transportation cases such as the Montgomery case.

"Only a profound, philosophical disagreement with the ultimate conclusion of the majority (opinion) 'that the separate but equal doctrine can no longer be safely followed as a correct statement of the law' would prompt this, my first dissent," he said.

THE TEXT, not including footnotes, of the dissenting opinion of Judge Lynne:

"Only a profound, philosophical disagreement with the ultimate conclusion of the majority 'that the separate but equal doctrine can no longer be safely followed as a correct statement of the law' would prompt this, my first dissent. But I should consider myself recreant both to conscience and duty in withholding my views because of the affection and esteem which I bear for my associates.

"For many years as a trial judge in the state and federal system I have endeavored faithfully to understand and apply precedents established by the opinion of appellate courts. This was not a blind obedience to a legalistic formula embodied in the rule of stare decisis. It was the result of a simple belief that the laws which regulate the conduct, the affairs, and sometimes the emotions of our people should evidence not only the apparance but also the spirit of stability. News P.15

"JUDGES OF TRIAL courts frequently find themselves in disagreement with the rationale of an old, but clearly controlling precedent. That is so because their positions do not insulate them from those changing physical and metaphysical concepts which form a part of the life process. But they are neither designed nor equipped to perform the legislative function of putting off the old and putting on the new. To arrogate to themselves this prerogative, in my humble opinion, would be the first, fatal step in making hollow the proud boast that ours is a 'government of laws and not of men.'

"Judge Rives, just the other day, delivering the opinion of the Court of Appeals for the Fifth Circuit, sitting en banc, in Howard v. United States—F. 2d—(April 20, 1956), stated my position, clearly and concisely:

"'In the fact of such recognition by the Supreme Court of a test of criminal responsibility, we do not feel at liberty to consider and decide whether in our opinion the recent modification of such test in the District of Columbia is sound or unsound, nor whether some other test should be adopted. This circuit follows the law as stated by the Supreme Court and leaves any need for modification thereof to that court . . .'

THE MAJORITY recognize, it was conceded in oral arguments by counsel for plaintiffs, that Plessy V. Ferguson, 163 U. S. 537 (1896) (providing for separate but equal facilities in intrastate Louisiana trains) is precisely in point, and that its holdings have been repeatedly followed in later transportation cases. Its authority obviously was unaffected by the action of the Supreme Court in dismissing the appeal in South Carolina Electric and Gas Co. vs. Flemming, — U. S. — 24 L. W. 3280. The citation of Slaker vs. O'Connor, 278 U. S. 188, is convincing that it did not place the stamp of its approval upon the decision of the Fourth Circuit in Flemming vs. South Carolina Electric and Gas. Co., 224 F 2d 752, but simply concluded that its judgment was not final and hence that the appeal did not lie. 26 U. S. C. A. 1254(2).

"IN COMPLETE agreement with the Fourth Circuit's opinion in Flemming that the separate but equal doctrine can no longer be safely followed as a correct statement of the law, the majority conclude that Plessy vs. Ferguson, in which that doctrine made its first appearance 60 years ago, has been implied, though not explicitly overruled. While I share their great respect for Judge Parker, Soper and Dobie, I do not at all agree.

"A comparatively new principle of pernicious implications has found its way into our jurisprudence. Lower courts may feel free to disregard the precise precedent of a Supreme Court opinion if they perceive a 'pronounced new doctrinal trend' in its later decisions which would influence a cautious judge to prophesy that in due time and in a proper case such established precedent will be overturned explicitly. Peculiarly appropriate in this context is the following language of Judge Woodbury, writing for the First Circuit in New England Mutual Life Ins. Co. vs. Welch, 153 F. 2d 260, 262:

'FURTHERMORE we find no indication from anything said therein of a purpose to depart from the rule of the earlier decisions cited above. Under these circumstances we see no occasion even to consider the basic question whether we would adopt the doctrine of Barnette vs. West Virginia State Board of Education, D. C. 47 F. Supp. 251, 253, and Spector Motor Service vs. Walsh, 2 Cir., 139 F. 2d 809, 817, 823, and in extraordinary situations disregard controlling decisions of the Supreme Court not yet explicitly overruled. It will suffice to say that we would feel disposed to consider taking such a course only when there are the clearest indications that the controlling decisions of the Supreme Court, though not formally overruled, would no longer be followed by that court and we find no such indications here.'

"IN 1950, THE Fourth Circuit had before it the case of Boyer, et al, vs. Garrett, et al, 183 F.2d 582, involving an officially adopted rule providing for the segregation of races in athletic activities in the public parks and playgrounds in the City of Baltimore. In affirming the judgment of the district court, the same judges who decided Flemming held:

'The contenton of plaintiffs is that, notwithstanding this equality of treatment, the rule providing for segregation is violative of the provisions of the federal Constitution. The district court dismissed the complaint on the authority of Plessy vs. Ferguson, 163 U. S. 537, 16 S. Ct. 1138, 41 L. Ed. 256, and the princpal argument made on appeal is that the authority of Plessy vs. Ferguson has been so weakened by subsequent decisions that we should no longer consider it bindng. We do not think, however, that we are at liberty thus to dsregard a decision of the Supreme Court which that court has not seen fit to overrule and which it expressly refrained from reexamining, although urged to do so, in the very recent case of Sweatt vs. Painter, 70 S. Ct. 848. It is for the Supreme Court, not us, to overrule its decisions or to hold them outmoded'."

"IN 1955, IN Flemming, an intrastate transportation case, reversing the district judge, the court wrote:

'We do not think that the separate but equal doctrine of Plessy vs. Ferguson, supra, can any longer be regarded as a correct statement of the law. That case recognizes segregation of the races by common carriers as being governed by the same principles as segregation in the public schools; and the recent decisions in Brown vs. Board of Education, 347 U. S. 483, 74 S. Ct. 686, 98 L. Ed. 873 and Bolling vs. Sharpe, 347 U. S. 497, 74 S. Ct. 639, 98 L. Ed. 884, which relate to public schools leave no doubt that the separate but equal doctrine approved in Plessy vs. Ferguson has been repudiated. That the principle applied in the school cases should be applied in cases involving transportation, appears quite clearly from the recent case of Henderson vs. United States, 339 U. S. 816, 70 S. Ct. 843, 94 L. Ed. 1302, where segregation in dining cars was held violative of a section of the Interstate Commerce Act providing against discrimination.'

"WITHIN THIS five-year interval the Supreme Court has spoken pertinently but once, in the case of Brown vs. Board of Education, 347 U. S. 483, since Bolling vs. Sharpe, 347 U. S. 497, did not discuss Plessy vs. Ferguson and appears to have been decided on a partity of reasoning. My study of Brown has convinced me that it left unimpaired the 'separate but equal' doctrine in a local transportation case and I perceive no pronuonced new doctrine trend therein.

"Of course I appreciate the care with which the Supreme Court limits its pronouncements upon great constitutional questions to the narrow issues before it and the only issue in Brown involved a collision between the 14th Amendment and state laws commanding segregation in the public schools. But in Brown the court's opinion referred to Plessy v. Ferguson six times and to its 'separate but equal' doctrine on four occasions. It epitomized its concept of that doctrine as follows: 'Under that doctrine, equality of treatment is accorded when the races are provided substantially equal facilities, even though these facilities be separate.' Its ultimate conclusion was, and this I conceive to be the rationale of its decision, 'that in the field of public education the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal.'

"IT SEEMS to me that the Supreme Court therein recognized that there still remains an area within our constitutional scheme of state and federal government wherein that doctrine may be applied even though its applications are always constitutionally suspect and for 60 years it may have been more honored in the breach than in the observance. Granted that the trend of its opinions is to the effect that segregation is not to be permitted in public facilities furnished by the state itself and the money of that state, as in the case of public schools, or public parks, cf. Muir v. Louis-

Ruling may bring first fateful test

Today's decision could be appealed direct to the U. S. Supreme Court and thus may bring the first fateful test of the South's intrastate segregation laws since the high court began striking down Southern racial barriers two years ago.

The suit of four Negro women on which the panel ruled had named the Alabama Public Service Commission among the defendants along with Montgomery city authorities and the Montgomery City Lines. However it was not known immediately what effect the ruling would have on state segregation laws.

The panel ruled that both the city and state segregation laws requiring separate seating facilities for white and Negro passengers violate the U. S. Constitution.

ville Park Theatrical Assn., 347 U. S. 971; Dawson v. Mayor and City of Baltimore, 220 F. 2d 386, affirmed 350 U. S. 877, or municipal golf courses, cf. Rice v. Arnold, 340 U. S. 848; Holmes v. City of Atlanta, 350 U. S. 879, on the plain theory that if that state is going to provide such facilities at all, it must provide them equally to the citizens, it does not follow that it may not be permitted in public utilities holding non-exclusive franchises.

"If that doctrine has any validity, this is such a case in which it has been applied fairly. According to its teaching not absolute, but substantial equality is required. Such equality is not a question of dogma, but one of fact. Under the undisputed evidence adduced upon the hearing before us practices under the laws here attacked have resulted in providing the races not only substantially equal but in truth identical facilities.

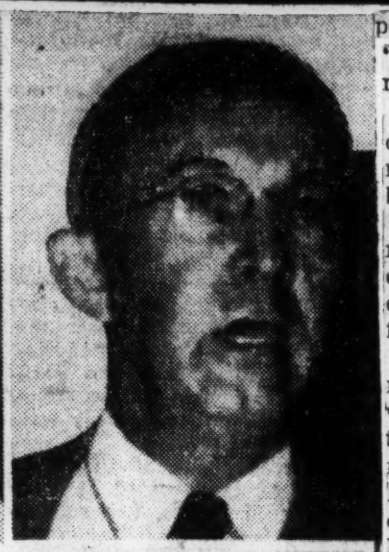
"IN MY OPINION the holding of the court in Morgan v. Virginia, 328 U. S. 373, that the attempt of a state to require the segregation of passengers on interstate busses results in the imposition of an undue burden on interstate commerce is wholly irrelevant to the issue before us. And equally inapposite is reference to Henderson v. United States, 399 U. S. 816, which held that rules and practices of interstate railroad carriers requiring the segregation of passengers in dining cars was offensive to Section 3 (1) of the Interstate Commerce Act making it unlawful for a railroad in interstate commerce 'to subject any particular persons . . . to any undue or unreasonable prejudice or disadvantage in any respect whatsoever: . . .'

"THE SUPREMACY of the federal government in matters affecting interstate commerce is axiomatic. Cases involving the exercise of its power in that realm shed no light on 14th Amendment problems. It does seem quite clear that by its terms the Congress is given the power and duty to enforce the 14th Amendment by legislation. Thus the Congress would have the power, thus derived, to proscribe (outlaw) segregation in intrastate transportation. It is worthy of note that for 60 years it has not seen fit to do so.

"While any student of history knows that under our system of government vindication of the constitutional rights of the individual is not, and ought not to be, entrusted to the Congress, its reticence to intrude upon the internal affairs of the several states should caution us against doing so where the path of duty is not plainly marked and when we must hold a clear precedent of the Supreme Court outmoded.

"Because I would dismiss the action on the authority of Plessy vs. Ferguson, I do not reach the procedural questions discussed in the majority opinion. I respectfully dissent."

JUDGE F. M. JOHNSON JR. . . . No bus segregation



JUDGE RICHARD T. RIVES . . . Rules in Montgomery case

Lynne dissents and explains why

News Sun. 6-5-56
B'ham, Ala. p. 1

MONTGOMERY, Ala., June 5—Federal Judge Seybourn H. Lynne of Birmingham dissented from the ruling of his two fellow panel judges which held that segregation on Montgomery city buses was unconstitutional.

Montgomery Segregation On Buses Is Ruled Illegal

Constitution 6-6-56
Atlanta, Ga. Wed. 6-6-56

By REX THOMAS

MONTGOMERY, Ala., June 5 (AP)—Splitting 2-1, a three-judge panel in Federal Court ruled today that racial segregation on city buses in Montgomery violates the federal Constitution.

City and state officials are expected to appeal directly to the Supreme Court in what may become the first clear cut decision by that court on city bus segregation.

The panel, anticipating that, gave opposing lawyers two weeks to submit written suggestions on how the formal anti-segregation order should be entered, and whether a stay should be granted pending an appeal.

Meanwhile in Memphis, the National Assn. for the Advancement of Colored People filed suit in federal court asking that Tennessee bus segregation statutes be declared unconstitutional.

1. A three-judge court to hold a "speedy hearing" and issue a temporary injunction restraining the City of Memphis and the Memphis Street Railway Co., from enforcing the Tennessee bus segregation statutes.

2. That the court upon a final hearing declare the state law unconstitutional—therefore null and void.

The suit asks that "Negro citizens be granted similar privileges and immunities given all citizens of the United States, due process of law and the equal protection of the laws secured by the 14th Amendment to the national Constitution."

Judge Richard T. Rives of the U. S. Fifth Circuit of Appeals and Judge Frank M. Johnson Jr., of the Middle District of Alabama signed the majority opinion holding bus segregation contrary to the 14th Amendment to the Constitution.

Judge Seybourn Lynne of the Northern District of Alabama dissented, insisting that separate but equal seating facilities for white and Negro passengers are permissible.

Pending a formal order to carry out the panel's findings, no injunction was issued. When it comes, Johnson said it will affect only buses in Montgomery even though state laws were held unconstitutional.

Wed. 6-6-56

To extend it to other Alabama cities would require a separate court order based on today's ruling.

Johnson said it is comparable to the Supreme Court's two-year-old ruling against school segregation which still hasn't affected Alabama directly because this state wasn't named in the litigation which brought the integration ruling.

The Alabama Public Service Commission, one of the defendants in the suit, said "we are deeply shocked" and that the decision will be appealed.

The PSC will seek to have the ruling set aside pending the appeal, the statement said, because "any other action would invite racial conflicts in this state. . ."

In Birmingham, two of the three city commissioners said they plan no changes in segregation laws because of the decision.

The historic decision came six months to the day after the start of Montgomery's Negro bus boycott, a still continuing mass refusal to ride segregated buses.

What immediate effect today's ruling will have on the bus boycott was undetermined. The Rev. Martin Luther King Jr., Negro Baptist minister and one of the boycott leaders, said he couldn't say without discussing the decision with Negro attorneys.

However, he said Negroes will end the mass protest "whenever it becomes possible to go back on city buses on an integrated basis."

King, one of 90 Negroes under indictment for violating Alabama's anti-boycott law and the first defendant brought to trial, called the ruling a "great victory for democracy and justice."

Montgomery's population of 125,000 includes an estimated 50,000 Negroes.

King was fined $500 and costs at his boycott trial and has appealed to higher courts. Trials of other defendants have been postponed pending the outcome.

Mayor W. A. Gayle and City Commissioner Clyde Sellers and Frank Parks declined to say what their next step will be until the formal court order is issued.

REV. ARVIE BANKS, CLANTON, ALA.
BUS BOYCOTT, MONTGOMERY, ALA.

Another Minister Linked To Boycott

Advertiser Fri. 3-16-56 Montgomery, Ala.

MONTGOMERY, Ala., March 15 (AP)—Another Negro minister, the Rev. Arvie Banks, was arrested at Clanton, Ala., yesterday on an indictment charging participation in Montgomery's continuing Negro bus boycott.

He was identified by Sheriff Mac Butler's office here as pastor of a Baptist church at Clanton. His arrest brought the total number of defendants in the mass boycott indictments to 93.

Banks' part in the boycott was not spelled out in the indictment, but he was questioned by investigating officers while in Montgomery since the bus dispute began.

The boycott started last Dec. 5 in protest against segregated seating facilities on Montgomery City Lines buses. It has continued without letup.

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Advertiser P. 1 Fri. 3-16-56

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38b 1956

ALABAMA

SENATOR SAM ENGLEHARDT
MONTGOMERY, ALA. BUS BOYCOTT

Alabama Legislator Hits Paper's Fund for Negro

Sunday Star p. 18-A
Washington D.C.

MONTGOMERY, Ala., Mar. 24 (AP).—A Citizens Council official today suggested that a New Jersey newspaper, seeking funds to pay a fine levied against the Rev. Martin Luther King, jr., convicted Negro bus boycott leader, is not going far enough in its campaign. Sun. 3-25-56

State Senator Sam Engelhardt of Macon County, executive secretary of the Association of Alabama Citizens Councils, issued this statement on a campaign launched by the Asbury Park Press:

"We think donations to pay King's fine are not enough. Donations should also be solicited to move King, the Montgomery Improvement Association and every member of the National Association for Agitation of the Colored People in Montgomery to Asbury Park.

"If this is done we predict within one year other donations will be requested to move them away from Asbury Park. Apparently the Asbury Park Press' circulation among Negroes has been slipping lately."

Montgomery's Mayor W. A. Gayle, and Associate Commissioners Frank Parks and Clyde Sellers, all members of the Montgomery White Citizens Council, were unavailable for comment.

The newspaper launched its campaign to raise $1,000 to pay a $500 fine levied against Mr. King after he was convicted of violating Alabama's anti-boycott law Thursday.

In a Page One story and editorial, Editor Wayne D. McMurray suggested that readers of his newspaper might want to contribute to the fund to pay Mr. King's fine, court costs and legal expenses.

Costs Total $184.45

Circuit Court Clerk John Matthews said today court costs in Mr. King's case amounted to $184.45.

In a telegram to Mr. King, Mr. McMurray said:

"We of the Asbury Park Press, outraged at the conviction of a fellow American for asserting a right our Constitution guarantees to all, want to help you in your fight for justice. We are starting a fund drive among our readers for money to pay your fine and court costs.

"The Press itself is contributing $50. Checks will be drawn in your name and forwarded to you, or to your attorneys if you prefer."

Reply to Jersey paper—

Englehardt says fund to pay Negro's fine stops too short

News Sun. 3-25-56 p. 6-B

MONTGOMERY, Ala., March 24 — (AP) — A Citizens Council leader Saturday suggested a New Jersey newspaper seeking funds to pay a convicted Negro bus boycott leader's fine isn't going far enough in its campaign.

State Sen. Sam Engelhardt of Macon County, executive secretary of the Assn. of Alabama Citizens Councils, issued this statement on a campaign launched by The Asbury Park Press:

B'ham, Ala.

"We think donations to pay King's (the Rev. M. L. King) fine are not enough. Donations should also be solicited to move King, the Montgomery Improvement Association and every member of the National Assn. for Agitation (sic) of the Colored People (NAACP) in Montgomery to Asbury Park.

"If this is done we predict within one year other donations will be requested to move them away from Asbury Park. Apparently The Asbury Park Press' circulation among Negroes has been slipping lately."

THE NEWSPAPER launched its campaign to raise $1000 to pay a $500 fine levied against King after he was convicted of violating Alabama's anti-boycott law Tuesday.

In a telegram to King, Editor Wayne D. McMurray said:

"We of The Asbury Park Press, outraged at the conviction of a fellow American for asserting a right our constitution guarantees to all, want to help you in your fight for justice. We are starting a fund drive among our readers for money to pay your fine and court costs . . ."

King was reported out of the city and unavailable for comment on the offer.

Deacon causes arrest of Capital Negro pastor

Mirror 3-28
Birm. Ala.
3-26-56
38b

MONTGOMERY, Ala., March 26—(AP)—A deacon filed disorderly conduct charges yesterday against a Negro bus boycott leader because he refused to give up his pastorate at a Negro Baptist Church.

The Rev. U. J. Fields, 25, was arrested by city detectives at the Bell Street Baptist Church yesterday on a disorderly conduct warrant sworn out by Deacon George Durden.

The Negro minister posted $100 bond and was freed pending a hearing Friday in city police court.

Fields, who testified during the boycott trial last week of another Baptist minister, said a "particular group" in his congregation voted to remove him because they "do not believe in taking a stand on what our people are pressing for."

BUT DURDEN said the action to remove Fields was not connected with his boycott activity. He said the congregation approved Fields' ouster last week "to keep peace and harmony" in the church.

The minister charged the vote was taken at an unannounced meeting attended largely by the "particular group" opposing him. He said he plans to continue with his ministerial duties.

Fields said "pressure was put on some of my parishoners from outside" because of his anti-segregation activity. "I do have a faction in my church who disagree and many of them can be used by outsiders," the minister added.

FIELDS TESTIFIED before the Grand Jury which indicted the Rev. Martin Luther King Jr. and more than 90 other Negro leaders for taking part in the 17-week-old bus boycott here. The boycott began Dec. 5 in protest to segregated seating.

He was also called by the state to testify last week at the four-day trial which ended in King's conviction for violating Alabama's anti-boycott law.

He was questioned about the activity of the Montgomery Improvement Assn., a Negro organization which the state claimed has promoted the bus boycott. Fields is secretary of the MIA.

FIELDS REFUSED to take the oath required of witnesses because he said he does not swear. Circuit Judge Eugene Carter did not insist that he be sworn in.

However, when prosecution attorneys asked several questions about the MIA leadership and Fields said he could not remember, Judge Carter warned him to "tell the truth."

File Charge On Pastor In Boycott

Constitution
Mon. 3-26-56
Atlanta, Ga.
p. 5

Had Refused To Quit Pulpit

MONTGOMERY, Ala., March 25 (AP)—A Negro minister who testified during the bus boycott trial last week was charged with disorderly conduct today because he refused to give up his pastorate.

The Rev. U. J. Fields said the ouster order was voted by a "particular group" within the congregation of the Bell Street Baptist Church which "does not believe in taking a stand on what our people are pressing for."

38b

Fields, 25, was released under $100 bond after being arrested this morning at the church on a warrant sworn out by George Durden, deacon in the church. He will be given a hearing in City Police Court Friday.

Durden said the congregation voted to remove Fields from the pulpit solely "in the interest of peace and harmony within the church." He said the removal order was not connected with Fields' activity in the prolonged bus boycott here in protest to racial segregation.

But Fields charged that "pressure was put on some of my parishoners fro moutside" because of his "progressive" stand on racial questions.

"I do have a faction in my church who disagree and many of them can be used by outsiders," the Negro minister said.

Durden said the church congregation voted last week to remove Fields from the pastorate. But the minister said the vote was taken without advance notice at a meeting attended largely by members of a group opposing him. He said he plans to continue his duties as minister.

He was also called by the state as a witness last week during the trial which ended in the conviction of the Rev. M. L. King, another Negro Baptist minister, for violating Alabama's antiboycott law.

The prosecution questioned Fields about the activity of the Montgomery Improvement Assn., Negro organization which the state tried to show was responsible for continuing the bus boycott. Fields is secretary of the MIA.

Fields refused to take the oath required of witnesses because he said he did not swear. But he promised to tell the truth and Circuit Judge Eugene Carter said that would be enough.

38b 1956 ALABAMA

MONTGOMERY, ALABAMA. BUS BOYCOTT
REV. ROBERT S. GRAETZ

The Mechanics Of The Bus Boycott

Advertiser
Tues. 1-10-56

It Costs $200 A Day For A Fleet Of 250 To 350 Cars; Together With The Story Of A Little Known White Pastor Who Has An All-Negro Congregation

By Tom Johnson Of The Advertiser Staff

Montgomery, Ala.

A YOUNG WHITE minister clad in the vestments of the Luthern Church stood in his pulpit on a Sunday last month and calmly urged his congregation to give its fullest support to the Negro boycott of Montgomery buses.

P. 4-A

JOHNSON

He told of his plans to make his own car available to a "share the ride" pool, organized to transport Negroes unable to afford taxis, and indicated he was about to assume an active part in the conduct of the boycott. He said:

"Let's try to make this boycott as effective as possible, because it won't be any boycott if half of us ride the buses and half don't ride. So if we're going to do it, let's make a good job of it." Then he began his prepared sermon, "The Blessings Of God's Covenant," taken from the 31st chapter of *Jeremiah*.

Startling as they seem, Pastor Robert S Graetz' remarks fell on no shocked ears and no one stamped from the room indignantly. On the contrary, there was enthusiastic approval from the 210 members who make up the congregation of the Trinity Lutheran Church on Cleveland Avenue. It is an all-Negro congregation. Graetz is their pastor—one of only two Lutheran ministers so situated in Alabama (the other is in Birmingham).

POOL OF 250 TO 350 AUTOS

In the days following his Dec. 4 sermon, Graetz put in as much as 16 hours a day carrying on his church duties and helping to organize what was to become a crippling boycott of buses by Negroes.

Graetz hauled passengers in his new Chevrolet from 6 a.m. to 9 a.m., pausing only to load or discharge passengers or to gas his car. As a member of a transportation committee, he helped organize a pool of 250 to 350 private cars and establish pickup and dispatch points for transporting Negroes to and from work.

He dashed off a letter to other white ministers on his much-used mimeograph machine, acquainting them with "certain facts" concerning the boycott and concluding: "Please consider this matter prayerfully and carefully, with Christian love. Our Lord said, 'Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me.'" (Some of Graetz' stationery carries the biblical quotation, "And the Angel of the Lord spake unto Phillip saying: 'Arise, go toward the South,' *Acts* 8:26.")

In the evenings, he attended mass meetings where boycott leaders made progress reports and passed the plate to raise money for operational expenses—mostly gasoline. (The meetings are held Tuesdays and Thursdays, rotating from church to church.)

In short, Bob Graetz did as much as any Negro minister or layman to make the boycott effective and to raise some $7,000 to support it.

'SPONTANEOUS DEMAND'

By last week, as the boycott moved into its second month, the young minister had slackened his pace somewhat. He no longer serves on the committee and he attends few meetings—in order, he says, to press his "natural advantage" as a minister. He fears his presence at mass meetings might be a stigma that would lessen his effectiveness in gaining support for the Negroes.

He was still, however, a far from inactive "first lieutenant," working with other ministers and staying in contact with "the general," who seems to be the Rev. M. L. King, pastor of Dexter Avenue Baptist Church and a policy-making leader of the boycott. (Graetz has had "little influence" on the planning, leaving that to others.)

It didn't take Graetz long to get thoroughly wrapped up in the Negro affairs after arriving in Montgomery in late June. By the time the boycott developed, he already was acquainted with most of the principals, including Rosa Parks.

He says: "She must have figured that, if the Lord wanted to make her the goat, she was willing."

Graetz, a boyish-looking 27, of medium build, first heard of the arrest "at about third hand" on Saturday, Dec. 3, a day or two after it happened. At about the same time, he began to get word of an impending protest movement. He thought at first it involved boycotting the buses for just one day and that its purpose was to protest the arrest of Rosa Parks. But he was told later that the principle grievance was over previous "abuses" of Negro bus patrons and that the protest was aimed directly at the bus company.

When the first mass meeting was held at Holt Street Baptist Church on the Monday night following the arrest, Graetz said there was a "spontaneous demand" for a boycott of indefinite duration and Negro leaders, caught unprepared, hastily drafted a resolution to that effect. It urged all citizens "regardless of race" to refrain from riding the buses and called for the cooperation of employers and car owners to help in transporting the protesting bus riders.

$200 A DAY A CAR

It was then that Graetz took the transportation committee assignment. An executive committee was organized to run the campaign. Both groups were made up almost entirely of ministers "because it's almost impossible to bring pressure" against them.

Dispatch stations were established in all predominantly Negro areas to furnish transportation between 6 a.m. and noon each day. Homeward-bound workers were given a prepared list of pickup stations where they could wait for private cars.

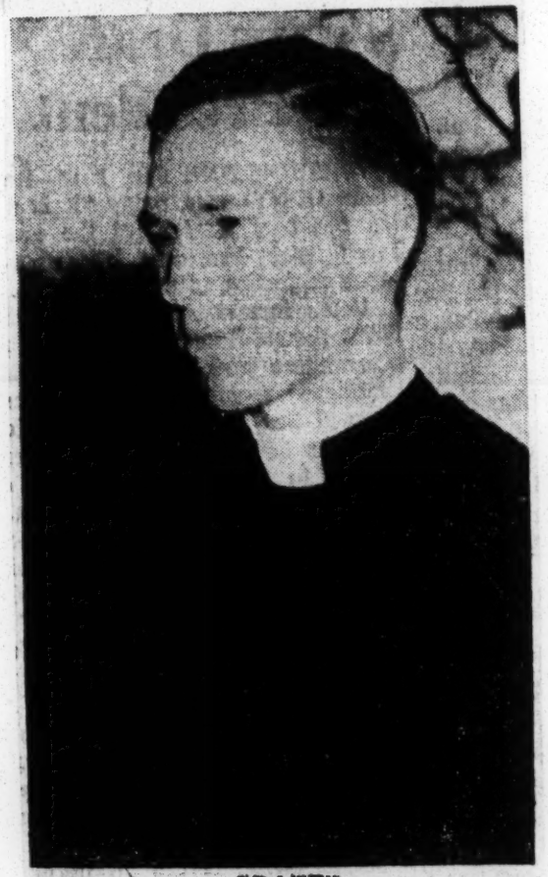
Ministers urged their congregations to make special offerings to buy gasoline for the car pool—a heavy expense. It costs about $200 a day to keep the cars running. On the first Sunday, about $1,800 was raised. More money rolled in from churches in other cities—New York, Philadelphia, Mobile, Tuscaloosa, Tuskegee—and from "anonymous white friends." Altogether, Graetz said nearly $7,000 had been collected "at last report" and that was a "rather sizable balance."

While most of the money was spent for gasoline, some of it was used for legal aid. Some was spent to buy advertising to give "our side" of the protest. ("Protest" is the right word, says Graetz; it isn't a boycott.)

THE HIGH SHERIFF

Graetz hauled as many as 40 or 50 passengers a day, while driving some 50 miles. When he was offered money, he carefully decline to accept it, suggesting that the passenger "multiply the number of rides by 10c" and contribute that amount at the mass meetings. It was during this period that Graetz had his brush with the law.

As he tells the story, Graetz had been driving about two and one-half hours on the morning of Dec. 19 when he parked by a meter near Dean's Drug Store on Monroe Street to pick up five Negroes going to Normandale. He was



GRAETZ

careful not to park in a nearby taxi zone.

As he crossed Dexter Avenue, a siren sounded from the car behind him and he pulled to the curb. A man who Graetz said he later learned was Sheriff Mac Sim Butler walked up and said: "What are you doing—running a taxi?"

Graetz explained the Negroes were "friends" and not passengers. Butler accused him of picking up passengers in a taxi zone and ordered Graetz to follow him to the county jail.

There, Graetz was placed in a room marked "deputy sheriff" and left alone for a few minutes. "For which I was very grateful," Graetz says. "I had a little prayer session."

NO, SAID THE JUDGE

Another man who Graetz assumed was a deputy came in and lectured him on religion, politics and patriotism. "We like things the way they are here," he said. "We don't want anybody trying to

change them."

Shortly, Graetz said, Butler returned from the courthouse and said he had tried to charge the minister with running a taxi and hauling Negroes in violation of segregation laws but "the judge wouldn't let him."

He was not threatened, says Graetz, but "they were very rough and gruff."

He was released after about a half hour "under the definite impression they didn't like what I was doing," he recalls wryly.

NATIVE OF WEST VIRGINIA

Graetz is a native of Charleston, W.Va., and went to high school there. He became interested, but not very active, in inter-racial activities during that period. Once, he planned to arrange a meeting of young white members of the Lutheran League with some young Negroes. But he "just never got around to inviting anybody."

It was at the Lutheran Capital University and Seminary in Dayton, Ohio, that Graetz began to work with Negroes in earnest. He organized a campus race relations club made up of white and Negro students who met regularly to hear speeches. Once, Graetz was introduced to the late Walter White, the NAACP agitator, and heard the NAACP founder say that race relations were improving because of the large number of whites involved in the movement.

"Naturally, I just beamed," Graetz says, "because that really fit me."

In debating clubs, his arguments contained a broad socialistic strain but no one was concerned. His father, an engineer for Libby-Owens-Ford Glass Co. at Charleston, told his son that "someone once said that a young college man who doesn't become a socialist at some time before he is 25 has no heart, and one who clings to that view after 25 has no brain." "I'm past that stage now," says Graetz. "In fact, I'm a capitalist with 30 shares of Libby-Owens-Ford."

CAME HERE 2 YEARS AGO

The one time that he voted was in a West Virginia Democratic primary four or five years ago, and all his candidates lost. He considers himself an Eisenhower Democrat.

Graetz came to Montgomery after two years as an "intern minister" at a predominantly Negro Church in Los Angeles. The American Lutheran Church, knowing his views on race relations, suggested him for the Cleveland Avenue congregation as a successor to a Negro minister, the Rev. Nelson Trout, who by a coincidence, went to the same Los Angeles church that Graetz had left three months earlier.

With his wife and two children, Graetz moved into an unfinished parsonage next door to the church. The six-room ranch-style home was finally completed in November. The children, Margy, 3, and Bobby, 2, play in the picket-fenced backyard. Mrs. Graetz, 26, expects another child this month.

Because of Graetz' many activities—he also preaches at Clanton and Wetumpka—he and his wife have had little time for "social life," but his defiant stand on racial matters has left him no shortage of friends. "We have many high class friends among both Negroes and whites—pastors and lawyers and just plain citizens," says Graetz. "I have made a new friend every day since the boycott began."

For relaxation, he and Mrs. Graetz play "some kind of game every night," no matter how late it is when Graetz finishes his day's work. Usually it's gin or rummy or crokinola, a game Mrs. Graetz gave him for Christmas.

A MOTHER'S CONCERN

Though not the only white person active in the boycott, Graetz is the only one who makes no secret of his activities. Graetz knows of one white who drives a carload of Negroes to work every morning, and there are "numerous reports" of white women who have told their maids not to worry if late for work because it's "understandable."

What do his parents think of Graetz' part in the boycott? His mother called Christmas and told him to be careful. She also inquired anxiously if Dr. Lechleitner knew what Graetz was doing. Dr. R. D. Lechleitner is executive secretary of the Board of American Missions of the American Lutheran Church and, as a matter of fact, he doesn't know of Graetz's activities. But he will shortly. Graetz has just mailed him a full report. (If Dr. Lechleitner happened to read the Dec. 22 edition of the national Negro magazine *Jet*, he does know something about it. That edition carried a picture of Graetz and a story about him.)

If his parents share Graetz' views on racial matters, it is unlikely that his great-grandfather would have approved his namesake's activities. Robert Graetz I came to America from Berlin to tend the German Lutheran flocks in parts of New York and Ohio. And it was to them alone that he ministered.

"He wouldn't even talk to Swedish Lutherans," Graetz says laughingly. He felt the Swedish ministers should look out for the Swedes and Catholics for Catholics. He wasn't much of a missionary. Besides, he had his hands full with the Germans."

SOUL AND SOLE

Graetz doesn't think the boycott will end until something "really satisfactory" is agreed upon. The Negroes, he says, have endured abuses for too long to rush back to patronizing the bus company. With the car pool working well, few of them have suffered any great inconvenience. Some even get better service now, he says—thy're picked up nearer their home and delivered closer to their work. And, besides, they're downright enjoying themselves.

Graetz says one 72-year-old man who had ridden the bus 30 or 40 years sits on his front porch and laughs heartily every time a bus drives by. A woman reported gleefully that the buses were driving by her house "as naked as can be."

Some are more serious. A Negro woman "who had walked halfway across town" was given a ride by a minister who asked if she was tired. She replied:

"Well, my body may be a bit tired, but for many years now my soul has been tired. Now my soul is resting. So I don't mind if my body is tired, because my soul is free."

Graetz thinks of himself as a radical although not as much as he once was. ("I was really radical in college.") He uses another vague word—"reactionary"—in describing the Southern viewpoint. It is doubtful, though, if Gaetz is as radical as he likes to think. His strongest expression on segregation is that the process should be speeded up some but should occur gradually. He is not given to florid, incendiary speeches of the upjlifting variety, but it is clear that he is intensely interested in the welfare of individual Negroes.

ACKNOWLEDGES IGNORANCE

It is also clear that the South is not what Graetz ignorantly envisioned it to be. "I thought Negroes were shot if they walked down the street," he says. So what is responsible for his taking a stand that makes him a marked man in a white Southern community? Perhaps that question is best answered by a few excerpts from some of his recent writings and conversations:

"The reactionary element in the South will stop at nothing to maintain their strangle-hold on the Negro population, whom they still hold in virtual economic slavery."

"I have been told that I am a kind of symbol to my people. Many of them had long ago concluded that it was scarcely possible for a white person to be a Christian. But now they know that, with some of us, Christianity is more than pious profession of the lips."

"Sometime ago, I read that the first requisite of a successful missionary was that he become color blind. I figured that the same was true of my work here."

"I know that I shall be critized for my stand. I may even suffer violence. But I cannot minister to souls alone. My people also have bodies."

Pastor Graetz Is Threatened; And Quickly Receives Clyde Sellers' Protection, As Phone Gushes Praise, Abuse

Advertiser 1-12-56

Montgomery Ala

By Tom Johnson

THE REV. ROBERT S. GRAETZ made the following sleepy notes after a telephone call at 2:15 a.m., Tuesday.

"White man who seemed to be drunk demanded that I come and give him taxi service like what has been furnished to the dark complected people. Suggested we set up a car pool for white peopl so [they] can save the 15c fare. Refused to give name.

After *The Advertiser*, containing the story of his ministry at a Negro Lutheran church on Cleveland Avenue appeared in general circulation a few hours later, Graetz was beseiged by the after-clap of a surprised, and in many cases angry, indignant, white citizenry.

And he, in turn, was surprised by the number who called to express their support of his work. A few dropped by to speak to him in person.

As of late yesterday, Pastor Graetz had logged 30 telephone calls as a direct result of his boycott activities becoming known.

Twelve whites and nine Negroes made friendly calls. Eight calls were of the unfriendly sort, four of them downright hostile.

At 3:35 p.m. Tuesday, a caller threatened that "something might happen" unless Graetz got "out of town by nightfall." Two hours later, three other calls came from the same person in quick succession.

Clyde Sellers Comes Through

BY THAT TIME, Graetz had informed police and a couple of detectives were on hand. When the phone rang the last time, Graetz quickly passed it to one of the officers, who grinned and said: "I heard him all right."

Some time later, Graetz received one of the "nicest calls" since his troubles began. The caller was Police Commission Clyde Sellers, who had learned of the threats shortly after the young pastor called the police.

Almost immediately, Graetz says, Sellers told him: "You know I don't agree with what you believe but I do believe that every man has the right to his own beliefs."

Then Sellers, a White Citizens Council member, assured Graetz, the former NAACP organizer, that nothing would happe nto him, that police cars would watch the pastorate all night to discourage any violence.

Graetz Joins Investigation

THE TWO had a lengthy discussion of the boycott issues, with Sellers expressing the opinion the "boycott has failed." He also informed Graetz of incidents that led him to believe the nearly unanimous abstention of Negroes from riding buses was not entirely voluntary.

Graetz, "thoroughly surprised," said he had heard of no instances where protesting Negroes were pressured, but he promised "to investigate."

Graetz was impressed that the police commissioner should make a friendly call.

Negro Son-In-Law

NOT SO FRIENDLY was the letter from a Union Springs "white man," with the white underscored three times. Its cryptic contents: "May you have for a son-in-law the blackest Negro that ever originated from the wilds of Africa."

A telephone call Tuesday evening: "Pastor, if I was you I wouldn't call myself a pastor. You're a no-good Son-of-a-bitch."

An "old white lady" who said she was a member of an "old family and knew all the city officials" offered her Oldsmobile for use in the car pool.

A man from Macon County said there are "thousands of white people who are determined to right the wrongs that have been done." He added that race relations are "splendid" in Shorter, Ala.

38b 1956

ALABAMA

CLARENCE MITCHELL, NAACP

Vote Down 'Barbarism', Boycott Negroes Urged

Constitution p. 6
Atlanta, Ga. Mon. 4-9-56

MONTGOMERY, Ala., April 8 (UP)—Clarence Mitchell, Washington director of the NAACP, today urged Montgomery's Negroes, presently engaged in a bus boycott, to get out and vote to "save the South from a retreat to bararism and poverty."

Mitchell, speaking before a Negro voting association at the First Baptist Church here, blasted Alabama election laws aimed at keeping down the Negro vote and criticized Southern political leaders who call for federal aid but balk at federal control.

Negroes in Montgomery were still carrying on an effective boycott of the city buses although the first defendant charged with conspiring in the boycott was convicted and 89 other face similar charges.

The boycott started last December as an objection to the "Jim Crow" seating laws maintained on the city buses.

PHOTOSTATIC EVIDENCE

Mitchell said there is "actual photostatic evidence" that some county officials in Alabama who turned down many Negro voters, but did not overlook questionnaires by white voters who admitted they were members of organizations set up to overthrow the government of the United States.

"This is the natural result of a blind unreasoning campaign to prevent all of the people of Alabama from expressing their will," Mitchell said.

The Washington Negro leader said Missouri, which has a population about the same as Alabama, usually records from 1,250,000 to 1,800,000 votes in an election while in 1950 Alabama elected a U. S. senator with a little over 125,000 votes.

Mitchell said the fact that Southern states do restrict Negro voting is one reason that Southern politicians find it hard to get elected to high national posts, such as the presidency.

PRAISES KEFAUVER

He said that Sen. Kefauver (D-Tenn), who hopes to win the Democratic presidential nomination, is the only candidate "who stands a chance to overcome this handicap."

"No one can predict how Sen. Kefauver will fare at the Democratic national convention," Mitchell said, "but he has shown the world that not all Southern officials favor throwing eggs and stones at the Autherine Lucys who seek an education...and that the lynchers of Emmett Till are not the only spokesmen for the South."

38b 1956 ALABAMA

BON VOYAGE — is bade the Rev. Ralph D. Abernathy, of Montgomery, Ala., as he boards plane, 'loaded down' with Los Angeles' check for $5688.27. results of protest rally at Olympic auditorium and luncheon given by the local ministry in the Alabama minister's honor. At left is Lee A. Merriwether, executive secretary, Naacp, and at right, local businessman Leon Harrison.

Montgomery Negroes Walk In Peaceful Demonstration

Commercial Appeal P. 1 Sat. 2-25-56 Memphis, Tenn.

Few Ride Buses And Cabs As Date Is Set For Boycott Trial—Newspaper Executives Endorse Proposal For Bi-Racial Study Commission

(Picture on Page 36)

By JAMES EWING
Staff Writer

MONTGOMERY, Ala., Feb. 24.—Alabama's racially torn capital weathered its tensest day of the 11-week bus boycott Friday without incident as thousands of Negroes walked in passive but peaceful resistance to efforts to get them back on city buses.

Most of those who walked were going to work for white bosses, some for miles through an early morning drizzling rain.

About 150 walked to the courthouse, where 89 pleaded innocent to charges of entering into a conspiracy in their boycott against the buses.

A half a dozen others walked up the hill to the Capitol, where about 75 of the state's newspapers and publishers gave unanimous endorsement to Gov. James E. Folsom's proposal for a bi-racial commission to help work out a solution to race problems.

Not All Comply

The decision to avoid vehicles of all kinds for a 24-hour period was part of the strategy adopted at a mass meeting of about 2,500 Negroes at the Negro First Baptist Church Thursday night.

Rev. Ralph D. Abernathy, pastor, had urged that "race-loving Negroes" shun all forms of auto transportation for one day to show they can walk if they have to.

Not all the city's Negroes obeyed the suggestion. Some were seen riding in private cars and taxis but a taxicab driver said business was down considerably.

A few Negroes are still riding the city buses. One of them, Will Massey retired employe of the bus company, said he opposed the boycott.

Massey said it would have long since ended "if the preachers would quit stirring it up." Massey said Negro preachers are "preaching strife and trouble when they ought to be preaching the Gospel."

24 Ministers

Of the more than 100 Negroes against whom indictments were returned, 24 were ministers. The charges against one of them were dropped in court Friday morning after Circuit Solicitor William F. Thetford said the minister, Rev. A. W. Wilson, testified before the Grand Jury.

Circuit Judge Eugene Carter set March 19 as the date to begin trial of the others.

The charges against the boycott leaders were brought under an Alabama law of 1921 to prevent labor boycotts. It makes it illegal for any two or more persons to enter into a conspiracy to prevent a firm or person from carrying on a lawful business. Violators are subject to a $1,000 fine and six months imprisonment or both.

The boycott began Dec. 5 after a Negro woman, Rosa Parks, was fined $14 in City Court for refusing to move to the colored section of the bus. Her conviction was upheld in Circuit Court but she filed notice of appeal to the Supreme Court.

The mass arrests of the boycotters has touched off nationwide protests among Negro leaders.

Commercial Appeal

Company Losing

Montgomery, with a population of 135,000, is about 45 per cent Negro. Well over half the riders on city buses were Negroes and the company has lost heavily since the boycott started.

The meeting of newspapermen called in the Capitol Friday by Governor Folsom was aimed at finding a solution not only to the Montgomery problem but those at other trouble spots, such as Tuscaloosa, where a Negro coed will resume her efforts next week to gain admission to the University of Alabama.

Governor Folsom said the bi-racial commission would have about 11 members from all sections of the state. P. 2

He said they would be leaders of both races rather than "the wild and woolly elements of the colored people or the extremists among the white people."

The six-foot, eight-inch Governor was warmly praised by the newspapermen for his decision. He received loudest applause, however, when he predicted, "The Negro and white children will not be going to the same schools in our state at any

Governor Folsom admitted he was "a little bewildered at how race relations have deteriorated" since his last term as governor in the 40s.

'World Is Looking'

He said, "The whole world is looking at Alabama today" as the state grapples with its race problems.

James Mills, publisher of the Birmingham Post-Herald, was named chairman of a steering committee to plan formation of the commission.

The meeting in the House chamber was filmed for a national television circuit and covered by reporters and photographers for Time, Life, Newsweek and other national news magazines in addition to representatives of the major wire services and Southern newspapers.

A threatened march of Negroes to the Courthouse in protest against the mass arrests was abandoned in favor of the passive resistance movement.

In Charleston, S.C., meanwhile, Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, declared the Montgomery indictment of Negro leaders was "the Soviet communism method."

In a speech before the Southeast regional NAACP convention, Wilkins said white Citizens Councils have created "the climate in which violence has occurred." He declared United States "senators cannot go about the country preaching lawless defiance of courts and constitutional government without sharing the responsibility for the violence which may ensue."

Through the Citizens Councils, Wilkins said, "the hoodlums have been given the green light."

Nationwide Stoppage Asked By Pastor

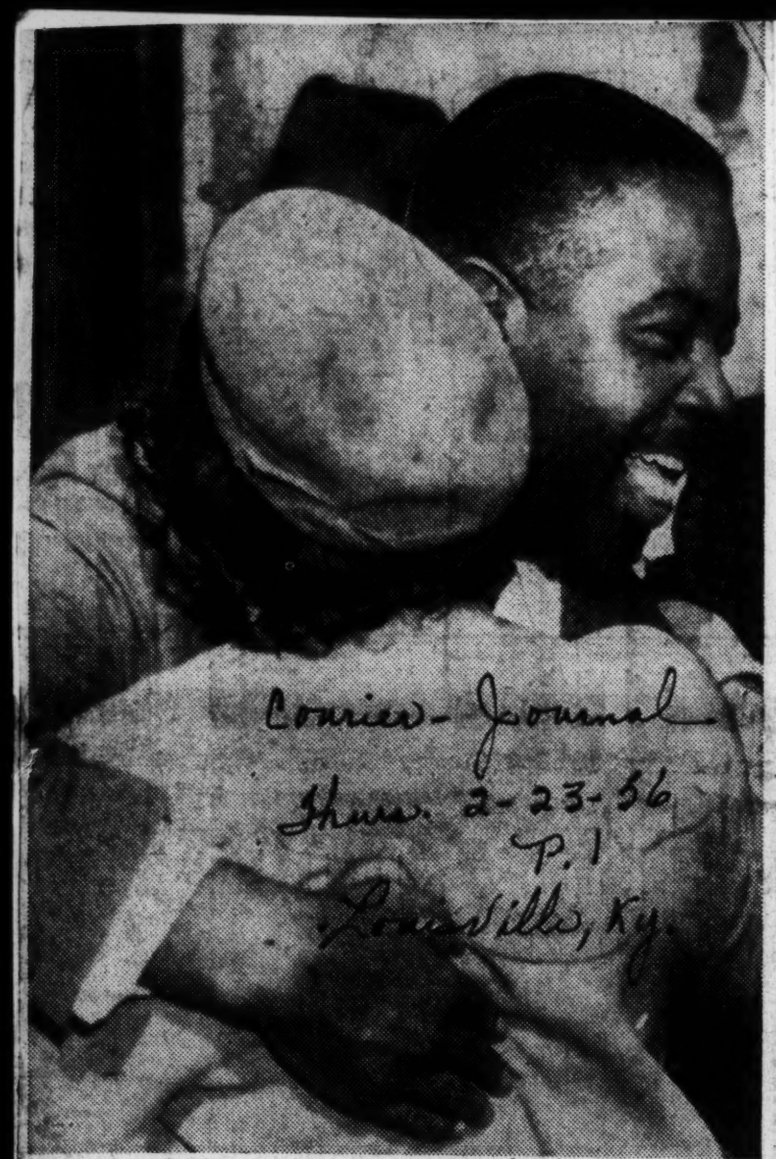
NEW YORK, Feb. 24.—(AP)—A one-hour work stoppage and a day of prayer for every Negro in the nation was proposed Friday in support of the Montgomery, Ala., bus boycott.

Representative Adam Clayton Powell (D., N. Y.), Negro pastor of a 15,000-member New York congregation, said Negro leaders have agreed on such a demonstration March 28 — a Wednesday.

It would be known as "National Deliverance Day of Prayer," with no Negro of any age attending school or working between 2 and 3 p. m.

As a preliminary, one-hour prayer sessions will be held in New York Negro churches starting next week, and mass meetings will be held in key Negro churches.

REV. RALPH D. ABERNATHY (BOYCOTT



Associated Press Wirephoto

THE JAILED PASTOR of Montgomery's First Baptist Church, the Rev. Ralph Abernathy, smiles as he hugs a parishioner in front of the jail yesterday after he was brought in for taking part in the Negro bus boycott.

Courier-Journal P. 1

Negro Leaders Arrested For Boycotting Buses

Thurs. 2-23-56

Louisville, Ky.

16 Ministers Among 115 Accused of Violating Alabama Law In 11-Week Segregation Protest

Courier-Journal

By The Associated Press

Montgomery, Ala., Feb. 22.—Negro religious and political leaders, including 16 ministers, were arrested on boycotting charges today in a wholesale roundup of defendants indicted by a grand jury for their mass protest against segregation on City buses.

The grand jury returned indictments late yesterday against 115 defendants accused of taking an active part in the 11-week-old racial boycott against Montgomery City Lines buses.

Dates for their trials will be taken up Friday at their arraignment.

Thousands of Negroes have refused to ride the buses since December 5, when a member of their race, Mrs. Rosa Parks, was fined $14 for refusing to move to the colored section of a bus. City and State laws require such segregation.

Sentenced to Jail

Mrs. Parks was sentenced to 14 days in jail in lieu of the fine today after Circuit Judge Eugene Carter, who ordered the grand-jury investigation, turned down her appeal from the previous conviction in City Court.

She appealed Judge Carter's decision to the State Supreme Court and immediately afterward was arrested on a boycotting indictment.

Judge Carter upheld City and State segregation laws when the issue was raised in Mrs. Parks' defense. He imposed the jail sentence after she refused to pay the fine and announced she planned to appeal the conviction.

Charged Under State Law

All the defendants taken to the County Jail and fingerprinted were released as soon as they put up bond of $300 each. They were charged with violating a State law against organized, illegal boycotting. The maximum sentence for violation is six months in jail and $1,000 fine.

As the roundup of boycott defendants continued, there were these other developments:

1. Governor James E. Folsom invited newspaper editors and publishers to a conference in his office here Friday to discuss racial problems.

Draft Appeal Denied

2. Fred D. Gray, 25-year-old unmarried Negro attorney under indictment on a charge of unlawful practice growing out of the bus boycott, lost an appeal from a draft-board order reclassifying him 1-A. He had been deferred from military service as assistant pastor of a Negro church.

3. City attorneys filed an answer in United States District Court along with a motion to dismiss a pending suit seeking to outlaw City and State laws which require bus and railroad segregation.

Courier-Journal

It was that lawsuit which brought Gray's indictment last week. He was charged with filing the complaint without the consent of one of the five Negro women whose names were signed to the antisegregation petition.

P. 2

Political Leaders Arrested

Two of Montgomery's most active Negro political leaders were among those arrested on boycotting warrants today: E. D. Nixon, former state president of the National Association for the Advancement of Colored People, and Mrs. Jo Ann Robinson, a teacher at Alabama State College for Negroes in Montgomery.

Nixon, a Pullman porter, is president now of the Montgomery Progressive Democratic Association, a politically active organization, and Mrs. Robinson heads the Women's Political Council.

A small dynamite bomb exploded in the front yard at Nixon's home the night of February 1, but no one was injured.

The Negro ministers arrested included D. S. S. Seay, a leading figure in the African Methodist Episcopal Zion Church throughout the world and former executive secretary of its Home Missions Board.

Tucker To Defend 3 In Bus-Boycott Case

Louisville attorney C. Ewbank Tucker said yesterday he would represent three of the ministers arrested at Montgomery, Ala., on charges of taking part in a bus boycott.

Tucker is counsel for the African Methodist Episcopal Zion Church. He said the three ministers belong to that denomination.

Associated Press Wirephoto

THE WOMAN WHO TOUCHED OFF Montgomery's Negro bus boycott, Mrs. Rosa Parks, is fingerprinted by City Policeman D. H. Lackey after her arrest yesterday. Mrs. Parks, a seamstress, refused to move to the back of a bus last December. Besides being arrested for her role in the boycott, she lost her appeal yesterday of a $14 fine imposed for violating Alabama segregation laws.

Courier-Journal

Thurs. 2-23-56

P. 2

Louisville, Ky.

Parley Asked To Aid Negroes

Post + Times Herald P. 2
Sat. 3-3-56

A demand that President Eisenhower call an immediate White House conference to protect the civil rights of Negroes was made yesterday by Rep. Adam Clayton Powell Jr. Washington, D.C.

Powell spoke at Charter Day exercises in Andrew Rankin Memorial Chapel, marking the the 89th anniversary of the founding of Howard University.

The New York Congressman also asked that white citizens councils in states defying the Supreme Court decision on racial segregation be placed on the subversive list of the Justice Department. "They are as subversive as the Communist Party," he said. Powell said he had written Attorney General Herbert Brownell yesterday, making this request.

In repeating his Feb. 22 request for a conference of Negro and white leaders on the racial problem, Powell aimed darbs at both the Administration and Adlai Stevenson for their attitudes on the issue.

He called Stevenson's "moderation" proposal "middle-of-the-road shilly-shallying, pussy-footing, double-talking." Powell asked Stevenson, as titular head of the Democratic Party, to use every legal method to prevent Sen. James O. Eastland (D-Miss.) from gaining chairmanship of the Senate Judiciary Committee, which passes on civil rights issues. The request was made prior to the Senate's approval of Eastland for the post yesterday.

Annual alumni awards for distinguished post - graduate achievement went to Llewellyn J. Scott of 38 I st. ne., for social work; Frederick D. Wilkinson of 1914 10th st. nw., for education, and Dr. August C. Terrence of Opelousas, La., for public service.

Scott is founder and director of Blessed Martin DePerres

Hospice, a local home for indigent men. Wilkinson, registrar of Howard University since 1920, has established numerous registrar training programs and positions in colleges. Dr. Terrence, president of the National Medical Association, has long actively fought for the right of the Negro to vote.

The three award winners spoke last night at a Charter Day banquet in Baldwin Hall.

Prayer Day Planned By Negroes Here

Plans for local observance of a March 28 day of prayer in behalf of Negro victims of prejudice were made yesterday at a meeting of the nterdenominational Ministers Alliance, hel d in Mount Carmel Baptist Church.

Purpose of the observance is "to organize the spiritual forces of America, to bring to bear the power of righteousness against the power of injustice," according to Rep. Adam Clayton Pawell (D-N.Y.).

Local plans include a special one-hour public program at noon March 28 in Vermont Avenue Baptist Church, and an 8 p. m. meeting in Metropolitan Baptist Church.

Program committees were appointed yesterday by the Rev. W. H. Jernagin, pastor of Mount Carmel Baptist Church and chairman of the meeting.

Outlying preliminary plans for the observance, Rep. Powell urge that leadership be only by clergymen, that meetings be held only in churches and that "we use our weapon only prayer —nothing else."

IKE ASKED TO ACT ON BOYCOTT CASE

Times - Picayune
Sun. 2-26-56

AME Bishops Urge End to 'Tragic Persecution'

(News of Other Developments on Page 20.) P. 1

WASHINGTON, Feb. 25 (AP)—Bishops of the African Methodist Episcopal Church Saturday appealed to President Eisenhower to act against what they called the "tragic persecution" of leaders of a Negro boycott of buses in Montgomery, Ala. New Orleans, La.

The A.M.E. Council of Bishops passed a resolution calling on Eisenhower to "place the full power of the executive branch of our government against this tragic persecution of innocent Americans."

The council addressed a similar resolution to Atty. Gen. Brownell and another to Gov. James E. Folsom of Alabama, praising his proposal to create a biracial commission to settle differences between Negroes and whites.

Twelve of the council's 13 bishops met in a closed session. They issued a statement denouncing the arrest of clergymen and others on charges they conspired to keep Negroes from riding Montgomery busses in protest against segregation.

Ike's Aid Prods Congress

Taking cognizance of the boycott today, the White House indirectly prodded Congress to speed action on President Eisenhower's proposal to create a commission to consider civil rights problems.

Bryce N. Harlow, administrative assistant to the President, said the boycott and other incidents served to point up the need for action.

Harlow made his comment in a letter to Rep. Powell (D-N.Y.), a Negro, who asked White House action two days ago to protect the indicted Negroes.

Harlow told Powell that his telegram has been brought to the attention of Brownell and the justice department would give Powell "further advice as promptly as possible." This is a customary step in such matters.

'Speed Enactment,' Appeal

Harlow's letter to Powell added:

"I have also been asked to advise you of our view that this incident is one of a number recently in public notice which reinforces the President's state of the Union recommendation that the Congress establish a commission to consider actions having civil rights implications.

"Unfortunately there has been no congressional action since January to implement this recommendation of the Presiden.t It is hoped that you and your colleagues will find your way clear to speed the enactment of this legislation in this session."

Referring to the Montgomery bus boycott, the A. M. E. bishops said in their statement:

"We promise not only our prayers and moral support but any material aid in support of efforts to meet the situation with justice by nonviolent and constitutional means."

'MORE OF A LAWYER'

Advertiser P. 1

President Gets Question On Montgomery Trials

Thurs. 3-22-56 - Montgomery, Ala.

WASHINGTON, March 21 (AP)—President Eisenhower in a press conference yesterday discussed Montgomery's bus boycott trials in answering a question of a New York newspaperman.

Robert G. Spivack of the New York Post asked the President: "Mr. President, with regards to the situation in Alabama, how do you feel about Negroes being brought to trial for refusing to ride the Montgomery buses?"

The President replied:

"Well, you are asking me, I think, to be more of a lwayer that I certainly am.

"But, as I understand it, there is a state law about boycotts, and it is under that kind of thing that these people are being brought to trial.

"I think that the statement I made last week on this whole subject represents the views that I now, all the views I now have to make; and I do believe, that it is incumbent on all the South to show some progress. That is what the Supreme Court asked for. And they turned it over to local district courts.

"I believe that we should not stagnate but again I plead for understanding, for really sympathetic consideration of a problem that is far larger, both in its emotional and even in its physical aspects that most of us realize."

(The New York Post has two staff artists covering the Montgomery boycott trials. They are drawing courtroom pictures for publication in the New York newspaper.)

In other press questioning:

J. Anthony Lewis, New York Times — Mr. President, do you have any plans to mobilize religious or other leaders of the South to your point of view of moderation and progress on the segregation?

A—Well. . . That is one thing that Billy Graham teaches not only abroad, he teaches it among ourselves and, frankly, I believe that the pulpits do have a very great responsibility here.

This is a very tough one, and people have to search their own hearts if we are going to get a decent answer and keep going ahead.

Now, let's don't try to think of this as a tremendous fight that is going to separate Americans and get ourselves into a nasty mess.

Let's try to think of it of how can we make progress and keep it going and not stop it. Now that, I believe, the pulpits can help on.

Edward P. Morgan, American Broadcasting Co. — Mr. President, a number of prominent Southern conservative Democrats supported you actively in 1952, and many of these since have indicated their defiance of the Supreme Court's decision on segregation.

In view of what you said just a moment ago, would you accept such support in '56?

A—I don't believe they expressed their defiance. I believe they expressed their belief that it was in error, and they have talked about using legal means to circumvent or to get it, whatever the expression they have used.

I do not believe that anyone, the ones that I know, have used the words "defy the Supreme Court," because when we carry the point. when we carry this to the ultimate, rember that the Constitution, as interpreted by the Supreme Court, is our basic law.

Advertiser

The one thing is, though, the basic law appears to change as I pointed out last week. It was one thing in 1896, and it is a very greatly different thing now. P. 2-4

So, there are emotions, very deep emotions, connected with this problem. Consequently, these people, they have, of course, their free choice as to what they want to do. As far as I am concerned, I am for moderation, but I am for progress; that is exactly what I am for in this thing.

Bus Protest Case Inspired Ike's Plea

Daily Worker
Thurs. 3-22-56
Atlanta, Ga.

WASHINGTON — (INS) — A question on the trial of Montgomery (Ala.) Negroes accused of fostering a bus service boycott inspired President Eisenhower's call Wednesday for the South to "show progress" toward ending the segregation dispute. P. 1

The Chief Executive was asked at his news conference if he would state how he felt "about Negroes being brought to trial for refusing to ride the (segregated) Montgomery buses."

Mr. Eisenhower replied: "Well, you are asking me I think, to be more of a lawyer than I certainly am.

"But, as I understand it, there is a state law about boycotts, and it is under that kind of thing that these people are being brought to trial.

"I think that the statement I made last week on this whole subject represents all the views that I now have to make; and I do believe that it is incumbent on all the South to show progress. That is what the Supreme Court asked for. And they turned it over to lo-

cal district courts.

"I believe that we should not stagnate, but again I plead for understanding, for really sympathetic consideration of a problem that is far larger, both in its emotional and even in its physical aspects than most of us realize."

Later, when he was asked if he had "any plans to mobilize religious or other leaders of the South" to his stand for moderation and progress on the segregation issue, Mr. Eisenhower referred to the work of Evangelist Billy Graham.

He said the Rev. Mr. Graham, both at home and abroad, tries to "promote mediation instead of conflict, tolerance instead of prejudice."

Mr. Eisenhower added: "I said that is one thing Billy Graham teaches not only abroad, he teaches it among ourselves, and frankly, I believe that the pulpits do have a very great responsibility here.

"This is a very tough one, and people have to search their own hearts if we are going to get a decent answer and keep going ahead.

"Now, let's don't try to think of this as a tremendous fight that is going to separate Americans and get ourselves into a nasty mess.

"Let's try to think of how we can make progress and keep it going and not stop it. Now that, I believe, the pulpits can help on."

38b 1956

ALABAMA

GOV. JAMES E. FOLSOM
BUS BOYCOTT, MONTGOMERY, ALA.

Folsom Fails In Six Bus Protest Halt Attempts

World P. 1
Fri. 3-16-56
Birmingham Ala.

MONTGOMERY, Ala.— (INS) — Alabama Gov. James Folsom disclose Tuesday he has held six unsuccessful conference in an effort to bring about a settlement of the boycott of city busses by Montgomery Negroes.

Folsom said he held three meetings with Negro boycott leaders and three meetings with Montgomery Mayor W. A. Gayle. Boycott Leaders contend they want bus seast on a "first come-first served" basis and "courteous treatment" Mayor Gayle has called the boycott an atempt to end segregation, which he said is required by state law.

In a prepared statement Gov. Folsom called upon boycott leaders and mayor Gayle to strive to reach a settlement "so that life can return to normal in our Capital City."

The Boycott began Dec. 5 with arrest of a Negro woman for refusing to move to the rear of a city bus. Eighty-nine leaders and participants subsequently were indicted charged with conspiring to injure the Bus Company's business. They are scheduled for trial at the court term which begins next Monday.

The Bus boycott, meanwhile, continues, with virtually all Negroes refusing to ride, with a resultant loss of about 60 per cent of the company's business.

Council lauds boycott jury, blasts Folsom

News P. 1
Wed. 3-29-56
Birmingham

MONTGOMERY, Ala., Feb. 29—(AP)—A biracial organization last night approved the indictment of Negro bus boycott leaders here and charged that Gov. James E. Folsom "has not proven competent during these grave and grievous times."

The charge against Folsom was included in a resolution which put the Central Alabama Citizens Council on record as opposed to a biracial commission which might try to solve racial disputes outside the framework of Alabama's segregation laws.

NEWSMEN WERE barred from the "members only" meeting in the Montgomery City Hall, but police estimated 3000 persons attended. The Council claims 12,000 members in this area.

Another resolution commended the Montgomery County Grand Jury which last week indicted 100 Negroes, including 24 ministers, for violating Alabama's anti-boycott law in their protest against racial segregation.

The Council also called on state officials to continue enforcement of segregation laws and changed its name from the Central Alabama Citizens Council to the Montgomery County Citizens Council.

State Sen. Sam Englehardt of Macon County, chairman of the organization, said after the meeting that the resolution naming Gov. Folsom did not mean the council would not support an "independent" biracial commission that would try to mediate racial disputes.

BUT HE SAID it opposed the Legislature creating such a commission as was recommended by Gov. Folsom yesterday in his proclamation ordering another special session of the Legislature beginning tomorrow.

Englehardt, who released copies of the resolution after the meeting, said it was feared a biracial commission carrying authority given by the Legislature might possibly try to erase existing segregation laws.

In commending the Grand Jury which returned the boycott indictments, the council said "sinister" influences are at work in Alabama. The 12-week-old bus boycott, the resolution said, is a notorious and flagrant violation of all customs and traditions of our city and state."

News P. 4

THE BOYCOTT has been under way since Dec. 5 in protest to segregated seating required on buses by state and city laws.

Leaders of the protest movement, many of them Negro ministers, promised at a rally Monday night to continue the boycott despite the indictments.

Ninty Negroes arrested thus far on the indictments were all freed under $300 bond each pending trial. The anti-boycott law was passed by the Legislature in 1921 for use in labor disputes.

Boycott Settlement Urged by Folsom

Post & Times Herald
Wed. 3-14-56

MONTGOMERY, Ala., March 13 (AP)—Gov. James E. Folsom publicly called on the Mayor of Montgomery and leaders of the Negro bus boycott today to bring about a settlement of the boycott so that life can return to normal in our capital city."

Washington D.C.

Folsom said he has conferred "privately" three times with boycott leaders and three times with Mayor W. A. Gayle, "trying to settle this dispute." Negroes began their boycott of Montgomery City Lines buses last Dec. 5 in protest against segregated seating facilities. City and state laws require segregation.

38b 1956

ALABAMA

GOV. JAMES E. FOLSOM
MONTGOMERY, BUS BOYCOTT

Folsom Fails In Six Bus Protest Halt Attempts

Daily World
Wed. 3-14-56
Atlanta Ga.

MONTGOMERY, Ala.— (INS) — Alabama Gov. James Folsom disclose Tuesday he has held six unsuccesful conference in an effort to bring about a settlement of the boycott of city busses by Montgomery Negroes.

P. 1

Folsom said he held three meetings with Negro boycott leaders and three meetings with Montgomery Mayor W. A. Gayle. Boycott Leaders contend they want bus seast on a "first come-first served" basis and "courteous treatment" Mayor Gayle has called the boycott an atempt to end segregation, which he said is required by state law.

In a prepared statement Gov. Folsom called upon boycott leaders and mayor Gayle to strive to reach a settlement "so that life can return to normal in our Capital City."

The Boycott began Dec. 5 with arrest of a Negro woman for refusing to move to the rear of a city bus. Eighty-nine leaders and participants subsequently were indicted charged with conspiring to injure the Bus Company's business. They are scheduled for trial at the court term which begins next Monday.

The Bus boycott, meanwhile, continues, with virtually all Negroes refusing to ride, with a resultant loss of about 60 per cent of the company's business.

End Of Boycott Urged By Folsom

Post Herald P. 6
Wed. 3-14-56

MONTGOMERY, March 13 (AP) —Gov. James E. Folsom publicly called on the mayor of Montgomery and leaders of the Negro bus boycott today to "bring about a settlement of the boycott so that life can return to normal in our capitol city."

Folsom said that he has conferred "privately" three times with boycott leaders and three times with Mayor W. A. Gayle, "trying to settle this dispute."

The governor recalled that he has asked the Legislature to create a bi-racial commission to seek a settlement of racial differences.

Birmingham, Ala.

The proposal is under consideration now.

38b 1956

ALABAMA

REV. U.J. FIELDS
MONTGOMERY, ALAL. BUS BOYCOTT

DEACON SIGNS WARRANT

Advertiser 3-2-A
Montgomery, Ala.
3-26-56

Negro Cleric Arrested On Misconduct Charge

BY JACK SMITH

The Rev. U. J. Fields, local Negro minister who testified during the bus boycott trial last week, was arrested yesterday on a disorderly conduct charge on a warrant signed by a deacon of his church.

Fields, pastor of the Bell Street Baptist Church, said he was ordered to relinquish the pastorate of the church because a "particular group does not believe in what I'm doing in regards to taking a stand on what our people are pressing for."

George W. Durden, who signed the warrant, said "this was just a means of getting him out of the church," and denied that the disorderly conduct charge had any connection with the current bus boycott.

Fields was released under $100 bond after being arrested at the church yesterday morning He will be given a hearing in city police court Friday.

Durden, a deacon of the church, said Fields was voted out as pastor of the church two weeks ago and added yesterday was the first Sunday Fields had been back. "This has been working for four or five months and just came to a head," Durden declared.

Durden said the congregation voted to remove Fields from the pulpit solely "in the interest of peace and harmony within the church."

But Fields charged that "pressure was put on some of my parishoners from the outside" because of his "progressive stand on racial integration."

Fields, 25, testified before the grand jury which returned indictments against 90 Negro leaders for taking part in the 17-week-old bus boycott.

He was called by the state as a witness last week during the trial which ended in the conviction of the Rev. M. L. King, another Negro Baptist minister, for violating Alabama's anti-boycott law.

Bomb Bus Boycott Pastor's Home

Minister, Family Out of Town at Time of Explosion

Courier, p.12
Pittsburgh, Pa.
Sat. 9-1-56 38b

(Special to the Courier)

MONTGOMERY, Ala. — A bigoted vandal, throwing with gimlet-eyed accuracy, tossed a bomb into the home of a white pastor here and the resultant explosion caused unestimated but heavy damage to the interior of the one-story brick structure.

The unknown culprits struck stealthily at the home of the Rev. Robert Graetz, pastor of the all-Negro Trinity Lutheran Church around 3:15 A. M. Saturday morning, Aug. 25.

The explosive was tossed through a picture window on the front porch.

■

SPECTATORS COULD not see the inside of the house because local police have established a barricade around the structure. The blast climaxed a campaign of terror which has been directed at the pastor for his friendship with Negroes ever since he arrived in Montgomery from California.

The Rev. Mr. Graetz has been playing a key role in the nine month-old boycott of Montgomery's city bus lines. Fortunately for the minister, and his family, they had left the city for a rest after he had unsuccessfully attempted to spearhead an interracial meeting here with the Rev. M. L. King, pastor of the Dexter Avenue Baptist Church and president of the Montgomery Improvement Association as main speaker.

The bombing is the latest link in a chain of threats and vandalous acts directed against the minister and his family.

■

SEVERAL MONTHS ago, the Lutheran pastor was threatened by unknown parties and after the threats all four tires on the family car were cut up while the machine was parked in the yard.

As curious onlookers milled up and down the street in front of the Graetz home they saw a pair of huge policemen seated on the porch. A rope barricade has been stretched around the house for "protection."

Dynamite tossed on Ala. home

Afro-American
Sat. 9-1-56
Baltimore, Md.

(Special to AFRO)

MONTGOMERY, Ala. — Efforts of a 27-year-old blond Lutheran pastor to unite this community's colored and white members of the clergy into a common bond of brotherhood were rebuffed with three sticks of dynamite early Saturday morning.

P.1

Target of the bombing was the Trinity Lutheran parsonage of the Rev. Robert Graetz, who fortunately had carried his family on a vacation trip and was not at home at the time of the blast.

38b

The dynamite bomb, third since the bus boycott began last December, shattered the windows of the modest bungalow, broke the lock off the front door and left a huge crater-like hole in the front lawn.

* * *

OBSERVERS expressed their belief that the bombing was the work of the White Citizens Council, an organization of bitter - end segregationists which has mush-roomed in recent months in this central Alabama city.

The motive for the outbreak of violence directed toward the Rev. Mr. Graetz can be traced to letters he mailed out to all of the white clergy in the city ten days ago.

The letter pointed out that since they had never heard the "other side" of the bus protest, in the interest "of Christian harmony and justice" they should hear an address by the Dr. M. L. King Jr., on August 23.

* * *

DR. KING, president of the Montgomery Improvement Association, which is spear-heading the bus protest, had been scheduled to address a meeting of the interracial Montgomery Council on Human Relations in the auditorium of Alabama State College.

The invitation to the white ministers to attend was sent out by the Rev. Mr. Graetz in his role as program chairman of the interracial organization.

When word of this effort to build racial harmony spread, reaction was quick to set in.

Afro-American

A LEADING white Baptist minister sent out letters pleading with his fellow pastors not to "fellowship" with the colored clergymen.

P.2

The letter implied that if any white minister showed up at the Thursday meeting, he would be branded as a traitor and ostracized in the white community.

38b

The Baptist minister's appeal to reject the Graetz invitation was given prominent display in the Montgomery Advertiser.

The appeal obviously had the desired effect as none of the white ministers dared show up and thus by his presence admit belief in the Fatherhood of God and the brotherhood of men.

* * *

IT REMAINED for Montgomery's Mayor W. A. Gayle, a member of the White Citizens Council, to add a note of ridiculousness to the whole affair.

He suggested in a newspaper interview that perhaps the Rev. Mr. Graetz had bombed his own home in an effort to once again focus national attention on the bus boycott.

The mayor had made similar observations when the home of Dr. King was bombed on January 30 and when two nights later a stick of dynamite was thrown at the home of E. D. Nixon, who serves as treasurer of the Montgomery Improvement Association.

* * *

MAYOR GAYLE pledged that the police department would do everything possible to uncover the identity of the dynamite tossers.

He had made a similar promise in the two previous bombings. Thus far no arrests have been made in any of the outbreaks.

One witness to the Saturday morning dynamiting told the AFRO that he saw an automobile occupied by three white men draw up in front of the Lutheran parsonage about 3 a.m. just before the blast occurred.

He was unable to identify any of the car's occupants. He did obtain the license number of the automobile, however, and this information has been turned over to police.

The car sped away after the lethal package had been thrown into the yard, the witness said.

* * *

DR. KING, who was out of the city on a speaking engagement, was unavailable for comment Sunday.

The Rev. Mr. Graetz has been supporting the boycott since it began and serves as a board member of the Montgomery Improvement Association.

He is a native of Clarksburg, W.Va., and came to the pastorate of Trinity Lutheran Church two years ago from Los Angeles.

He is a graduate of Capital University and Seminary at Columbus, O., and has often spoken out about the failure of white Montgomery ministers to take a stand on the side on "moral righteousness" as he termed the bus protesters.

MASONS GIVE $100,00

BALTIMORE — Grand Master Willard W. Allen told delegates from 69 lodges at the Masonic Temple in his annual address that integration is not a southern problem alone. He said that the Masons had given the NAACP over $100,000 during the last five years.

The Rev. Graetz Is Wrong

Advertiser p.4-A

THE Rev. Robert Graetz, the white Lutheran pastor who is active in the Montgomery bus boycott, is undoubtedly a man of considerable courage, however misguided some of his efforts may be.

Tues. 9-18-56 38b

But courage cannot always be equated with wisdom. In his latest charge of a conspiracy to boycott the boycott by denying liability insurance, Graetz is guilty of gross misstatements of the facts.

Montgomery, Ala.

In the first place, the insurance business in Montgomery, as elsewhere, is highly competitive. Whatever the racial convictions of an insurance agent, we doubt that there are more than one or two in this city who could afford to refuse legitimate business because of a

difference of opinion with the applicant.

The cars operating in the car pool are losing their insurance coverage for simple actuarial reasons: as insurers discover the purpose for which the car is being used, they are cancelling policies because of the nigh risk nature of taxis.

Now, of course, the boycott brass does not admit—cannot admit—these cars are taxis. While it is probably true that no direct fares are paid, revenue is derived via a thinly disguised church contribution system designed to protect the car pool driver from prosecution for license violation.

An insurer, however, is concerned only with the use of the car and the risk involved. The cars are operated under conditions more risky than most taxis, the drivers are less competent, and the mileage is at least as great as that of the average Montgomery taxi. So, for the insurer, automobiles used in the boycott are taxis, camouflage be hanged.

Why then do not the boycotters apply for taxi insurance? In the first place, taxi insurance runs almost *eight times* the cost of private automobile insurance.

In the second, the boycott drivers could not apply for taxi insurance without admitting what they have all along denied, an admission that would be a confession of illegal operation.

Then, too, we could find no local insurer who will write taxi insurance even when the nature of the business is admitted and the high rate tendered. The risk is too great.

Finally, taxi's would have to be insured as a fleet and not as individual automobiles. Assuming that the boycotters could find an insurer who would write such a policy, they couldn't do it without confessing their illegal operations. (For an explanation of Alabama's "Assigned Risk Plan," see Mr. Starke's letter today.)

In many instances, the boycott automobiles—including those shiny new station wagons masquerading as church cars—have been guilty of notoriously bad driving, resulting in a number of accidents. Insurers know this, even though police in recent months have bent over backwards to avoid arrests for any but the most outrageous examples of carelessness or violation of the laws.

Mr. Graetz says that some of the boycott automobiles have insurance. In the opinion of an experienced Montgomery insurance man (who says, incidentally, he will write all the Negro auto insurance he can get if the drivers are reliable and sober) is invalid because the applicant for an automobile to be used privately was fraudulent.

Mr. Graetz would be less than human if by now, in his loneliness as the only white minister in the boycott, he hadn't developed something of a persecution complex. But in this case, he seems to have been misled by his boycott associates.

The Assigned Risk Plan

Editor, The Advertiser:

I have noted the article in Monday's *Advertiser* regarding statements made by Rev. Graetz in connection with the providing of insurance on the bus boycott vehicles.

Taxi cabs and private livery risks have not in many years produced a favorable loss ratio for insurance companies, hence it should not be difficult to understand their reluctance to provide this coverage. However, there exists in Aalbama a voluntary agreement between the insurance companies and the state whereby the companies doing business in Alabama provide such coverage under a plan known as "The Alabama Assigned Risk Plan."

Under this plan almost any individual, firm or corporation can procure bodily injury and property damage insurance except those who have been convicted or skipped bond for two or more, or twice on one, of the 11 more serious traffic violations, among which are driving while intoxicated, leaving the scene of an accident, driving during revocation of license. Certain physically impaired risks are also ineligible under the plan.

I believe that upon investigation you will find that any deserving risk can procure insurance under this plan at no additional cost. Most local agents are prepared to assist the insuring public in this matter when requested to do so. The plan is under the able management of S. E. Southard whose offices are in the Comer Bldg., Birmingham, Ala. BOLLING P. STARKE.

Montgomery.

HIS HOME BOMBED—The home of the Rev. Robert A. Graetz, pastor of Montgomery's Trinity Lutheran Church, was the target of dynamite tossers early Saturday. Dr. Graetz was not at home. He is the only white minister who has participated in the bus boycott and serves on the board of the Montgomery Improvement Association.

Bombing Victim—This photo of the Rev. Robert S. Graetz was made at the beginning of the Montgomery (Ala.) bus boycott. He is shown as he assisted people into "pool" cars. The white minister, who hails from California, pastors the all-Negro Trinity Lutheran Church in Montgomery.

38b 1956

Racial Bias Aids Russia, Atty Asserts

Informer P. 1
Sat. 5-26-56

HOUSTON — As long as Negroes are denied citizenship, it gives Russia a weapon to fight us with. Attorney Fred Gray of Montgomery, Alabama, told a group of citizens last Thursday night.

Houston, Tex.

The youthful lawyer, who is one of the attorneys defending the Montgomery Boycotters, was guest speaker for the NAACP observance of May 17, 1954, the day the Supreme Court declared segregation in public schools was unconstitutional.

Houston, Tex.

Speaking before a small audience at the YMCA building, Attorney Gray credited the NAACP with having obtained rights under the constitution for Negroes for half a century.

"No other organization has done more in geting these rights than the NAACP," he said and added that someday it would be able to get full citizenship for all. The banquet was sponsored by the local branch in connection, with the current Freedom Fund Drive and the $700 reported for the week brings the total up to $1500 of the $7,000 quota for Houston.

A native of Alabama, Attorney Gray graduated from a law school in Ohio, passed the Ohio bar and the Alabama bar and began practice in 1954.

He reviewed the Montgomery boycott by Negroes of the city buses, which is in its sixth month, and said it was still about 99 percent effective.

"The Negro population in Montgomery was tired of paying the bus company to mistreat them," he said, "if we pay, we are going to be treated right and if they mistreat us, we are not going to ride," he aded.

He said that the Negroes had made various pleas to the bus company officials to abolish certain practices that were detrimental and in the same instance inhuman.

Thep ractice, Attorney Gray said, was to reserve 10 seats on all buses in front for whites. If Negroes got on and filled up all the seats allotted to them they could not sit on any seats among the 10 that may have been vacant.

If whites filled all their reserved seats and more whites got on the buses, Negroes were askec to get up and give them seats, Attorney Gray said. He said tha there had been several other arrests and convictions besides that of Mrs Rosie Parker which set of the boycott.

Included among those previously arrested was a 15-year-old school girl, he said. The girl was carried to jail, in violation of the law that juveniles be carried to the juvenile department and not to jail, he said. He said the girl was "dragged" off the bus by three police officers, put in a patrol car and handcuffed. She made bond after two hours on a charge of assault and battery and disorderly conduct, he said. With the arrest of Mrs Rosie Parks, Negroes decided to do something about it, Attorney Gray said.

"The 30,000 Negroes of Montgomery decided they had been arrested long enough they were tired of abuse and mistreatment-tired of paying the company to mistreat us .... If we pay we are going to be treated right if they mistreat us we are not going to ride."

Atorney Gray said that at first Negroes asked the company to seat Negroes from back to front and whites from front to back; for courtesy from drivers and for some Negro drivers in the predominantly Negro areas, and the company refused. "Wasn't that reasonable?" he said. He continued that they had not asked the bus company to desegregate.

"We knew we would have to go to the court to abolish segregation," he said.

He commended Houston for desegregating buses, but warned that even in Texas, "things are not so sweet as you think they are."

"Negroes all over America must decide we are tired of being treated as second class citizens .... we are just as much American as anybody and are entitled to the same rights .... as long as Negroes are denied citizenship, it gives Russia a weapon to fight us with," he declared.

Gray's draft case being investigated

Afro American P. 1
Sat. 4-28-56

Baltimore, Md.

MONTGOMERY, Ala. — Lewis B. Hershey, director of the nation's selective service, last week began a personal investigation into the case of a colored attorney who was reclassified 1-A after taking part in the famed bus boycott trials here.

Fred D. Gray, 25, the man in question had previously been deferred as acting pastor of a Montgomery church. After the trial of Rev. Martin L. King, leader of the boycott, Gray was reclassified 1-A.

The Montgomery draft board defended its action by saying Gray's reclassifiecation was routine because it has been revealed that the attorney was devoting more than half his time to the practice of law.

State Draft Director James W. Jones said Gray appealed his reclassification to the state appeal board, but was turned down. At this point Hersey asked for Gray's file to review it.

Gray's Trial Slated Friday

Advertiser P. 12-A
Tues. 2-21-56

A Negro lawyer charged with unlawful practice in the filing of a suit in connection with bus segregation laws will be tried Friday in Circuit Court.

Fred Gray, legal spokesman for local boycott leaders, was the first of more than 90 Negroes indicted by the grand jury in connection with the current bus boycott. Gray is charged with filing an antisegregation suit in federal court without consent of one of the five Negro women who signed the complaint.

Montgomery, Ala.

The suit challenges the constitutionality of Montgomery and Alabama laws which require separate seating facilities for the races.

Gray's indictment was based on a statement by Jeannette Reese that she put her signature on the court petition without knowing what she was signing. The statement was made in the presence of Mayor W. A. Gayle and a newspaper reporter.

The Negro attorney insisted the woman knew what she was signing and the purpose for which the suit was entered.

Gray was indicted under an Alabama law which prohibits a lawyer from representing a client without consent. Maximum penalty is a $500 fine and suspension from practice.

Trials of the boycott defendants have been set to begin March 19.

Protest semi-nude photos of NAACP pastor-lawyer in Ala. draft exam case

Afro-American P. 2
Baltimore, Md.
Sat. 7-21-56

WASHINGTON

Protest against the "humiliation and embarrassment" given Fred D. Gray, NAACP attorney in Montgomery, Ala., was made to the Secretary of the Army this week by the NAACP.

Mr. Gray, who handled the suit contesting the constitutionality of the bus segregation laws in Montgomery and the State of Alabama, recently was reclassified 1A by his local draft board.

Previously he had been given a deferred classification because of his part-time service as a minister. The reclassification was made shortly after he filed the bus suit.

* * *

LAST WEEK he was called by the draft board for a physical examination. During the examination, pictures of him semi-nude were taken and published in Montgomery papers.

This was unusual procedure for persons merely called for examination prior to a draft call.

And this was the basis of the NAACP's protest, filed with Secretary of the Army Wilber M. Brucker, by Clarence Mitchell, chief of the Washington Bureau of the NAACP.

* * *

MR. MITCHELL wired Mr. Brucker as follows:

"Profoundly shocked to learn that Army officers gave permission for photographers to take semi-nude pictures of the Rev. Fred D. Gray during physical examination in Montgomery, Ala.

"Daily press report says Mr. Gray was wearing shorts. Military in Alabama advises me that there was an understanding with photographers that picture would be from waist up."

"There is indisputable evidence that White Citizens Councils are pushing induction of Mr. Gray into Army despite the fact that he is a clergyman.

"The latest incident permits the Army to be a party to obvious attempts to humiliate and embarrass Mr. Gray because of his interest in civil rights. Urge that prompt action be taken to discipline those responsible for this misuse of the Draft system and examination process."

* * *

MR. GRAY has worked in the religious field since he was 12 years old and known as the "Boy Preacher." He was serving as assistant pastor of a Montgomery church at the time he was reclassified.

The reclassification was appealed to the State and national Selective Service boards and is currently under review by the Presidential Appeal Board.

Negro Attorney Gets Induction Notice

Post-Herald P. 1
Birmingham, Ala.

MONTGOMERY, Aug. 6 (AP)— A young Negro attorney whose draft status was changed after he became active in the Montgomery bus boycott was ordered today to report for military induction on Aug. 16.

Fred D. Gray, 26, of Montgomery was drafted after the presidential appeals board in Washington turned down an appeal filed on his behalf by the National Assn. for the Advancement of Colored People. Gray has represented the NAACP in court here.

His departure will leave only one Negro lawyer in this city of 125,000, including approximately 50,000 Negroes. The other attorney is Charles D. Langford, who has worked with Gray in the bus boycott and in a recent court suit against the NAACP.

Gray held a 4-D deferment as a minister until he was reclassified last Spring by his local board. Chairman F. A. Miller explained at the time that the attorney had been given the deferment as acting pastor of a Negro church but that the church had since acquired a pastor.

Miller announced the induction order today. He said he received notice that the presidential appeals board had upheld the 1-A classification on a 2-1 vote.

Gray had no comment on the announcement. He was single at the time he was first reclassified but has since married.

While the appeal was still pending in Washington, the bespectacled young lawyer was called up last month for a preinduction physical examination and was found acceptable.

The state appeals board agreed with the local boards' action in reclassifying Gray last Spring and the NAACP asked the presidential board to review the case.

Gray also was indicted by a grand jury last February for unlawful practice, an outgrowth of the mass Negro boycott of segregated city buses which is still in effect. But the charge was dropped at the request of the state.

The attorney was accused of filing an anti-segregation suit in federal court on behalf of a Negro woman without her consent.

BUS BOYCOTT LAWYER GIVEN ARMY CHECKUP

Appeal P. 2

Negro Lost Exemption On

Ala. Pastor-Lawyer Induction Delayed

Review of Gray case ordered

WASHINGTON

(Other Boycott Stories Inside)

General Lewis B. Hershey, national director of Selective Service, this week, ordered a Montgomery, Ala., board to reconsider the impending induction of Fred D. Gray, minister-lawyer of Montgomery.

Mr. Gray, 25, an ordained minister and an attorney, has been active in Alabama civil rights cases. He represented the Montgomery bus boycotters.

Until last February he was classified 4-D, the classification for those engaged in ministerial work.

* * *

TWO DAYS after he filed a petition on behalf of the bus boycotters attacking the constitutionality of the Alabama jim - crow transportation laws, he received notification he had been reclassified Class 1-A.

Mr. Gray appealed to the local board, later to the state board, and subsequently to the National Selective Service Board.

While his appeal was pending the Montgomery board, Local 51 gave him a physical examination and ordered his induction. He was scheduled to go into the Army on Sept. 17.

AFTER REVIEWING Mr. Gray's appeal, Gen. Hershey last week wired the Montgomery board that the letters and material he now has constitutes new evidence, and ordered the case reopened and the induction postponed.

The Montgomery board announced that it had refused to reconsider the case.

Chairman of the board, F.A. Miller, was quoted as saying: "The national director of Selective Service asked the board to reopen Gray's case and consider reclassifying him.

"The evidence he asked us to consider was all evidence we had considered before, and we declined to reconsider it."

REV. FRED GRAY

Selective Service officials in Washington were not immediately available for further comment.

MR. GRAY, a native of Montgomery, was known as "the boy preacher," when he traveled with Marshall Keeble for three years. He is a graduate of Nashville Christian Institute, Alabama State College and Western Reserve University School of Law.

He began preaching in 1941 and has served churches in Gallatin, Tenn.; Lenett, Ala.; Cleveland, Ohio and Montgomery. At present, he is assistant pastor at the Holt Street Church of Christ in Montgomery.

Mr. Gray represented Mrs. Rosa Parks, whose arrest and conviction for violating the segregated bus law, touched off the Montgomery bus boycott last Dec. 5.

He also defended the Rev. Martin Luther King, president of the Montgomery Improvement Association which supports the bus boycott, and participated in the court action which resulted in a ban on NAACP activities in Alabama, a decision now under appeal.

It has been generally felt that efforts to put Mr. Gray in military service resulted from his active participation these civil rights matters.

The Negro attorney, a legal spokesman for his race in the continuing bus boycott, was first ordered to report for induction a month ago. He was granted a 30-day delay on instructions from Hershey.

Gray's board ordered him to report for induction again Monday, Sept. 17, but Hershey in effect went over the board's head and postponed it indefinitely.

* * *

THE NATIONAL Selective Service chief has twice requested the local board to reopen Gray's case on grounds of new information. On the second request, board chairman F. A. Miller said, the board found no new grounds for reconsideration and so declined to take up the case again.

Saturday Hershey declined to say what would happen next. He said only that he was waiting for a report of the situation and that he expected to have it in hand early next week.

Whether he has in effect taken the case out of local 51's hands Hershey declined to say. He pointed out that state and national Selective Service directors have the power to intervene in draft orders if questions of procedure are involved.

* * *

GRAY held a draft exemption because he was an assistant pastor in a Montgomery church but when the boycott first attracted attention and he was its legal voice, Gray was reclassified 1-A on the basis that his ministerial duties took only a small part of his time.

Hershey was reported Saturday to have received additional information from a church which Gray had been serving part-time. The information was that Gray is now filling the pulpit on a full-time basis since the regular pastor had left.

Claim To Be Minister

MONTGOMERY, Ala., July 9. —(UP)—Negro bus boycott attorney Fred Gray, who has been draft-exempt more than seven years because of his claim to be a practicing minister, underwent a pre-induction Army physical here Monday.

However, Selective Service officials said the Negro will not be inducted until his status has been cleared by national Selective Service headquarters where an appeal was lodged by the National Association for the Advancement of Colored People.

Gray, who will be 26 next December, registered with Selective Service in 1948 and was placed in 4-D Class — the ministerial classification — upon his claim to be an assistant pastor at alocal church.

He was reclassified recently by his local draft board to 1-A. Gray appealed the local decision to the Alabama appeal board where the 1-A classification was upheld. NAACP officials then officially protested to headquarters in Washington.

Gray and another Negro attorney represented the Negro seamstress whose arrest and subsequent conviction for violating a city segregation law on a bus touched off the seven-month-old bus boycott. Gray was also one of the attorneys who filed the suit to do away with segregation on all Alabama public conveyances.

Alabama Boycott Lawyer Refused Induction Review

MONTGOMERY, Ala., Sept. 6 (AP)—Selective Service Board No. 51 refused today to reconsider the impending induction of a young Negro attorney active in the Montgomery bus boycott.

Fred D. Gray, 25, is scheduled to go into the Army Sept. 17. The board chairman, F. A. Miller, said the national director of Selective Service asked the board to reopen Gray's case and consider reclassifying him.

"The evidence he asked us to consider was all the evidence we had considered before, and we declined to reconsider it," Miller said.

Gray defended Negroes indicted for participating in the boycott and also participated in court actions resulting from a state bar on activity of the National Association for the Advancement of Colored People. The NAACP obtained an earlier review of his case in Washington before he was scheduled here for induction.

Gen. Hershey Acts

It is encouraging to note that General Lewis B. Hershey, national director of Selective Service, has granted reconsideration of the Fred D. Gray case.

The facts in Mr. Gray's draft reclassification speak for themselves. He is a young minister-attorney who for several years was classified 4D by his Montgomery, Alabama local board, then suddenly reclassified 1A and ordered to report for military service.

The reclassification came only two days after Mr. Gray, as a lawyer, had filed a petition attacking the Alabama bus transportation laws as unconstitutional. He also has been active in other civil rights cases.

Because he is nearing 26 and would soon be ineligible for draft, white Alabama groups have been urging his immediate induction. Mr. Gray's appeal to local and state boards fell on deaf ears. Now the case is in Gen. Hershey's hands and we feel certain it will be handled without fear or favor.

This initial move by Gen. Hershey clearly indicates that he will not tolerate abuse of the Selective Service system by local boards. We commend his action, and feel certain that he will remain firm.

A native of Indiana, Gen. Hershey is a former school teacher, ex-National Guard colonel, once taught military science at Ohio State College and was a member of the War Department General Staff.

In the latter capacity, he helped prepare the plans for the wartime Selective Service and served as its director from 1941 to his retirement in 1946. A Republican, he was called from retirement to direct the peacetime Selective Service in 1948.

With this background and his brilliant record as director of the Selective Service, there is no reason to doubt that Mr. Gray's case will get an impartial review.

Bus boycott figure draft date Sept. 17

MONTGOMERY, Ala., Sept. 7 (AP)—A young Negro attorney who has been prominent in the Montgomery bus boycott is scheduled to be inducted into the Army Sept. 17 after the refusal yesterday of his local draft board to reconsider his classification.

Chairman F. A. Miller of Board No. 51 said the national director of Selective Service had asked reconsideration on the case of Fred D. Gray, 25.

"The evidence he asked us to consider was all evidence we had considered before, and we declined to reconsider it," Miller said.

Gray's drafting was appealed by the National Assn. for the Advancement of Colored People which he has represented here but was upheld by a review board in Washington.

Bus Boycott Leader Wins Delay on Draft

MONTGOMERY, Ala., Sept. 15 (AP)—The induction of Fred Gray into the armed forces has been suspended indefinitely by the National Selective Service director, although the Negro attorney's local draft board has ordered him to report for induction Monday.

Maj. Gen. Lewis B. Hershey announced in Washington Saturday that he had ordered Gray's induction delayed indefinitely.

ATTY FRED.D. GRAY
MONTGOMERY, ALA. BUS BOYCOTT

No Free Buses—Yet

Afro-American

MONTGOMERY, Ala. — "The possibility of setting up a free transportation system will not be explored until we complete our Federal Court case." P. 1

Fred D. Gray, legal advisor for the Montgomery Improvement Association, made the statement to the AFRO, Saturday, as the bus boycott was about to enter its 21st week.

"I am preparing a brief in the appeal for Mrs. Rosa Parks, who was convicted on Dec. 4 for violating the state's segregation laws. Sat. 4-14-56

"It has to be filed by April 28. Baltimore, Md.

"ON TOP of that we have to file a written brief by May 4 in our case that seeks to declare the state's segregation laws unconstitutional," Gray said.

The suit has been filed on behalf of four residents of Montgomery and names as defendants the members of the city commission and the Public Utilities Commission of Alabama.

A hearing on the suit has been set for May 11.

"Meanwhile," Gray says, "our car pool is operating efficiently. The morale of the people is still high and they appear more determined than ever to see justice triumph."

THE REV. MARTIN L. KING and his family have left Montgomery for " a short vacation."

At the same time, Clarence Mitchell, director of the Washington bureau of the NAACP, spoke in Montgomery Sunday before a voter's group.

The Montgomery Improvement Association is planning to launch a citywide drive to encourage residents to register to vote in the coming election.

"We have no intention of asking the Montgomery City Lines to set up an all-colored bus line," Gray said.

THE REV. MARTIN L. KING, president of the Improvement Association, told the mayor that such a decision would have to come "from the executive board" of the association and "the colored people of Montgomery."

Gray told the AFRO that "there is little doubt in my mind that the people would reject such a proposal if offered." Sat. 4-14-56

THE MAYOR'S suggestion, Gray explained, came during a 90-minute hearing of the city commissioners of the association's bid for a franchise. Baltimore, Md.

THE REV. MR. KING, who was convicted and fined $500 by Circuit Court Judge Eugene Carter on March 22 for violating the state's boycott laws, was spokesman for the association.

Other representatives of the Improvement Association were the Rev. H. H. Hubbard, the Rev. W. J. Powell, E. D. Nixon, J. E. Pierce, Fred D. Gray, Charles Langford, Mrs. A. W. West Sr.

* * *

THE MINISTER told the commission:

"We are only seeking satisfactory transportation. We don't want to put the other company out of business; that never has been our goal.

"We are trying to make for wholesome relations and the elimination of tension among the races in Montgomery."

* * *

DURING THE hearing, the three demands of the Montgomery Improvement Association, which brought about the boycott that began 20 weeks ago, were discussed.

* * *

THEY WERE: (1) More courtesy from the bus drivers; (2) a first-come-first-served seating arrangement; and (3) hiring of colored bus operators.

Mayor Gayle again informed the group that the law prohibited a change in the seating arrangement.

As for the hiring policy, the mayor said:

"That is up to the bus company altogether. It's their (the company's) money and they have the right to hire whom they please."

Gray told the AFRO that he felt that the colored citizens of Montgomery would continue to "exercise their right not to spend their money where they aren't hired."

The rejection of the bus franchise leaves the Improvement Association with the alternative of maintaining a "free transportation system."

Bus suit May 11

MONTGOMERY, Ala. — The Federal Court suit attacking the constitutionality of local and state laws requiring racial segregation on buses has been set to be heard on May 11.

U. S. District Judge Frank M. Johnson Jr. informed the attorneys Friday that evidence will be heard by a three-judge court before any motions to dismiss the suit.

Gray's Trial Slated Friday

Advertiser Tues. 2-28-56

A Negro lawyer charged with unlawful practice in the filing of a suit in connection with bus segregation laws will be tried Friday in Circuit Court. P. 12-A

Fred Gray, legal spokesman for local boycott leaders, was the first of more than 90 Negroes indicted by the grand jury in connection with the current bus boycott. Gray is charged with filing an antisegregation suit in federal court without consent of one of the five Negro women who signed the complaint. Montgomery

The suit challenges the constitutionality of Montgomery and Alabama laws which require separate seating facilities for the races.

Gray's indictment was based on a statement by Jeannette Reese that she put her signature on the court petition without knowing what she was signing. The statement was made in the presence of Mayor W. A. Gayle and a newspaper reporter. Ala.

The Negro attorney insisted the woman knew what she was signing and the purpose for which the suit was entered.

Gray was indicted under an Alabama law which prohibits a lawyer from representing a client without consent. Maximum penalty is a $500 fine and suspension from practice.

Trials of the boycott defendants have been set to begin March 19.

Negroes Will - "Crawl First"

Daily World P. 2 Thurs. 4-5-56

Bus Trial Counsel Declares

Atlanta, Ga.

BY CONRAD CLARK

BOSTON—(ANP)— Negroes of Montgomery, Ala., will "crawl first" before giving up their bus boycott, declared Atty. Fred D. Grey on Friday night.

The chief counsel for the indicted leaders of the protest movement was the principal speaker before an audience of 1200 at the Union Methodist Church, South End, sponsored by Sigma Chapter of Alpha Phi Alpha Fraternity, the Interdenominational Ministers Alliance of Greater Boston and other civic organizations.

Grey said that the sentiment of the Negroes in Montgomery could be summed up by what an aged woman told him:

"I'll walk and walk and walk, until I drop. And then I'll crawl."

Grey spoke in place of the Rev. Martin Luther King, his client, a Boston-educated leader of the bus boycott who was convicted last Thursday of violating an old Alabama law of conspiracy to boycott.

Rev. King wired his regret for not appearing, saying he has been ordered by his doctor to rest.

Grey said that "the bus boycott is not a racial movement, and it is time for all white people in America to realize the evil of segregation and to do something about it."

He said that in Montgomery, bus drivers have legal powers and "when they talk to you, that's the police talking."

'What fools mortals can be' -- Gray

Afro-American Baltimore, Md. Sat. 7-21-56

WASHINGTON

A spokesman in the office of Secretary of the Army Wilber M. Brucker told the AFRO this

Draft Chief Reviewing File On 1-A Bus Boycott Figure

Post Herald Birmingham, Ala. Fri. 4-13-56

MONTGOMERY, April 12 (AP)— Selective Service Director Lewis B. Hershey is looking over the draft file of a young Negro attorney who was reclassified 1-A while taking an active part in Montgomery's bus boycott.

Fred D. Gray, 25, was deferred as the acting pastor of a Negro church until his local draft board in Montgomtry put him in 1-A and made him subject to induction several weeks ago.

The board said it was a routine reclassification because it became known that Gray was devoting more than half his time to th epractice of law.

State Draft Director James W. Jones said the attorney appealed his reclassification to the state appeal board but was turned down. Then Gen. Hershey asked for the file to review it, Jones said.

Hershey can recommend a further review by state authorities or he can send the file to the Presidential Appeal Board.

Gray was one of the defense attorneys for the 90 Negroes indicted for boycotting segregated Montgomery City Lines buses.

week that the Army was investigating the taking of a semi-nude photograph of the Rev. Fred D. Gray, attorney-minister of Montgomery, Ala., while the latter was being examined for possible induction into the Army.

The Rev. Mr Gray, militant NAACP attorney and one of the leaders of the bus protest movement in Montgomery, said he was of the opinion the incident was meant to degrade and humiliate him. Ala

"What fools these mortals be," was the tenor of the Rev. Mr. Gray's remarks as he discussed the publication of the photograph and an article by Bunny Honnicker in the edition of the Montgomery Journal meant to go to white readers only. The Journal publishes a separate edition for colored readers.

Pointing to Mr. Gray's participation as an attorney in the various phases of the bus boycott, bus segregation and NAACP injunction cases, the photo-accompanied article went on to say:

* * *

THIS GREAT champion of his people, "stripped to his shorts, with a thermometer between his teeth is just another possible inductee."

The newspaper took photo-photographs of some of the 30 or so white inductees examined at the same time, but published only the picture of the Rev. Mr. Gray in a "we brung him down" slanted story.

The Rev. Mr. Gray has not

Attorney Freed In Bus Bias Case

Herald-Tribune New York, N.Y. Sat. 3-3-56

MONTGOMERY, Ala., March 2 (AP).—A charge of unlawful practice against Fred D. Gray, negro attorney and legal spokesman for bus boycotters, was dismissed in Circuit Court today when the state admitted it does no have jurisdiction.

The action nolle prossing the case came at the outset of Mr. Gray's scheduled trial. Solicitor William T. Thetford said the state could not prosecute the attorney because the offense for which he was indicted took place in a Federal building. Mr. Thetford said the issue would be brought to the attention of United States Attorney Hartwell Davis for Federal prosecution if he sees fit.

Mr. Gray, twenty-five, was indicted for unlawful practice growing out of an anti-segregation suit attacking Alabama bus segregation laws which he filed in Federal Court in the name of five Negro women. He was indicted after one of the women, Mrs. Jeanetta Reese, said later she had not given permission for the action.

even protested to the editor of the paper against this type of journalism; but Clarence Mitchell, NAACP Washington bureau head, protested the incident to the Secretary of the Army. (See accompanying story).

* * *

THE 25-YEAR-OLD minister-attorney is appealing the recent change of his draft to status 1-A before the Presidential Appeal Board in Washington, and it is feared by the White Citizens Council and other hate groups in this state capital that he may evade military service.

The Journal's article pointed out that he had been draft-exempt for seven years, having been classified as 4-D (ministerial exemption) since 1948.

If he is not inducted before December, 1956, when he becomes 26 years of age, he will miss induction, the article stated, because the Army does not draft men who are over 25.

It was charged by the White Citizens Council that pressure was being exerted by the draft board to have the Rev. Mr. Gray deferred, but this was denied by a board member who was called in Washington and who stated that the board was non-political and not amenable to pressures of any sort.

* * *

MR. GRAY also chuckled at the remark of a Citizens Council member that while his case was being appealed his wife might have a baby which would lead to his deferment.

"I've just come back to Montgomery from a three-week honeymoon with my wife," he said, "so now they expect her to have a baby before December."

THE REV. MR. GRAY revealed that Circuit Judge Walter B. Jones had acceeded to the petition requested last week by Atty. Gen. John Patterson that the State NAACP turn over to the attorney general most of its records with relation to the injunction asked protesting the barring of its activities in the state.

The judge ordered the records surrendered to the attorney general by July 16 and postponed the injunction hearing scheduled for July 17 to July 24 so the state's attorneys could examine the papers.

Patterson, in his original request for an anti-NAACP injunction charged that the organization's activities "are causing irreparable injury to the property and civil rights of the residents and citizens of Alabama."

* * *

HE SAID the association had paid Mrs. Autherine Lucy Foster and Mrs. Polly Myers Hudson to sue for admission to the lily-white University of Alabama and had fostered the Federal three-judge suit that had led to bus segregation being branded as unconstitutional.

He sought the records to prove these allegations which NAACP attorneys, including the Rev. Mr. Gray, labeled as "mere conclusions."

* * *

THE RECORDS which the NAACP was ordered to produce include:

Copies of all charters of branches and chapters of the organization in Alabama and a complete list of all members and employees, including their addresses;

The names and addresses of all persons authorized to solicit NAACP memberships and contributions during the past 12 months;

Cancelled checks on its financial transactions in the state for the last 12 months; correspondence, telegrams and other records pertaining to the NAACP and Mrs. Foster and Mrs. Hudson as well as to the Federal court suit growing out of the bus boycott.

The bus boycott, which has been going on for over six months, is continuing without any untoward incidents, the Rev. Mr. Gray reported.

Gray to ask Ike review

Afro-American Baltimore, Md.

MONTGOMERY, Ala. (ANP) —Fred D. Gray, 25-year-old attorney and minister, who has been active in the boycotts of city buses, gave notice last week that he may ask President Eisenhower to review a ruling by the National Selective Service Appeals Board upholding his 1-A classification.

The Rev. Mr. Gray was ordered to report for induction into the Armed Forces Aug. 16.

The lawyer had been classified 4-D for eight years, until he began handling the case of five women who filed suit to outlaw Montgomery and Alabama segregation laws.

SHORTLY AFTER the suit was filed, the local draft board reclassified him 1-A. He appealed the case to the national board, which ruled on it last week.

appeal board in Washington now considering an appeal of Gray's 1-A draft classification, requested additional information on the case.

Miller said Gray was called in and requested to answer a number of questions about his present employment. The answers have been reduced to writing and forwarded to the board in Washington, he added.

The attorney, who argued the case for a group of Montgomery Negroes contesting city and state segregation laws, was exempted from the draft for sometime as a part-time Church of Church minister.

When an issue was made of his draft status, Gray's local board reviewed his case and changed his 4-D (ministerial deferment) classification to 1-A. An appeal was taken in the attohney's behalf by the vancement of Colored People.

A final decision on whether the recently-married attorney will have to serve a tour of duty in the armed forces rests with the presidential appeal board.

While the review was pending in Washington, the Rev. Mr. Gray was given a pre-induction physical examination and found acceptable.

"I feel that the only reason my draft status was changed was because of my activities in the bus boycott," the Rev. Mr. Gray said.

* * *

"SINCE 1948, I have been classified as 4-D by the local draft board. There never was any objection by the board to that classification given to me as assistant pastor of Holt Street Church of Christ.

"Then only a few days after I became active in the boycott, was called in by the draft board and told that I was classified 1-A. No reason was given.

Chairman F. A. Miller of the board said that the deferment was originally given the Rev. Mr. Gray because he was "active pastor" of the church, but that the church since has acquired a pastor.

"THAT ISN'T the case, the Rev. Mr. Gray said in reply. "I am still assistant pastor and have been conducting services each Sunday this summer."

The young lawyer was married last month. If he is inducted there be only one colored lawyer left in Montgomery, Charles D. Langford. Langford has worked with the Rev. Mr. Gray in the bus boycott and a recent court suit filed against the NAACP.

Army Physical Is Passed By Bus Boycott Attorney

Post-Herald Birmingham, Ala.

MONTGOMERY, July 10 (AP)—Negro Atty. Fred D. Gray, legal spokesman for the seven-month-old Montgomery bus boycott, passed his Army pre-induction physical examination yesterday.

F. A. Miller, chairman of local Selective Service Board 51, where Gray is registered, said he was informed by Army recruiting headquarters that Gray met the Army's physical requirements.

Wed. 7-11-56

Meanwhile, the local board official said the presidential

were permitted to take "semi-nude pictures" of him.

Mr. Gray was a leader in the Montgomery bus boycott. In a telegram to Army Secretary Wilber M. Brucker, Mr. Mitchell said the Army had become "a party to obvious attempts to humiliate and embarrass Rev. Gray because of his interest in civil rights."

INDUCTION IS DELAYED

Commercial Appeal

Drafting Of Negro Attorney Put Back To Sept. 17

MONTGOMERY, Ala., Aug. 14. —(AP)—At the suggestion of National Selective Service officials, the induction of Negro Atty. Fred D. Gray into the armed forces has been postponed until Sept. 17.

Memphis, Tenn.

James W. Jones, state Selective Service director, announced Tuesday that the delay was ordered at the request of Lt. Gen. Louis B. Hershey, national Selective Service director.

Gray, 25-year-old attorney who has been active in the Montgomery bus boycott and a Federal Court suit challenging city and state bus segregation laws, had been scheduled for induction Thursday.

Wed. 8-15-56

'Semi-Nude Photo'

World-Telegram & Sun New York City, N.Y.

NAACP Says Army Humiliated Boycotter

Thurs. 7-12-56

By the United Press

WASHINGTON, July 12.—A spokesman for the National Assn. for the Advancement of Colored People accused the Army today of abetting "attempts to humiliate and embarrass" a Montgomery, Ala., Negro leader by permitting him to be photographed in his shorts.

The Montgomery Negro is Fred D. Gray, 25-year-old attorney who was classified 1-A by his draft board last February despite his contention he also is a minister.

According to Clarence Mitchell, director of the NAACP's Washington bureau, Mr. Gray was given a pre-induction physical examination on Monday and photographers

Bus-Segregation Laws Get New Test Today

Courier-Journal

Supreme Court Will Hear Suit If Appeal Made

Louisville

Montgomery, Ala., May 10 (AP) —Bitterly contested City and State bus-segregation laws, upheld only yesterday by State Court, face another, perhaps more significant, test tomorrow in Federal Court.

A three-judge panel, whose decision can be appealed direct to the United States Supreme Court has been convened to hear a suit by four Negroes challenging the racial barriers responsible for a mass boycott of city buses in Montgomery.

The suit, filed as an outgrowth of the boycott now in its sixth month, seeks an injunction to stop City and State officials from enforcing the segregation laws, and a declaratory judgment holding the statutes unconstitutional.

Some judicial officers, including Cirouit Judge Walter B. Jones in Montgomery and the Public service Commission in South Carolina, contend the April 23 ruling of the Supreme Court in a South Carolina case did not decide the segregation issue. The trial here may therefore, produce the first clear-cut finding by the Supreme Court.

The action of the three-judge panel can be reviewed direct by the Supreme Court while the South Carolina case involved in the April 23 decision goes back to a lower court for trial.

Defendants in the complaint challenging validity of Montgomery City and Alabama State laws are Montgomery City Lines, which operates the city's only bus service; the City Commission whose three members all belong to the white Citizens Council, the chief of police, two bus drivers, and the members of the Alabama Public Service Commission.

Five Negroes orginally filed the suit, but the name of Mrs. Jeaneatta Reese was stricken from the complaint after she told Mayor W. A. Gayle in the presence of newspapermen that she did not know what she was signing.

Negro attorney Fred Gray, who filed the suit in court, was indicted by a Montgomery County grand jury on a charge of unlawful practice on the strength of Mrs. Reese's statement, but the charge was dropped at the request of the State.

The suit points out that two of the complaining Negroes, Claudette Colvin and Mary Louise Smith, were arrested for violating the City segregation laws. It also cites the arrest of a Negro seamstress, Mrs. Rosa Parks, which touched off the long bus boycott last December 5, although Mrs. Parks is not one of the plaintiffs.

Negroes by the thousands have refused to ride the buses since the day Mrs. Parks was fined $14.

Case for states' rights—

News P. 11-4

Judge Jones' opinion hits bull's-eye on segregation

Birmingham, Ala. Sun. 5-13-56

BY HUGH W. SPARROW
News staff writer

MONTGOMERY, Ala., May 12 —Circuit Judge Walter B. Jones apparently scored a bull's-eye in his recently opinion upholding constitutionality of the state and local bus segregation laws.

His opinion was loudly acclaimed here as being an excellent presentation of the case of states' rights against the increasing encroachment on those rights by federal authorities.

Judge Jones received requests for copies of his opinion from many people throughout the South.

That part of the opinion dealing with states' right question is as follows:

"THIS COURT, in deciding the case now before it, does not sit as a legislative body to make law. That is not the function of the courts. Their function is to declare and construe the law as it is made and written by the law-making departments of our governments. Courts cannot, under the guise of construction make a law. The making of laws is exclusively the function of the legislative department of the government.

"The question now before this Alabama court, a court of one of the sovereign states of the Union, can be answered by a reference to the federal Constitution, to a part of the Bill of Rights in the United States Constitution, one neglected of recent years and practically forgotten by the federal courts. Yet it is a part of the United States Constitution which, if it had not been put in the federal Bill of Rights would have prevented the adoption of the federal Constitution. It is a part of the Constitution which was regarded as absolutely essential in the formative days of our country. The Founding Fathers were agreed that there should be an amendment to the Constitution making plain and clear that unless the states delegated to the federal government a power or prohibited to themselves the exercise of a power, then the States reserved that power to themselves in their people.

"THE SECTION of the Bill of Rights which the Judge of this court has taken an oath to support and maintain, is Amendment X to the Constitution, which declases:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the states respectively, or to the people."

"This states a great principle of American constitutional law, and states it in such simple words that the meaning can be understood by all. There is neither ambiguity nor doubt in the language of the Tenth Amendment. If the power claimed by the United States, or by its law-making Supreme Court, is not a power delegated to the United States, nor a power the sovereign states of the union have denied themselves, then that power is expressly reserved to the states or to the people of the states.

"WHERE IN the United States Constitution (may we ask) is there any delegation of power to the United States Government to say that a state cannot make reasonable regulations for the carriage of passengers on public conveyances wholly within the state?

"Where in the federal Constitution is there one word, one sentence, or one paragraph, saying that the sovereign states of this Union, the states which created the federal government, and many of whose constitutions antedate the federal Constitution, are prohibited from making, in the exercise of the police power of the state, reasonable rules for the separation of the races in buses carrying passengers in a city or between two points wholly within the state?

"The federal Constitution neither delegates the power claimed to the United States, nor does it prohibit the power to the states of the Union.

"WE MUST ALWAYS remember that the government of the United States is one of limited powers. It cannot exercise any power of government not granted to it by the states. The federal government gets whatever powers it has, and only such, as are ceded to it by the states of the Union. All other rights and powers, necessary to maintain our dual system of government, remain in the states. And in the states these powers rightfully remain. They have never been ceded or given to the national government at Washington.

"The court can nowhere find in the federal Constitution any grant of the power to say to the sovereign states of the Union: "You cannot regulate within the borders of your own cities and states the carriage of passengers by bus. You cannot require white passengers to occupy seats in one part of the bus and Negro passengers seats in another section of the bus."

"THE CONSTITUTION, torture its wording as you may, nowhere gives the federal government at Washington, nor the Congress of the United States, nor the United States Supreme Court, the power to forbid a state, in the exercise of its police power, to separate passengers using buses from one point to another point wholly within a given state. The power claimed for the federal government by the Fourth Circuit Court of Appeals does not exist and never has existed. It is a power reserved to the states and their people. The courts are without power to enlarge the sphere of federal control and operations, and they have no power to legislate.

"THE CIRCUIT COURT of Montgomery County, Alabama, mindful of its obligation to support and maintain the United States Constitution, must declare that under the Tenth Amendment to the United States Constitution the power to regulate the intrastate carriage of passengers on buses in Alabama is a power reserved to the state of Alabama. It has never surrendered this power to the United States Government, nor given it to the Supreme Court at Washington, and this court will not be a party to filching the power from the state."

Court Ruling May End Alabama Bus Boycott

Herald Tribune P. 25

Tues. 4-24-56

MONTGOMERY, Ala., Apr. 23 (AP).—The Supreme Court's decision out-lawing all bus segregation may bring an early end to Montgomery's Negro bus boycott.

A suit attacking constitutionality of city and state segregation laws is already on file in Federal court. A hearing is scheduled May 11 before a three-judge panel.

Jack Crenshaw, attorney for Montgomery City Lines whose buses have been boycotted by Negroes for nearly five months, said "offhand it sounds like the Supreme Court said Alabama's statutes are unconstitutional."

Expects Court Order

"It indicates the court has adopted the same rule as that for schools," he continued, "and if so, I would anticipate that a court order will be entered here (May 11) along the same line."

Alabama was not directly affected by today's court ruling, but an order from the three-judge panel next month could apply the decision to this state.

Meanwhile, a leader in the Montgomery boycott, the Rev. M. L. King jr., appealed to members of both white and Negro races to use "calm reasonableness."

"All persons of good will will seek to comply with this decision," Mr. King said. He called it a ruling that "all lovers of democracy will welcome" and a "reaffirmation of the fact that segregation in any form is a cancer in the body politic which must be removed before our democratic health can be realized."

City officials planned to confer to see what effect the court ruling will have on the boycott.

Negroes have refused to ride segregated Montgomery City Lines buses since Dec. 5, the day a Negro woman was fined $14 for refusing to move to the rear of a bus.

Both state and city laws require segregation in all public transportation.

Jack Owen, chairman of the Alabama Public Service Commission, whose agency supervises bus travel between Alabama cities, said "I am going to do everything I can to maintain segregation in Alabama."

Alabama Judges Say Segregation On Buses Legal

Star P. 3

Sat. 5-12-56

Washington

MONTGOMERY, Ala., May 12 (AP).—Two members of a three-judge Federal Court panel, hearing an attack on Montgomery city and Alabama State bus segregation laws, said they didn't think the United States Supreme Court has outlawed intrastate bus segregation.

Their comments from the bench came yesterday during closing arguments on a suit by four Montgomery Negro women.

The judges gave no indication when they would announce a decision, saying, "This is an important case and will be studied and deliberated." They had been asked for an injunction against enforcement of the municipal and State bus segregation laws and to declare the laws unconstitutional.

Their decision is expected to be appealed directly to the Su-

preme Court and might result in the first clear-cut decision on the separate but equal doctrine on intrastate buses.

On April 23 the high tribunal sent back to lower courts a case involving city buses in Columbia, S. C.

Some attorneys interpreted the refusal to hear the case as a decision against intrastate bus segregation, but others thought it only a procedural move requiring final disposition of the case in lower courts before coming before the Supreme Court.

One Judge Silent

Judge Richard T. Rives of the Fifth United States Circuit Court of Appeals, presiding at yesterday's five-hour hearing, said he didn't construe the April 23 action as a decision on the merits of bus segregation.

District Judge Seybourn Lynne of the Northern District of Alabama agreed. There was no comment from the third judge, District Judge Frank M. Johnson, jr., of the Middle District of Alabama.

City Attorney Walter Knabe and Alabama Assistant Attorney General Gordon Madison also concurred. But Robert Carter, New York Negro attorney for the National Association for the Advancement of Colored People, insisted the separate but equal doctrine "has been overturned" by the Supreme Court in every other field and possibly in intrastate transportation.

Mr. Carter said there is room for doubt on what the Supreme Court decided last month.

That issue was one of the major ones in closing arguments, but two others were prominent in the hearing.

One was whether the Federal panel had jurisdiction in the case. The other was whether Montgomery's five-month-old bus boycott by some 50,000 Negro residents started as a protest against specific phases of bus segregation and only developed later into the broad attack on it involved in this suit.

Suit Filed Feb. 1

Enforcement of a State law must be involved for a panel such as the one sitting yesterday to have jurisdiction. Defendants in the suit against Montgomery City Lines, Inc., two bus drivers, the police chief, the three city commissioners and members of the Alabama Public Service Commission argued that only municipal ordinances were involved.

Negro attorneys brought out during three hours of testimony, however, that some Negroes had been charged with violating State laws during the boycott.

The suit was filed February 1, after the boycott began December 5 when a Negro woman, Mrs. Rosa Parks, was fined $14 for failing to comply with bus segregation laws.

When the boycott began, Montgomery Negroes asked the city for specific changes of the bus segregation system, but later broadened their stand to one against the system itself.

Testimony yesterday indicated that Negro solidarity developed by the boycott enabled them to challenge segregation laws they had long oppose.

City attorneys countered this line with a persistent effort to show that Negroes were willing to live under the segregation code until recent weeks.

In Montgomery, a hearing was scheduled to begin today in the United States District Court before a three-judge panel on a suit challenging constitutionality of city and state segregation laws in this connection.

It seems clear to this paper that there is no adequate basis for any action on the assumption that intrastate bus segregation has been knocked out.

Bus Segregation Is Still The Law

Advertiser p. 4-A

THE effect of Judge Jones' decision Wednesday, ordering Montgomery City Lines to abide by city and state segregation ordinances as they have always done, is to reaffirm segregation on transportation as the law in Montgomery.

Nor can the bus company argue that it recognizes the higher authority of the U.S. Supreme Court, because the Supreme Court hasn't ruled, not even on South Carolina's laws, certainly not Alabama's.

Today, of course, an entirely new and separate phase of the dispute will begin in U.S. District Court with the hearing of a suit challenging the constitutionality of city and state laws requiring segregation on transportation. The court might hand down any number of decisions, but if it declares bus segregation invalid and this view is upheld on appeal, this could have the ultimate effect of dissolving Judge Jones' order.

Intrastate Bus Segregation Issue Pending

News p. 18 Thu. 5-17-56

Judge Walter B. Jones, in granting an injunction against application of the recent integration order of the Montgomery bus company and upholding state and local segregation law in the company's operations, declared: "There is no straight out decision of the Supreme Court of the United States holding that a state or city may not require the separation of the races on buses where carriage of passengers is solely intrastate."

B'ham Ala.

A recent United States Supreme Court order in a South Carolina case was widely interpreted as holding segregation on local buses was unconstitutional. But this interpretation of the order has been challenged in some quarters, the contention being that the court did not pass on the constitutional issue but remanded the case for hearing on its merits.

It seems plain to us that there is question as to just what the Supreme Court's order meant.

Judge Jones appears to us to be on sound ground in holding that the court has not passed directly on the constitutional issue.

The South Carolina Public Service Commission yesterday issued a statement declaring that state laws requiring segregation of intrastate bus and railroad passengers "are in full force and effect," that the Supreme Court ruling had "no effect on the validity or enforceability of the laws of this state."

The commission said the South Carolina case has not been tried on its merits in the district court, that "the Supreme Court's action therefore merely means that the case is not yet ripe for its decision."

The U.S. Supreme Court did not, as it was first reported, outlaw bus segregation April 23, but merely refused to review the South Carolina case because the question of damages had not been settled in the lower court.

Unless and until Judge Jones' order is set aside by a higher state court, or superseded by some federal court order, segregation is still the law on Montgomery buses and the bus company must, under threat of citation for contempt, enforce it. Judge Jones' injunction order said:

Ala. J. 5-11-56

Ordered, adjudged and decreed by the court that the respondent company do withdraw the order it has issued to its employes, same being contained in the bulletin No. 5-56 [which the company hastily issued on the day of the Supreme Court's misinterpreted order, apparently without bothering to ascertain whether the Supreme Court had actually invalidated bus segregation] dated April 23, 1956, with reference to seating of passengers on buses, and the said respondent, its agents, servants and employes, be, and each is hereby required to comply with and abide by all the provisions of the ordinances of the city of Montgomery and the statutes of Alabama relating to the seating of white and Negro passengers in separate portions of the conveyances of the respondent operated within the city of Montgomery and its police jurisdiction.

That means the bus company and its drivers must enforce segregated seating or risk going to jail for contempt.

Montgomery Negroes Tell Court Of Abuse by City's Bus Drivers

Times p. 20-C

Defense Opens Case in Boycott Trial With Recital of Threats and Insults

New York City

—Pastor Renews Peace Offer

Thurs. 3-22-56

By WAYNE PHILLIPS

Special to The

MONTGOMERY, Ala., March 21—Montgomery Negroes testified today that they had stopped riding the city buses because of shooting and threats and insults by drivers.

None of the score of witnesses said he had stopped riding the buses because of the protest movement led by the Montgomery Improvement Association headed by the Rev. Dr. Martin Luther King Jr.

Mr. King is on trial for conducting an illegal boycott. Eighty-nine other Negroes have been arrested on similar charges.

The association was formed by Negroes after the arrest of Rosa Parks, a seamstress, for refusing to give up her seat to a white person. Most Montgomery Negroes have refused to ride the city buses since Dec. 5, when she was tried. They have used a pool of 30 cars organized by the association.

Seek Greater Courtesy

The Negroes have demanded, through the association, that the bus company assure greater courtesy by drivers, seat Negroes on a "first come, first served" basis and employ Negro drivers on predominantly Negro routes.

Dr. King said today that the protest movement could be settled now on the basis of those demands even though the protest has been extended to a general attack on segregation in city transportation.

The defenseopened by seeking to establish a "just cause" for Negroes' refusal to ride the buses. Three leaders of Negro civic associations testified that they had asked city and bus company officials for better riding conditions on several occasions since 1952.

Among their complaints were discourtesy and insults by drivers, being forced to stand beside empty seats reserved for whites, being left behind while going to the rear door, and drivers' picking up white passengers at every block, but colored passengers only at every other block.

Mrs. Thelma Glass, a member of the Women's Political Council, testified that nothing had been done by the bus company or city officials about any of the complaints except the refusal to stop at every corner.

Tells of Gun Threat

Mrs. Sadie Brooks, a member of the Civic Federation, testified to the reluctance of drivers to make change for Negroes. She told of a bus driver who had forced a Negro off the bus at the point of a gun when the man offered a dollar bill to be changed.

Another woman, Mrs. Stella Brooks, testified that she had stopped riding the buses in 1950 because her husband had been shot to death when, she said, he refused to obey a driver's order to stay off the bus. Her testimony was stricken on the ground that she had not witnessed her husband's death.

A succession of other witnesses told, often in emotional terms, of repeated threats and verbal abuse by drivers.

After the prosecution had rested this morning, Fred D. Gray, one of the eight Negro attorneys defending Dr. King, asked that the case be thrown out. He contended that it had not shown any illegal activities by Dr. King or his associates.

Circuit Judge Eugene W. Carter ruled against the motion, which had raised a series of constitutional questions expected to be used as the basis of an appeal should Dr. King be convicted. The defendants have waived their right to jury trial.

FINE DEALT BUS BOYCOTT LEADER

Times-Picayune

Sentence Suspended Pending Defense Appeal

Fri. 3-23-56

By REX THOMAS

MONTGOMERY, Ala., March 22 (AP)—The first of the Negro bus boycott leaders, Rev. Martin Luther King Jr., was convicted after a four-day trial Thursday and defense attorneys immediately began an appeal that may lead ultimately to the United States supreme court.

New Orleans

King, 27-year-old pastor of the Dexter Avenue Baptist church in Montgomery, was fined $500 for violation of Alabama's seldom-used antiboycott law for his part in the 17-week-old boycott against segregated city buses.

La.

The fine was suspended, however, after Negro defense lawyers served notice of appeal. They have said they will take the appeal to the US supreme court if the state appellate courts uphold the conviction.

Court reconvened a short while later and King also was charged with court costs of approximately $500 in addition to the fine.

Sentence Suspended

Under a formality of court procedure, however, the fine and costs were converted into a jail sentence since he chose to appeal rather than pay the money. He was sentenced to a total of 386 days. But the sentence was suspended when the defendant posted an appeal bond of $1000.

As he left the courthouse, the minister was cheered by waiting Negroes with shouts of "Behold the King" and "Long live the King."

Circuit Judge Eugene Carter, presiding over the trial in the absence of a jury, could have fined King $1000 and added a six-month jail sentence under the state law. But he said he decided on a lesser penalty because it was shown in testimony that the 27-year-old minister used his influence throughout the mass bus protest to urge his people to refrain from violence.

Other Trials Postponed

Circuit solicitor William F. Thetford announced immediately after the verdict was read that the state had agreed to postpone the trials of 89 other boycott defendants pending King's appeal.

The 90 Negroes were indicted by a grand jury Feb. 21.

In a statement to newsmen following his conviction, King said the verdict "will not increase or diminish in any way my interest in the protest."

"We will continue with the protest in the same spirit," he continued, "with nonviolence, passive resistance, and using the weapon of love."

(International News Service)
REV. MARTIN LUTHER KING JR.

Times-Picayune

There was no demonstration in the courtroom, but Negro spectators crowded around King outside as he left the courthouse.

The minister expressed confidence to reporters that the federal courts will throw out his conviction and hold the Alabama law unconstitutional.

P. 8

Mistreatment Claimed

Defense attorneys Fred D. Gray of Montgomery and Arthur Shores of Birmingham insisted in their closing arguments that the state had failed to prove King committed any unlawful acts and that Negroes had a justifiable reason for refusing to patronize the bus company.

Nearly two score Negro witnesses had testified of repeated acts of verbal abuse and mistreatment in the past decade at the hands of white bus drivers, and defense lawyers argued the boycott was the culmination of those experiences.

Gray contended that King had done nothing whatever to prevent the bus company from carrying on a normal business.

Shores, on the other hand, argued that the Negroes had a just cause for refusing to ride the buses and that whatever King did "he has done perfectly within his own rights as guaranteed within the constitution.

In their pretrial arguments and repeatedly during the four-day hearing, the Negro lawyers injected the question of federal constitutional rights in the trial, admittedly with a view to taking their case into federal court if necessary.

Insists Case Is Proved

Thetford, in his final argument, insisted that the state had proved its case and that King had been clearly identified as "the leader" of the continuing bus protest.

He described the defendant as one of a "selfish little group of men seeking power and influence among their race and seizing this opportunity."

King, testifying in his own behalf earlier Thursday, denied commission of any unlawful act and said he had never urged other Negroes even to refrain from riding the buses.

He emphasized also that he had carefully steered clear of violence during the boycott; that he admonished Negroes to follow a policy of non-violence and passive resistance to oppression.

Thetford produced minutes of the group's organization meeting, however, which listed King as chairman of the resolutions committee.

Boycott Support Cited

The resolution urged all residents of Montgomery to refrain from riding buses and was adopted at a Negro mass meeting the night of Dec. 5, the date the bus protest began.

King and other witnesses agreed that most of if not all the improvement association's efforts thus far have been directed at supporting the boycott.

State's attorneys completed their testimony with seven rebuttal witnesses, including six veteran bus drivers who denied they had ever mistreated any Negro passenger.

Recalled as a prosecution rebuttal witness Thursday was the bus company manager, J. H. Bagley. He testified he had fired 21 drivers in 10 years for discourtesy to passengers.

Bagley also produced a performance report by his parent company, National City Lines, Inc., of Chicago, based on a spot check of Montgomery buses last November. The manager said it failed to show one instance of driver discourtesy.

Rev. M. L. King Answers Faulkner On Gradualism

Pittsburgh Courier

Sat. 4-28-56

Columbus, Ohio (ANP)—Speaking for a crowd of 400 $10-a-plate dinners in Columbus last Saturday night, Dr. Martin Luther King, leader of the Montgomery, Ala. bus protest, answered novelist William Faulkner who recently cautioned Negroes to slow up.

In his address to the Ohio NAACP, Dr. King went to some detail to reply to Faulkner who recently wrote an open letter to Life Magazine in which he urged Negroes to slow down in their drive for first class citizenship.

"Tell Mr. Faulkner, who encourages the use of gradualism, that segregation is a cancer to the American way of life and that one does not treat cancer by rubbing vaseline on it," stated Rev. King.

All through his address the speaker emphasized the idea that the protest in Montgomery was being conducted without violence and with love of fellowman and love of country as the most important ingredients.

"We do not have hate in our hearts, we do not want to put the bus company out of business, we want to put justice in business," declared the Rev. Mr. King.

Rev. King pointed out that the reference to the Negroes' refusal to ride the segregated buses in Montgomery as a boycott is incorrect. "It is a protest. We refuse to cooperate! We refuse to pay our dime to be treated in the manner to which we are objecting."

State develops new boycott evidence

News Tues. 3-20-56
Birmingham Ala.

MONTGOMERY, Ala., March 20—(AP)—Prosecuting attorneys developed fresh testimony today that a newly-formed Negro organization has devoted most of its efforts to supporting the segregation boycott of Montgomery city buses. P. 6

The Rev. Martin Luther King Jr., first of 90 Negro leaders called to trial on indictments growing out of the bus boycott, is president of the Montgomery Improvement Assn. which was formed last Dec. 5, the day the Negroes began their mass refusal to ride segregated buses.

PURPOSE OF THE testimony was to try to link King to what the state calls a conspiracy to hinder operation of the bus company, Montgomery City Lines.

Mrs. Erna Dungee, financial secretary of the improvement association, was back on the witness stand for the second day to identify checks paid out by the organization. Many of them, she said, went to drivers who have used cars in a motor pool which has provided transportation for Negroes during the boycott.

Mr. Dungee also testified that she saw King at many of the mass meetings held at Negro churches twice a week since the boycott started, and that the 27-year-old Baptist minister spoke at some of the rallies. But she said she couldn't recall what he said except that he discussed "the protest," which is the Negroes' term for the dispute.

THE FINANCIAL secretary also said collections of money were taken up at every mass meeting she remembered and that "I'm sure" some of the money went to the improvement association.

Mrs. Dungee said the Negro organization has performed no direct function besides supporting the bus boycott and has spent no money "directly" for any other purpose. She said the association did help out with baskets for needy Negroes but she didn't recall spending any of the organization's money for that purpose.

A Baptist minister who refused to swear an oath as a witness followed Mrs. Dungee on the stand and told of the organizational meeting of the Bell Street Baptist Church in Montgomery, told the court. "I don't swear. It's against my religious conviction. But I promise to tell the truth."

Circuit Judge Eugene Carter agreed that was good enough.

FIELDS, SECRETARY of the improvement association, testified the organization grew out of a meeting of the Montgomery Interdenominational Ministerial, a group of Negro ministers.

On one question, he said his notes showed three members appointed a committee but that his minutes didn't show what committee it was and "my memory does not allow me to recall."

Questioned about the appointment of a transportation committee, he said his minutes bore an entry about a transportation committee but "I see those words and they don't make sense to me now."

THE CHAIRMAN of the association's transportation committee, Rufus Lewis, testified the purpose of his group was to provide transportation "to those who want it in preference to riding the buses."

Lewis described in detail the working of a car pool of some 200 automobiles which has provided rides to and from work for some several thousand Negroes since the boycott began. He said passengers assemble at some 43 dispatch stations each morning and gather again at pickup stations at the close of the day to get rides back home.

Asked if he had ever made a transportation report to King as president of the association, Lewis said he didn't recall but that reports were made at mass meetings.

With the battery of Negro defense attorneys still to present their case, the trial of King may well run through tomorrow. It may be weeks or even months before the trials of all 90 defendants can be completed.

The Negroes have all exercised their right to demand separate trials. All have waived the right to trial by jury, leaving it up to Circuit Judge Eugene Carter to decide on their guilt or innocence.

Yesterday Mrs. Dungee identified bank deposits totaling about $30,000 made out in the name of the Improvement Assn. She also identified photostats of checks totaling almost $5000 signed by herself and King in payment for gasoline.

A previous Negro witness yesterday, the Rev. A. W. Wilson, a member of the Improvement Assn.'s executive committee, told the court that as far as he knew the organization had done nothing besides seek "better treatment" for Negroes on buses.

J. H. Bagley, manager of the bus company and the first witness called yesterday, identified King as one of the Negro leaders who told him they thought the boycott would end if certain demands were met.

Among the 90 defendants scheduled for trial after King is Mrs. Rosa Parks, the seamstress whose conviction for refusing to move to the back of the bus brought on the continuing protest movement. Negroes have stayed off the buses since Mrs. Parks was fined $14 on Dec. 5 for violating state and city segregation laws.

Associated Press wirephoto

DEFENSE IN BUS BOYCOTT CASE
. . . Fred Gray (left) and Arthur Shores talked with Rep. Charles C. Diggs Jr. (right), (D., Mich.) on steps of Montgomery Courthouse.

Magazine Spotlights Rev. M. King

Afro American
Baltimore, Md.
Sat. 6-4-56

NEW YORK — "If we are arrested every day, if we are exploited every day, if we are trampled over every day, don't ever let anyone pull you so low as to hate him."

This, according to an article in the current issue of Redbook Magazine, is one of the statements recently made by the Rev. Martin L. King Jr., as he urged the people of Montgomery, Ala. to use the "weapon of love" in their bus campaign.

Calling the Rev. Mr. King a "new and striking" type of leader, the article notes that his advocacy of passive resistance has presented the Southern prosegregationists with a "new, and to many, perplexing view" of the Southern colored man.

"Its success," the article continued, "has demonstrated clearly the powerful uniting force of a movement based on the principle of love for all people and grounded in a snese of the righteousness and justice of its cause."

Frontiers To Honor Dr. M. L. King And Mrs. Rosa Parks

Daily Herald
Augusta, Ga.
Wed. 9-5-56

The Atlanta Frontiers will spearhead a citizens committee to honor Atlanta born Dr. M. L. King, Jr., and Mrs. Rosa Parks, both of Montgomery, Alabama. The testimonial will see the presentation of the second annual citizenship plaque and citation by the local service club group. The program is tentatively scheduled for mid-October.

During the weekly meeting at Joe's Holiday Room the president, Jesse O. Thomas, was urged to plan a community wide participation program, and to invite community leaders in on the planning participation.

In other action the Frontiers scored the action of members of the Atlanta Police force for the long standing policy of citing postal employees during the performance of their duties with traffic violation charges. Of particular interest is the fact that only Negroes have been victims of the local policy some policemen.

Significantly it was a Frontiersman who was the most recent affected. Recently James W. Hawkins was cited for illegal parking while picking up mail from postal boxes in the Odds Fellows Building, the Herndon Building, Auburn and Butler Streets and the Sub-Station in the Drug Store. Later the case was dismissed.

A detailed report of this case and others were heard by the Frontiers. It was indicted that more recently the postal employees have had a rash of these charges by police officers in various areas of the city.

The Frontiers further went on record commending Mr. Hawkins for his action in the interest of all postal employees. They said "it is the consensus of the Frontiers that this was a significant act in establishing the right of all Negro government employees to perform his duty."

The members also especially observed the appointment of Mrs. Ralph C. Robinson as a resource person on the staff of Area Superintendent, Dr. Bowen. She is the wife of Frontiers Projert Chairman, Ralph C. Robinson.

The Frontiersmen discussed the importance of getting-out-the vote and the value of an informed electorate. Here plans were outlined on how a voter can secure detailed facts on various candidates.

Hamilton Douglas, Jr., and Luther V. Alverson, are scheduled to address the Frontiersmen during their weekly luncheon next Tuesday. They are candidates for ujdgeships in the September 12 primaries.

MONTGOMERY PROTEST TRIALS HALTED: PASTOR FINED $500

Lawyers Say Case May Go To U. S. Supreme Court

Daily World 4/1
Atlanta, Ga. 4-1-56

BY ROBERT H. DENLEY

MONTGOMERY, Ala. — (INS) — The Rev. M. L. King, Jr., was found guilty Thursday of conspiring to sustain Montgomery's long bus boycott and fined $500.

Judge Eugene W. Carter, who made the decision in the jury-less trial explained he reduced the punishment well below the maximum in recognition of the Negro minister's attempt to prevent violence during the boycott that began last December 5.

The trials of 89 other Negroes on similar charges were postponed pending the Rev. King's appeal to the State Supreme Court.

King, who was released immediately under bond, told newsmen:

FIGHT PLANNED

This will not dininish in any way the interest in the Bus protest we will continue the protest in the same protest in the same spirit."

Judge Carter's decision, issued immediately after attorneys completed final arguments, was delivered to a hushed court room made up predominantly of Negroes.

The jurist said:

"Because of this defendant's activities in trying to prevent violence I think it it fair to find him guilty but fine him only $500."

The maximum punishment under the 30 year old anit-boycott law is a fine of $1,000 and six months in jail.

After the sentences, Negro spectators shook hands with the minister, but there was no demonstration.

Robert Carter, National Association for the Advancevent of Colored people legal staff member from New York who participated in the trial said:

"We think that if a conviction can be sustained under this law, the law itself is unconstitutional. We will take it to he U. S. Supreme Court if necessary."

The next step is an appeal to the Alabama Supreme Court which upheld the validity of the anti-boycott law in 1942 under which the Rev. King was convicted.

In final argument, Solicitor William Thetford asserted that the boycott was not sustained by spontaneous portest of Montgamery's 45,000 Negroes but by "A selfish, little band of men seeking power over their own race. They saw an opportunity to get it through this Bus protest."

Daily World

Thetford said that the defense only contention was that King had a "just cause or leagl excuse to enter into this conspiracy." He added "I submit they decided to continue the boycott before they had any idea what their excuse would be."

Thetford said in his 30 minute final argument:

"I submit that a great majority of the colored people of Montgomery want to go back to riding but are afraid to do so."

He said that acts of violence, including the shooting up of several Buses in the early stages of the boycott, "were a natural and logical consequence of the hysteria built up by this defendant and others. Those acts were committed in furtherance of the aim of 16 or 18 men who were the original conspirators and who organized this boycott."

Defense Attorney Fred Gray argued that the state had failed to prove beyond a reasonable doubt that the Rev. King violated the law. He added:

"The state has utterly failed to show this defendant made any attemp to restrain people from riding the Buses."

Defense Attorney Arthur Shores, NAACP lawyer from Birmingham, Ala., said we contend there was a just cause or legal excuse for this defendant to do whatever he has done, and that he has committed no unlawful acts."

'I Have Faith'

Afro-American 4/8

By AL SWEENEY
Staff Writer

MONTGOMERY, Ala. — "Frankly, I don't know how it will end. But I have faith in the future and confidence that we are right.

"Ultimately, right will triumph because we believe that God is with us."

It was the Rev. Martin Luther King Jr. speaking.

He answtred queries of the AFRO at busy headquarters of the Montgomery Improvement Association located in the Pine Room of the Citizens Club on the western limits of Montgomtry.

Sat. 4-7-56

THE TYPEWRITER of four typists were clacking away on letters of acknowledgement on the thousands of organizations and individuals who sent messages and money to the association in support of its "passive resistance" protest movement.

The movement was nearing the end of its 15th week. The Rev. Mr. King was signing the acknowledgements, answering the telephone, and advising members of his staff on the various phases of the operation.

Baltimore, Md.

"I note that one writer said that you were just getting around to reading the life of Gandhi and that the 'passive resistance' movement was inspired by his life," the writer said.

* * *

"YES I NOTED that. But, that isn't true. I have been a keen student of Ganhi for many years.

"However, this business of passive resistance and non violence is the gospel of Jesus. I went to Gandhi through Jesus.

"The techniue was developed by Gandhi," the Rev. Mr. King said.

I have heard that you were a student of Dr. Howard Thurman dean of the chapel at Boston University and that much of your philosophy has been influenced by him, he was told.

* * *

"IT'S STRANGE that you mention that at this particular time. Because I signing a note to Dr. Thurman, whom I greatly admire.

"But, I never took one of his courses. He is a good friend of mine, but I would not say that I was a student of his. He is a fine man I greatly admire him, though."

How the movement began has been told. Why the Rev. Mr. King was chosen as its leader has not.

"I couldn't tell you why I was chosen as the leader, either," says the Rev. Mr. King.

* * *

HE HASTENED to add that this "was a movement of the masses and not that of any single individual. The leadership is a corporate one and I am merely in name only."

As for the philosophy of love, the Rev. Mr. King says that he cannot too strongly emphasize "the power of love."

"I feel it transcends all power. The sheerp ower of love will overcome our enemines.

"We have no room for resentment or hatred. We have to make others understand our position and this can only be done through the weapon of love," he said with great sincerity.

* * *

THE REV. MR. KING stands 5 feet 4 inches and weighs about 140 pounds.

He did his undergraduate work at Morehouse College in Atlanta. He received his bachelor of divinity degree from Crozier Theological Seminary in Chester, Pa.

While attending Crozier, he took graduate courses at the University of Pennsylvania.

In June, 1955 he received a doctor's degree of divinity from Boston University.

* * *

"AFTER RECEIVING my degreem from Boston University," he said, "I received numerous offers to teach or serve as an administrative assistant in one of several colleges.

"However, I got the call to the Baptist Church here in Montpulpit at the Dexter Avenue Baptist Church here in Montgomery. I wanted the experience of the pulpit, so I accepted.

"There have been several excellent ministers in the pulpit of the Dexter Avenue Church in the past. Such men as Dr. Vernon Johns, my immediate predecessor, who is retired in Virginia;

"Dr. Ralph Riley, president of the American Baptist Seminary; Dr. Gregory, Dr. Jackson, now a pastor in Connecticut; and Dr. R. T. Pollard, president of Selma University."

* * *

THE REV. MR. KING is the third generation of ministers. His maternal grandfather, the Rev. A. D. Williams, pastored at the Ebenezer Baptist Church in Atlanta for 37 years.

His father, the Rev. Martin Luther King Sr., has been pastor at the Ebenezer Church 24 years.

"What about the report that your father holds title to the church and not the trustees as in most churches?" I asked the young minister.

"You know there isn't a word of truth in that report. I have been hearing that since I have been a youngster. I don't know how it got started."

* * c

THE REV. MR. KING is married to the attractive former Mis Corretta Scott of Marion, Ala. Mrs. King is a graduate of Antioch College at Yellow Springs, Ohio.

The Kings met in Boston, Mrs. King was attending the New England Conservatory of Music studying voice.

A lyric soprano, she was a concert singer up until she gave birth to a daughter, Yolanda Denise, four months ago.

The Kings have been married three years. They reside in a modest bungalow at 301 S. Jackson St.

SINCE THE demonstration began, Mrs. King has received many anonymous phone calls. Many of them she said were obscene and contained "very disconcerting" threats.

How does she feel about them and the general atmosphere, since the demonstration?

"Well, I am not afraid. I feel that we are right in the sight of God. He will watch over us and there is no need for fear."

The Rev. Mr. King revealed that the improvement association had applied for a jitney service franchise.

* * *

"WE WERE turned down and plan to apply again. If the franchise is not granted, perhaps we will run a free jitney service.

"I think that we could do with about 100 station wagons. We could operate the free transportation system through contributions in our churches.

"I can't see where it would be illegal to do this as long as we were not operating a service for hire," he said.

* *

"MAYBE THIS will be the answer. At this point I don't know how this movement is going to end.

"But, we know that we are not going to accept the humiliation that we endured under the old system.

"We ask only that we be treated with the proper respect that should be accorded all human beings."

Bus boycott group sets up own bank

Afro-American P. 17

Baltimore, Md.

MONTGOMERY, Ala. — The newest project of the Montgomery Improvement Association, sponsors of the bus boycott now in its sixth month, is the establishment of a savings and loan bank.

Sat. 5-19-56

The Rev. Martin L. King announced that such a project was in the offing last week.

At Thursday's mass meeting, he circulated questionnaires among members of the association to determine whether they were interested in such a bank.

THE PASTOR explained that many of the city's banking and loan institutions were becoming hesitant in financially assisting "our people."

"Let's build our own financial empire right here in Montgomery," he challenged.

It was explained that such a savings and loan company to be established in a town as large as Montgomery must have at least 300 shareholders. . .

* * *

NO SHAREHOLDER could purchase more than shares amounting to $5,000. The minimum total of shareholders is $400,000.

The proposed savings and loan company in Montgomery will sell shares at $5 each.

The questionnaire asks the respondent if he is interested in establishing a bank in Montgomery and if interested, how many shares he would want.

Negroes Vote To Continue Bus Boycott

Advertiser

Fri. 4-27-56

Montgomery, Ala.

Resolution Asks City To Withdraw Threat To Drivers

P. 1

By STEVE LESHER

More than 3,000 cheering Negroes unanimously approved a resolution to continue the five-month-old boycott of city buses until the city withdraws its threats to arrest passengers and drivers who violate existing segregation laws.

Rev. M. L. King, president of the Montgomery Improvement Assn., read the resolution proposed by the executive committee of the MIA. The resolution praised the Supreme Court and National City Lines Inc. and its local subsidiary for their stands for desegregation.

The resolution began by reviewing the Negroes' reasons for beginning the boycott and continued by reporting the Supreme Court's decision made last Monday and the orders issued by the bus company.

SEVERAL CITIES

After stating reliable sources reported white and Negro passengers ride integrated buses in "several Southern cities, including Richmond, Va.; Little Rock, Ark.; Dallas, Tex., and others," King continued:

"Whereas the public officials of . . . Montgomery and . . . Alabama have indicated . . . that they intend to . use all means available, including the arrest of bus drivers and passengers who refuse to abide by and obey the segregation laws . . it is . . . agreed that the conditions heretofore existing remains the same because of the position taken by our public officials.

"Be it therefore resolved that we, the Negro citizens of Montgomery, Ala. . . . will continue to carry on our mass protest . . ."

The resolution was greeted with a thunderous ovation from the Negroes who massed in Day Street Baptist Church.

King urged that Negroes "not abuse" their "new rights and privileges." He added "a great adjustment needs to be made" among the Negroes.

PRAYERS FOR BAGLEY

He urged the throng to pray for the recovery of J. H. Bagley, superintendent of Montgomery City Lines Inc., who suffered a heart attack early Wednesday.

He also urged prayer for the City Commission "to lift them from the darkness of injustice . . ."

Meanwhile, no solutions to the conflicts in their stands were forthcoming from a lengthy meeting yesterday afternoon between officials of National City Lines Inc. of Chicago, Montgomery City Lines Inc. and Montgomery city commissioners.

REVOKE CHARTER

In a statement issued earlier by Mayor W. A. Gayle and City Commissioner Frank W. Parks and Clyde C. Sellers it was indicated the city would seek to revoke the bus company's franchise if the company failed to uphold segregation laws.

Vice President Benjamin W. Franklin of National City Lines, parent company of the local firm, has taken a stand that the company "is not a police body. We will not enforce segregation and we will not enforce integration." Franklin said the company would "certainly help" a bus driver "if he was arrested for obeying our instructions."

Advertiser

After the two and one-half hour meeting in the offices of City Atty. Walter Knabe, Mayor Gayle issued the following brief statement:

P. 2-A

"The City Commission has. . . taken the position that the . . . decision of the . . . Supreme Court did not pass on the statutes of Alabama and the . . . City of Montgomery. We are now advised that there is a question as to whether the Supreme Court passed . . . on the statutes of South Carolina.

NO CONCLUSIONS

"We have conferred with representatives of the City Lines but have reached no conclusions. Our conferences will be resumed on . . . Friday or Saturday.

"The City Commisison adheres to the position it has originally expressed that it will enforce all applicable Alabama statutes and city ordinances."

Montgomery City Lines representatives had "no comment" to reporter's questions. At the meeting besides the city commissioners, Knabe and Franklin were City Clerk Silas Cater, City Atty. Miles S. Hall, National City Lines Atty. Robert Thrun and Montgomery City Lines Atty. Jack Crenshaw.

Franklin said later that no meeting with Negro leaders had been planned.

38b 1956

ALABAMA

REV. M.L. KING
MONTGOMERY

MONTGOMERY NEGROES TO CONTINUE WALKING

Daily world P.1

Fri, 4-27-56

Not One In Meeting To Oppose Move

Atlanta, Ga.

By PAUL BURTON

MONTGOMERY, Ala. — (INS) — Montgomery's Negroes voted unanimously at a mass meeting last night to continue their bus boycott of almost five months in protest against racial segregation on public vehicles.

More than 2,500 persons jammed into the Trinity Baptist Church to voice approval of a resolution calling on the officers and board of directors of the Montgomery Improvement Association "To do any and all acts that are deemed necessary to perfect our desires."

WAVED ARMS

The whole congregation stood up, shouting and waving their arms when the Rev. Martin Luther King, Jr., unofficial leader of the Bus boycott who chaired the meeting, called for the resolution.

The Rev. B. D. Lambert, Baptist Minister, moved that the resolution be adopted unanimously and declared:

"The Negroes of Montgomery will never go back to Jim Crow Buses." not a single person stood up when King asked if there were any opposed.

The church was filled to capacity more than an hour and a half before the meting was called to order shortly after 7 P. M. The assembly engaged in singing religious songs before the meeting got under way with an opening prayer.

The Montgomery City Lines, Inc., a subsidiary of National city lines Inc., of Chicago, has met all the demands of the Negroes except one the hiring of Negro bus drivers for predominantly Negro routes.

The Montgomery Improvement Association the organization established to coordinate the boycott, indicated today that it has softened this demand.

Fred Gray, attorney for the Association, said.

"We Want Negro applicants to receive the same consideration as white applicants."

Formerly, the MIA demanded that the bus company must hire Negro drivers before the boycott could be ended. But B. W. Franklin, Vice president of National City lines, said he believed this was impossible in the near future because of union contracts which require furloughed men to be rehired before new men are considered.

HEAR SUIT MAY 11

Two lawsuits attacking the municipal and state statutes requiring segregation are in the courts, and there was speculation prior to the meeting that the boycott would not be called off until these suits have been resolved.

Daily World

One of the suits is scheduled to be heard in Federal court on May 11.

Boycott leaders, including Rev. King and Attorney Gray, said today, however, that the boycott could end before the litigation is concluded.

P. 4

Gray said the Negro driver issue was important not only because Negro passengers prefer them, but, also from an economic standpoint

"We give the bus company more than 70 per cent of its business," He said"and we feel some of that money should come back to us.'

The Bus Company issued a desegregated order last Monday, but city officials have threatened any violators of municipal segregation ordinances.

This morning's meeting held behind closed doors and lasting two and one half hours, brought only a reaffirmed and even stronger segregation stand from the commission.

In brief statement, issued after the meeting, the commission said it had formally taken the stand that the U. S. Supreme Court ruling last Monday, which led the Bus Company to order desegregation, applied only to South Carolina.

The Bus Company Representatives have no comments to make on the conference.

Further conferences are scheduled for today or Saturday.

Trial May Show If Protesting Is A Conspiracy

Daily Mord P.1

Wed. 3-21-56

Atlanta, Ga.

By CHARLES H. LOEB
NNPA Correspondent

MONTGOMERY, Ala. — The issue at Montgomery, when you have cut through the legal sparring in Circuit Judge Eugene W. Carter's courtroom, is whether it is an illegal conspiracy for Negroes in Alabama to unite behind cohesive leadership to protest inequality of treatment.

For the moment, it concerns treatment on the privately-owned, leased through the city, bus lines. But before the trial concludes it will inject itself into almost every phase of relationships between Negroes and whites in the state of Alabama.

The strong impression here is that it will not be decided in this courtroom.

The State of Alabama contends that the mass meetings held in Montgomery's Negro churches, the employment of drivers in a car pool to carry those who refuse to ride the buses, the voicing of demands for more courteous treatment, equitable seating on a first-come-served basis, and the employment of Negro bus drivers, is an act of conspiracy.

The Rev. Martin Luther King says it isn't. He is the first to be tried.

As this is being written, two days of legal jousting have been completed between well-trained white lawyers acting for the state and well-trained Negro lawyers acting for Rev. King, 23 other ministers, and others who make up the laymen.

In spite of all the objections raised by a corps of Negro lawyers, the story of how and why the MIA was born, and how it operates, and how much it costs to operate, and what gives it direction, will get into the records.

Negro lawyers have been overruled 116 times already in their efforts to keep these things out of the record.

But already, with only four witnesses questioned, the state has introduced records and exhibits to show that at least $30,000 has been disbursed by the MIA.

Everybody in Montgomery knows it already, word for word. They know their leaders and are following them.

Martin Luther King, Jr., whose stature grows bigger and bigger under abuse, after the bombing of his home, during each hour of his trial, has told them to tell the truth, the whole truth, and nothing but the truth.

He seems eager to get on the stand to set the pattern.

"We believe we are right. The truth can't hurt us," he tells his co-defendants.

"We were tired of getting second class treatment in exchange for first class fares."

"We wanted a dime's worth of ride for a dime."

"We kept begging for it."

"They kept refusing it."

It is difficult to see how that process can do anything but hurt the segregationists' cause. For even eventual upholding of this conviction—which is by no means certain—would not kill the idea of nonviolent use of economic power. Meanwhile at every step there would probably be a continuance of bad publicity for the methods adopted to enforce white supremacy. Also, unhappily, there may be a spreading use and abuse of boycotts, damaging to both races and to the South as a whole.

The Montgomery boycott developed as a protest by most of the city's 50,000 Negroes against discrimination on the busses. In the King trial there was abundant testimony intended to show justification—which might be a defense under the law. It left little doubt that treatment of the Negroes on busses fulfilled but half of the "separate but equal" standard.

Southerners honestly convinced that the two races will do better if kept separate—at least in certain associations — will find their case damaged by the ugly evidence of insult and humiliation in this record. Senator Eastland recently declared segregation was not based on any sense of racial superiority. But as practiced it is often hard to disengage from manifestations of white "supremacy" which are not pretty even when as unconscious as the discrimination practiced in the North.

Negroes have by no means been the only ones to employ economic weapons in the segregation struggle. Whites months ago began firing or denying

What Other Papers Say

Call P. 18

DESEGREGATION: ECONOMIC WEAPONS

Fri, 4-6-56

(From The Christian Science Monitor)

Kansas City, Mo.

The Negroes of Montgomery, Alabama, have started something which will not be stopped by the conviction of the Rev. Martin Luther King Jr., on the charges of organizing an illegal boycott. The bus boycott is not halted. Trials of 89 other defendants were suspended pending appeal of the King case, and that may take several years to reach a final adjudication.

credit to Negroes who signed petitions for desegregated schools. Whites have set in motion some of the most harmful rumor-bred boycotts of business firms accused—usually with no truth—of aiding the NAACP. Whites, indeed, appear to have suffered most, being also on the receiving end of boycotts by Negroes for supporting the White Citizens Councils.

It is clear that the economic weapons are dangerous ones, and southern leaders are deeply concerned by the harm they are doing. One remedy is to expose the false reports which start

many of them. But a more fundamental answer is also being sought in steps to cultivate moderation and positive improvements in race relations. Leaders in Montgomery would be well advised to follow this course.

So far the Negroes there have had all the best of it—especially in national and world opinion. They have asked for a rule which obtains on busses in other southern cities like Memphis. This still aims at segregation, but with a first-come-first-served rule. Whites are seated in front, Negroes in the back, but either race may overflow its own area if there are seats available. Whites at present are in the poor position of trying to compel Negroes to ride busses. Also to stand even though there may be empty seats.

Moreover, some of the Negro leaders appear to understand that the spirit in which economic weapons are used is vital. They have emphasized calmness and nonviolence. Mr. King pleaded on one occasion, "We must use the weapon of love. We must have compassion and understanding for those who hate us." Economic power, if exercised in that spirit, will not be easily stopped.

Trial of Negro Boycotters in Process

State Press P. 1

Rev. King on Stand 89 Others Waiting

Thu. 3-23-56

The trial of the 90 Negroes who were indicted in the Montgomery bus boycott went to court this week in that city. The trial will probably run for weeks and weeks, because each defendant has been granted an individual and separate trial. Circuit Judge Eugene Carter is the presiding judge during the trial of Reverend Martin Luther King, jr., whose case is the first to be heard.

Little Rock, Ark.

The state's attorneys are attempting to show that Negroes who rode the bus during the boycott have been threatened. Testimony along that line has been taken during the early hours of the trial, but the judge has allowed only part of the testimony to go into the records. Attorneys for the defense scored when they got from one of the prosecution witnesses, that he had heard the Reverend Mr. King and other ministers appeal to their race to shun any act of violence. This witness was city editor of the Montgomery Advertiser.

Inspite of the trial of the Reverend Mr. King, and the indictment of 89 others awaiting trial - - the courageous Negroes of that Alabama city are still walking.

Miss. Regional Meeting

Courier P. 1 (Sec. 2)

Rep. Powell, Dr. King, Dr. Howard to Talk

Sat. 4-28-56

Pittsburgh, Pa.

JACKSON, Miss.—Some ten thousand are expected to attend the fifth annual meeting of the Regional Council of Negro Leadership here Friday, April 27.

The crowded one-day, three-session meeting will bring together the greatest array of Negro leadership in the history of the state.

Top speaker will be Congressman Adam Clayton Powell, New York, member of the U. S. House of Representatives. The big speaker list will also include the Rev. Martin Luther King and the Rev. B. T. Lamerth, both of Montgomery, Ala.; Bishop Thomas H. Primm, New Orleans, AME prelate; the Rev. Paul Hayes, Hot Springs, Ark., and Dr. T. R. M. Howard, Mound Bayou.

Forty of the state's heads of various organizations will gather in the morning to draft resolutions seeking a bi-racial committee to explore present race tension. Following this, 1,000 ministers of all denominations will gather in a panel on "The Role of the Church in the Present Transition."

Tougaloo and Campbell College choruses and the Cordettes will furnish music.

$10-Per-Plate

Courier

Rallying 400 Hear Dr. King In Columbus

Sat. 4-28-56

Pittsburgh, Pa.

P. 1 (Sec. 2)

COLUMBUS, Ohio (ANP) — Speaking for 400 $10-a-plate diners in Columbus, Dr. Martin Luther King, leader of the Montgomery (Ala.) bus protest, answered novelist William Faulkner who recently cautioned Negroes to "slow up."

In his address to the Ohio NAACP, Dr. King went to some detail to reply to Faulkner who recently wrote an open letter to Life magazine in which he urged Negroes to slow down in their drive for first-class citizenship.

"Tell Mr. Faulkner, who encourages the use of gradualism, that segregation is a cancer to the American way of life and that one does not treat cancer by rubbing vaseline on it," stated the Rev. Mr. King.

P. 32

Aug. 3-20-56

Memphis, Tenn.

Commercial Appeal

TRIAL RECESS—A noon recess yesterday allowed Negro bus boycott leader Rev. M. L. King Jr. to escort his wife to lunch. King was the first of 90 indicted Negroes to go on trial in the Montgomery bus incident.

Mistreated People Of Montgomery Get Sympathy Plus Cash

Globe P.1 Fri. 3-23-56

Methodist Pastor Speaks To 2,100 Citizens Of Cleveland, Saying "We Decided To Go to Jail Together," Prayer Meeting Is Told Car Pool Patriots Have Raised $3,500 Expense For 91 Days; Protest Surrendering Seats To White Passengers

Nashville, Tenn.

Cleveland, Ohio, March 15.—"Perhaps you've heard that Negroes will not stick together. Well, if you hear it again, remember Montgomery, Alabama."

This was the admonition given here last week by one of the 24 ministers indicted in Montgomery in February for their participation in a mass Negro protest against discrimination in Montgomery city buses. A total of nearly 100 Negroes were indicted.

Addressing a crowd of 2,100 persons at a prayer-protest rally, sponsored by the Cleveland NAACP the Rev. L. Roy Bennett recounted that "we decided to go to jail together instead of one by one."

A total of $3,301.64 was donated by the audience to aid the Montgomery group in its fight against segregation and to help in the legal defense of those arrested there.

Mr. Bennett, a Methodist minister in Montgomery, related:

"Our story started in April, 1955, when a young girl refused to give up her seat on a bus, thereby violating city and state law, was jailed and fined. She had moved across an imaginary line set up by the bus driver.

WOMAN REFUSED TO GIVE UP SEAT

"Then, last December, a woman who had sat in the same bus seat for years refused to give it up to a white man. That was the straw that broke the camel's back. She was arrested, and that night there was the biggest and most spontaneous mass meeting ever seen at our church.

"We had to do something to stop the brutality of police and the drivers. We set December 5 as the day for our protest, in which no Negro would ride on a bus . . . We, the six or seven thousand Negroes gathered at our Dexter Avenue church that night, set up three things to accomplish:

"First, to request more courtesy to our people from the bus lines; secondly, to seek a seating arrangement on the basis of first come first served, and, thirdly, to request the employment of Negroes as bus drivers of the predominantly Negro lines.

Globe

"December 23 was the last of the meetings we had with city officials. They refused any compromise on our first two points. On the third they said union rules would take a little time for any integration of Negro drivers into the union.

P. 4

NEGROES HAVE WALKED AND WALKED

"Since then Negroes in Montgomery have walked and walked and walked . . . In a sense it is a spiritual movement and a passive movement. While we are walking, the bus line has lost $3,500 a day. Imagine, $3,500 a day for 91 days. We're going to fight until we can sit down where we darn please."

The call for funds at the meeting was led by the Rev. Angus C. Hull, Jr., of the Cleveland Baptist Association, who also served as moderator.

Other persons participating in the program included Dr. James E. Levy, president of the Cleveland NAACP; Charles P. Lucas, former executive secretary of the Cleveland NAACP; the Rev. A. Henson Jarmon, NAACP committee member and church pastor; Ralph Rudd and Jack G. Day of the Civil Liberties Union; and Arnold Walker of the Urban League.

The meeting was held on March 1.

Council Head Outlines Plan For King Fund

Advertiser P.1 Montgomery, Ala. Sun. 3-25-56

A Citizens Council leader yesterday suggested a New Jersey newspaper seeking funds to pay a convicted Negro bus boycott leader's fine isn't going far enough in its campaign.

State Sen. Sam Engelhardt of Macon County, executive secretary of the Association of Alabama Citizens Councils, issued this statement on a campaign launched by the Asbury Park Press:

"We think donations to pay King's (The Rev. M. L. King) fine are not enough. Donations should also be solicitied to move King, the Montgomery Improvement Assn. and every member of the National Association for Agitation of the Colored People (NAACP), in Montgomery to Asbury Park.

"If this is done we predict within one year other donations will be requested to move them away from Asbury Park. Apparently the Asbury Park Press's circulation among Negroes has been slipping lately."

DRIVE FOR $1,000

Montgomery's Mayor W. A. Gayle, and Associate Commissioners Frank Parks and Clyde Sellers, all members of the Montgomery Citizens Council, were unavailable for comment.

The newspaper launched its campaign to raise $1,000 to pay a $500 fine levied against the Rev. King after he was convicted of violating Alabama's anti-boycott law Thursday.

In a page one story and editorial, Editor Wayne D. McMurray suggested that readers of his newspaper might want to contribute to the fund to pay King's fine, court costs and legal expenses.

Advertiser

Circuit Court Clerk John Matthews said the court costs in King's case amounted to $184.45.

In a telegram to the Rev. King, Editor McMurray said:

P. 2-B

"We of the Asbury Park Press, outraged at the conviction of a fellow American for asserting a right our constitution guarantees to all, want to help you in your fight for justice. We are starting a fund drive among our readers for money to pay your fine and court costs.

3-25-56

"The Press itself is contributing $50. Checks will be drawn in your name and forwarded to you, or to your attorneys if your prefer."

The Rev. King was reported out of the city and unavailable for comment on the offer.

The Asbury Park Press editorial observed that segregation is "un-American and undemocratic" and said Montgomery Negroes were justified in insisting on a "first come, first served" seating arrangement on city buses.

$1,016 Sent From K.C. For Montgomery Cases

Call P. 2 Fri. 4-6-56

Kansas City, Mo.

The Kansas City NAACP branch C.P. announced this week that it had received and sent to its New York office $1,016.25 for the Montgomery, Ala., bus cases.

Thirty-six churches and individuals made the contribution through the local office.

Those making the contributions were: U.P.W.A.-C.I.O local No. 20; Macedonia Baptist church, S.Townsend, Galilee Baptist church, Randall Meade, St. Paul Baptist church Jeremiah Cameron, Hortense Black, Church of God in Christ, Carl R. Johnson, New Bethel A.M. E. church, Blue Valley Baptist church, Allen Chapel A. M. E. church, Second Baptist church, Willis A. M. E. church.

Jackson Memorial Baptist church Byrd Jackson, Jamison Temple A. M. E., Mount Pleasant Baptist church, Douglass Neighborhood Council, Pleasant Green Baptist church, Park Avenue Baptist church; Independent Packing House Workers, Local 12, Greenwood Baptist church, Effie G. Irvine, Bethany Baptist church, United Packing House Workers C.I.O. local 15, Olive Street Church of God in Christ, Highland Avenue Baptist church, Fellowship Baptist church, St. Paul Presbyterian church, Bethel A.M.E. church Southside Baptist church, Woodrow Austin.

All the money being sent to the N.A.A.C.P. from throughout the country is being used in defense of the people in Montgomery whose cases are now in the courts of that state. Other persons or groups desiring to make similar contributions are invited and urged to send them to the N.A.A.C.P., 231 Lincoln Building, 18th and Vine, Kansas City, Mo.

Master X's donation to Rev. King

Afro-American Sat. 3-31-56 Baltimore, Md.

RICHMOND

(Picture Page 18)

A 40-passenger bus will be sent to Montgomery, Ala., to aid in the 16-week-old bus protest.

The bus is being offered by Jesse L. Boland, 400-pound spiritual advisor known as "Master X." It has already been accepted by the Rev. Martin L. King, president of the Montgomery Improvement Association and alleged leader of the celebrated "passive resistance movement."

P. 6

IN A LETTER to Mr. Boland, the Rev. Mr. King said:

"We would gladly accept the bus. . . ."

The bus is one of three purchased by Mr. Boland several months ago. It is valued at $13,000. Mr. Boland, in a letter to the Rev. Mr. King, explained that he was in sympathy with the Montgomery movement and would gladly give one of his buses, if it was needed.

However, the bus needs tires, battery and some general re-

pairs to put it in first class condition. About $3,000 is needed. Mr. Boland said the bus could be sent as a contribution from the citizens of Richmond, if the public would provide funds to get the bus into shape.

* * *

A CITIZENS committee is already at work on a fund-raising program designed to get the bus to Montgomery.

The bus will be painted white, will fly the American flag, and will carry lettering "from the citizens of Richmond, Va."

Most of the contributions are expected to be made on Wednesday, March 28, which will be known as "Montgomery Day" throughout the freedom loving world.

Local churches have planned special prayer meetings and will send moral and financial support to the tension-ridden Alabama city.

* * *

THE MOTOR POOL carrying citizens to and from work is costing $200 a day. Though effective, it is expensive and a bus would cut the cost of the project.

Boland is an old hand at buying surplus equipment. Once he purchased a huge seaplane, capable of carrying over 100 persons. The ill-fated ship ran aground and sank in the Baltimore harbor in 1951.

The Rev. Mr. King wrote that he felt the bus could be used as the property of one of the churches in Montgomery.

THE REV. MR. KING wrote:

"We are deeply grateful to you for your interest in our situation here in Montgomery. I am sure that our people would be more than happy to accept your offer of a good serviceable bus.

"The lawyers seem to feel that there is no legal basis for denying the rights for a bus to run without a franchise so long as the transportation is free and of course all of our transportation is free.

"I am sure that such a gift would be of tremendous help in alleviating our transportation problem.

"In short I would say that we would gladly accept the bus. Please extend my best regards to all of the persons of Richmond interested in our cause."

Negro Files Data In Boycott Appeal

Commercial Appeal 8/10

MONTGOMERY, Ala., Aug. 10. —(UP)— More than 500 pages of testimony transcribed in the trial of Rev. M. L. King, convicted bus boycott leader, were filed with the state Court of Appeals Friday.

Memphis Press

They are being filed in preparation for an appeal of the fine given the Negro for his part in the racial demonstration.

King was convicted and fined $500 in March for fostering an illegal boycott against Montgomery city buses. He was one of 90 Negro ministerial and lay leaders indicted by a Grand Jury for breaking a little-used anti-boycott law in a protest over segregated seating on city buses.

Court of Appeals clerk Charles Bricken said the court was in recess for the summer and the case would not be submitted for its review before Oct. 4, the day it is scheduled to return.

The bulky document was completed by court reporter Hallowell Lewis at a cost of between $1,400 and $1,500 to be borne by King.

Martin King vs Grover Hall

Informer Sat. 8-11-56

In the August 3rd issue of U. S. News and World Report, the Rev Dr Martin Luther King, Jr, president of the Montgomery Impovement Association, presents the Negro side of the bus strike. The white side is presented by Editor in Chief Grover C. Hall Jr, of The Montgomery Advertiser, white daily newspaper. A comparison of the two views makes rather clear the basic difference between Negroes and whites on the issue of segregation in the South.

Boston Times P.12

Editor Hall does not pretend to offer any moral basis for the position of the whites. He takes his stand simply and solely upon naked power and force. He says: "This way or that, the whites are going to ride. There isn't going to be any desegregation of buses for, before that, the bus line would be abolished. The question for Dr King is, therefore, how long he can maintain his jitney tansportation for his 50,000 followers."

On the issue of the naked force and power of the South against the force and power of the Federal Government, Editor Hall says that the Negro and his leaders "let themselves come to think that what they sought could be had purely by dispensations from the courts, Congress and the White House." But against that he says that the segregationists are now led by "brains of the kind that checkmated and wore down the Federal Government in the 1870's."

Dr King, on the other hand, does not put his trust in the power and force of the Federal Government, although it is obvious that that force and power are sufficent to put down the segregationists. if the Federal Government does not surrender as it did in the 1870's. Instead, Dr King says: "America's motive for giving the Negro freedom must not be merely to compete with godless Communism. It must be done in the final analysis, not because it is diplomatically expedient but because it is morally compelling. So we must press on because it is morally right to press on."

So, there we have it. The segregationists of the South make no claim that they are morally right or just. They claim only that they have the physical and other naked power and force to keep on segregating Negroes, and that they can checkmate and wear down the superior naked force and power of the Federal Government as they did in the 1870's.

While Negroes have hopes that Federal power will not surrender as it did in the 1870's, yet they do not place their reliance ultimately upon this power. Negroes ultimately place their case at the bar of moral and Christian right and justice. History teaches that slavery could not be preserved by the naked power and force of the slaveholders. Negroes are confident that segregation cannot be preserved by the naked power and force of the segregationists.

Paper Will Pay Fine For Pastor

Daily World Atlanta Ga. Sat. 3-31-56

MONTGOMERY, Ala. — A new Jersey newspaper has launched a fund drive to pay the fine and court costs of Rev. Martin Luther King, one of the leaders in the mass boycott of segregated buses, it was disclosed here Saturday.

P.1

The Asbury Park Press started its campaign with a front page story and editorial by Editor Wayne D. McMurray.

Rev. King, pastor of Dexter Avenue Baptist Church and president of the Montgomery Improvement Association, was fined $500 Thursday after a 4 -day trial on charges of conspiring to boycott city buses

Editor McMurray sent this telegram to Rev. King:

"We of the Asbury Park Press, outraged at the conviction of a fellow American for asserting a right our Consititution guarantees to all want to help you in your fight for justice. We are starting a fund drive among our readers for money to pay your fine and court costs.

"The Press itself is contributing $50. Checks will be drawn in your name and forwarded to you, or to your attorneys if yu prefer."

The New Jersey editor said the goal of the Press drive is $1,000, and any money collected above that will go to the pastor to help him pay his legal costs.

Mr. McMurray also explained that if eventually the clergyman should be acquitted and the fine and costs revoked, Rev. King would have the use of the money to pay his legal fees.

The editorial in the Asbury Press said segregation was "un-American and undemocratic," and declared that Negroes in Montgomery argued "Justifiable that they should be allowed to sit where they choose on city buses...."

God's Seeming Deception Topic For Dr. M. L. King

Advertiser Sat. 9-15-56 Montgomery, Ala.

"When God Seems to Deceive Us" is the subject of the message to be delivered by Dr. M. L. King Jr., minister, at the Dexter Avenue Baptist Church on Sunday. P.2-B

The morning anthem will be "The King of Love My Shepherd Is" by Shelley. Soloists will be Dr. W. D. Pettus, Mrs. Athalie Smiley, Mrs. Geraldine Nesbitt and Miss Alice James. Mrs. Althea Thompson Thomas, organist, will play Handel's "Pastoral Symphony" for the preulude and his "Largo" for the postlude. The processional hymn will be "God of Our Fathers" and the recessional hymn, "Take My Life." A cordial invitation is extended to the general public to share the inspiration of the worship service.

SN 9-15-56

The church family was happy on last Sunday to welcome into the fellowship Lindsay D. Draper, of Alabama State College faculty.

Meetings during the week have been held at the residences of Mesdames Claude Shannon and Rena Shipman.

Listed among the sick and shut-ins are Mesdames Lula Blair, Lillian Bibb, Mattie Capleton, Sallie Madison, Eva Nealey, Gertrude Phillips, Ludie Randall, Myrtle Tennille, Mary Tatum, Janie Williams; P. H. Hobson, Mat F. Moore and Deacon S. D. Turner.

The Joint Boards of Ushers and the Young Matrons Circle of the Woman's Missionary Society are continuing their elaborate plans for the formal presentation of Mrs. Corietta Scott King in voice recital on Sunday, Sept. 30. The entire church family is expected to participate in this effort sponsored jointly by these two groups, The Woman's Missionary Society is also taking the initiative in the meeting of the Montgomery-Antioch Assn. scheduled to hold its annual meeting at Dexter Avenue later during the month. The membership will be asked to assist in the provision of physical comforts for those delegates who will be in attendance.

Dr. and Mrs. King report a most stimulating session of the National Baptist Convention at Denver last week. It is anticipated that some echoes of this convention will be given on Sunday morning.

Dr. W. E. Anderson gave the review of the lesson for the Church School on last Sunday. Friends and members of the church are urged to join in the regular study of God's word through the church school headed by Julius J. Alexander and through the Baptist Training Union headed by Mrs. Louvenia Herring. R. D. Nesbitt, adviser for the joint ushers, is asking for a meeting of all ushers immediately following the morning worship on Sunday.

Bus-Boycott Leader Convicted; Fined $500

Courier-Journal P. 1
Fri. 3-23-56 Louisville, Ky.

Judge Suspends Negro Minister's Sentence After Attorneys Serve Notice of Appeal

By The Associated Press

Montgomery, Ala., March 22.—The first of the Negro bus-boycott leaders, the Rev. Martin Luther King, Jr., was convicted today. Defense attorneys immediately began an appeal that may lead ultimately to the United States Supreme Court.

Trial of the other defendants was postponed.

King, 27-year-old pastor of the Dexter Avenue Baptist Church, was fined $500 plus $500 court costs for violation of Alabama's seldom-used antiboycott law for his part in the 17-week-old boycott against segregated city buses.

The fine and costs were converted into a jail sentence since he chose to appeal rather than pay the money. He was sentenced to a total of 386 days.

Penalty Not Maximum

The sentence was suspended, however, after Negro defense lawyers served notice of appeal. They have said they will take the appeal to the U. S. Supreme Court if the State appellate courts uphold the conviction.

The minister pledged several hours later at a Negro mass meeting that the mass boycott would go on "no matter how many times they convict me."

Florida's Governor asked President Eisenhower yesterday to call a conference of Southern Governors to discuss race relations. Story on Page 3.

King said:

"Maybe the idea of freedom in the Southland will be born right here in the Cradle of the Confederacy. Now we are determined. No longer are we content to accept second-class citizenship. We are determined to struggle for justice and equality until we achieve it."

Circuit Judge Eugene Carter, presiding over the trial in the absence of a jury, could have fined King $1,000 and added a six-month jail sentence under State law.

But he said he decided on a lesser penalty because it was shown in testimony that the minister used his influence throughout the mass bus protest to urge his people to refrain from violence.

Circuit Solicitor William F. Thetford said immediately after the verdict that the State had agreed to postpone the trials of 89 other boycott defendants pending King's appeal.

Crowd Cheers Minister

The 90 Negroes were indicted by a grand jury February 21.

As King left the Courthouse the minister was cheered by waiting Negroes with shouts of "behold the king" and "long live the king."

King expressed confidence to reporters that the federal courts will throw out his conviction and hold the Alabama law unconstitutional.

Defense attorneys Fred D. Gray and Arthur Shores insisted in their closing arguments that the State had failed to prove King committed any unlawful acts and that Negroes had a justifiable reason for refusing to patronize the bus company.

Nearly two-score Negro witnesses had testified of repeated acts of mistreatment in the past decade at the hands of white bus drivers, and defense lawyers argued the boycott was the culmination of those experiences.

Courier-Journal

In pretrial arguments and repeatedly during the four-day hearing, the Negro lawyers injected the question of federal constitutional rights, admittedly with a view to taking their case into federal court if necessary.

Says State Proved Case

P. 24

Thetford, in his final argument, said the State had proved its case and that King had been clearly identified as "the leader" of the continuing bus protest.

He described the defendant as one of a "selfish little group of men seeking power and influence among their race and seizing this opportunity."

King, testifying earlier today, denied commission of any unlawful act and said he had never urged other Negroes even to refrain from riding the buses.

He emphasized also that he had carefully steered clear of violence during the boycott, and that he admonished Negroes to follow a policy of nonviolence and passive resistance to oppression.

White Pastor Testified

The white pastor of an all-Negro congregation, the Rev. Robert S. Graetz, also testified he had never heard King ask other Negroes to stay off the buses.

State's attorneys completed their testimony with seven rebuttal witnesses, including six veteran bus drivers who denied they had ever mistreated any Negro passenger.

Negro witnesses for King said they were called such names as "niggers" and "ugly black apes" by bus drivers, that they were forced to stand while seats remained vacant in white sections of buses, and at times forced to give up their seats to white passengers.

Discourtesy Charge Denied

The purpose of that line of testimony was to establish a cause for the bus-protest movement. Alabama's antiboycott law prohibites a conspiracy or agreement to withhold patronage "without just cause or legal excuse."

The bus-company manager, J. H. Bagley, testified he had fired 21 drivers in 10 years for discourtesy to passengers.

Bagley also produced a performance report by his parent company, National City Lines, Inc., of Chicago, based on a spot check of Montgomery buses last November. The manager said it failed to show one instance of driver discourtesy.

Attorneys Show Up With Stiff Defense

Post-Herald Birmingham, Ala. Tues. 3-20-56

Charges Against Three Are Dropped

BY NICHOLAS C. CHRISS
United Press Staff Writer

MONTGOMERY, March 19—A young Negro minister who led a boycott of segregation buses to assert the "dignity" of his race went on trial today as the first of 90 defendants to be prosecuted under an obscure law.

A panel of Negro attorneys immediately put up a barrage of objections, most of them sustained, as the State called the manager of the City Bus Lines as first witness against the Rev. M. L. King, 27.

P. 1

J. H. Bagley, manager of the City Bus Lines, described how the Reverend King had asked the transit system to assure Negroes more courtesy from drivers and "first come, first served" seating.

The number of defendants was cut from 93 to 90 as the State decided it did not have enough evidence against three, including one of the 25 Negro clergymen originally indicted.

Demurrers contending that the defendants were charged illegally were denied by Circuit Judge Eugene Carter before the trials began in a creaking ante-bellum courtroom where the crowd was limited to 100, nearly all defendants, for fear the floor might collapse.

Calling King as the first defendant, Judge Carter told other defendants they "might as well go on home" because King's trial probably would last "two or three days." But virtually all held their seats.

King is the recognized leader of the boycott, which in its 15th week has plunged the bus system into economic chaos. He told a prayer meeting on the eve of the trials that the demonstration has given Negroes "a new sense of dignity and destiny."

Judge Carter refused to admit a state exhibit, later described as a handbill calling for a mass meeting of Negroes to discuss continuing the boycott beyond its original one-day limit. He said the prosecution would first have to prove a conspiracy existed.

All the defendants were charged with conspiring to interfere with the normal carrying out of a business under a little-used 1921 law originally enacted to combat the Ku Klux Klan. The boycott began after a Negro seamstress was convicted of violating the segregated seating law.

Bagley testified that Negro trade on the segregated buses, where an adjustable wooden barrier confines Negroes to the rear, had dropped 90 to 95 per cent during the boycott.

When Bagley began talking about the Negroes' "demands" on the company to provide equal seating privileges, Carter upheld defense objections to the phraseology. Again, he said, the fact of a conspiracy would first have to be proved.

Six Negro attorneys conferred repeatedly with Arthur Shores, Birmingham Negro lawyer who was barred by Judge Carter from actively defending the case because he is not a member of the local bar. Shores was attorney for Autherine Lucy, the Negro co-ed recently expelled from the University of Alabama.

Post-Herald

The state insisted that it was hoping to present an "overall" picture through Bagley's testimony but Judge Carter upheld defense objections that many of Solicitor William Thetford's questions were "leading."

P. 2

At a recess for lunch, King was cheered by some 100 Negroes on the courthouse grounds. He told them the arrest of Rosa Parks, the seamstress, had been the primary cause of the boycott although that only climaxed a series "of humiliating events to Negroes."

He emphasized that the boycott was "passive resistance" and said "one of the great glories of American democracy is that we have the rights to protest for our rights."

Judge Carter at the outset granted separate trials but the defendants had waived their right to be heard by a jury.

Cases dismissed were those of Alfred Ellis, Booker T. Holmes and the Rev. M. C. Cleveland, all Montgomery Negroes.

Defense attorneys asked that all the charges be thrown out on the grounds the old anti-boycott law was illegal, but Carter overruled their demurrers.

About 25 reporters were the only white persons, in addition to court officials, in the courtroom. M. V. Kamath of the Press Trust of India, Ltd., was seated with the white reporters after a bailiff questioned his race.

Rep. Charles C. Diggs (D., Mich.) took a seat with the Negro press. He said he had brought with him $5000 collected in Detroit to help Montgomery Negroes run their car pools in competition with the bus company.

Convicted bus boycott leader readies appeal

News P. 1
Birm. Ala.
MONTGOMERY, Ala., 3-23-56

MONTGOMERY, Ala., March 23—(AP)—Negro bus boycotters were expected to continue their mass protest with renewed determination today despite the conviction of a top leader in the anti-segregation campaign.

Defense attorneys, meanwhile, are readying plans to appeal the boycott conviction of the Rev. Martin Luther King Jr. all the way to the U. S. Supreme Court if necessary, in what may prove to be another far-reaching test of the South's segregation laws.

King himself, speaking at a mass meeting last night, promised to continue leading the protest movement "no matter how many times they convict me."

THE 27-YEAR-OLD Negro minister was found guilty by Circuit Judge Eugene Carter yesterday and fined $500 for violating Alabama's anti-boycott law as a leader in the 17-week-old campaign against segregated seating on city buses. The fine was suspended after notice of appeal was served.

Last night the young Baptist pastor vowed to continue fighting for "justice and equality," declaring that "maybe the idea of freedom in the Southland will be born right here in the Cradle of

the Confederacy."

The emotion-charged Negro crowd that jammed the Holt Street Baptist Church gave King a thunderous ovation when he appeared.

King, pastor of the Dexter Avenue Baptist Church, told the hymn-singing audience that "freedom doesn't come on a silver platter. Some of the things we have to go through are a necessary part of our campaign. There can never be growth without growing pains."

IN ADDITION to the $500 fine which was suspended, King was also charged with court costs of approximately $500. That, too, was converted into a jail sentence totaling about 386 days since he chose to appeal rather than pay the money.

King, as did 89 other Negro leaders still awaiting trial on similar boycott charges, had exercised his right to a non-jury trial.

The guilty verdict was announced by Judge Carter at the end of a four-day trial. Circuit Solicitor William F. Thetford immediately announced that the state had agreed to postpone the trials of other defendants pending King's appeal.

Carter could have sentenced King to six months and fined him $1000. But the jurist said he took into consideration testimony which indicated King repeatedly appealed to his people not to use violence in the bus protest.

THE MINISTER was hailed by Negroes as he left the courthouse with shouts of "behohld the king" and "long live the king."

King told newsmen the verdict "will not increase or diminish in any way my interest in the protest." He said it would continue with "non-violence, passive resistance and the weapon of love."

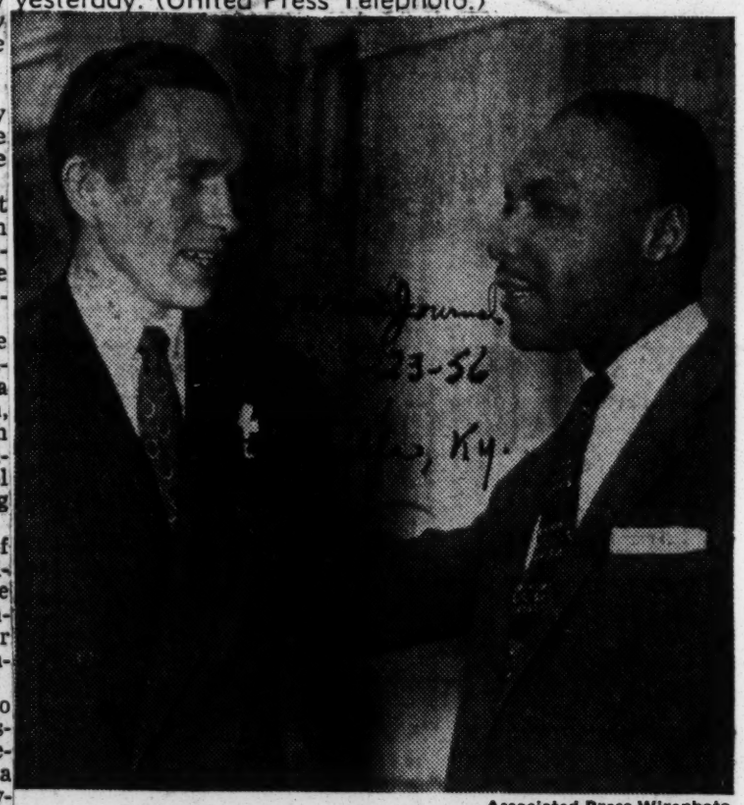
During the trial, the state sought to show that the Montgomery Improvement Assn., a newly-formed Negro organization, had kept the boycott alive with periodic mass rallies and had directed the operation of a car pool which transported Negroes. King is president of the MIA.

On the other hand, a battery of Negro defense attorneys challenged constitutionality of the state law which prohibits a conspiracy or agreement to hinder operations of a business "without just cause or legal excuse."

By presenting witnesses who testified that Negroes were mistreated by bus drivers, the defense also tried to prove that a "just cause" existed for the boycott which has dealt a financial blow to the bus company since last Dec. 5.

King, testifying in his own behalf yesterday, said further that he had never urged Negroes to refrain from riding the buses.

ARRIVE AT TRIAL—Rev. M. L. King Sr., father of the indicted boycott leader at Montgomery, escorts his son's wife to court where trials of 93 Negroes started yesterday. (United Press Telephoto.)



Associated Press Wirephoto

THE REV. ROBERT A. GRAETZ, left, talks with the Rev. M. L. King, Jr., after testifying yesterday at Montgomery, Ala., in the bus-boycott trial of the latter.

Mississippi Governor Answered By Rev. King

A telegram to the Rev. Martin Luther King Jr., leader of the Montgomery bus boycott, from Mississippi Governor J. P. Coleman cautioning the Negro minister not to fulfill a commitment to speak in Jackson, Miss., was answered yesterday by King.

King, in a wire to Coleman, said he is "not scheduled to speak in Jackson, Miss. When the invitation was extended some months ago I made it clear I could not accept . . . If I had accepted . . . I would feel it my moral responsibility to come to Mississippi in spite of your most cautious warning."

King added in the wire that "You (Coleman) stated that in view of my record my coming to Mississippi would be a great injustice to Negro people. I think if you observe my record carefully you would discover that it is more the record of a peace maker than a peace breaker."

The 279-word telegram added that King was "quite gratified to learn from your (Coleman's) telegram that racial conditions are more peaceful in Mississippi than ever before."

"I would ask you to consider, howerer," the message continued, "that peace is not merely the absence of negative force — tension, confusion, the murdering of Emmett Till, and the Rev. George Lee — but the presence of some positive force — love, justice and goodwill."

Dr. Martin L. King Of Montgomery, Ala. To Speak At Hampton Institute, Va.

Hampton, Va.- Dr. Martin Luther King, Jr., pastor of the Dexter Avenue Baptist Church of Montgomery Alabama, will be the speaker at the first All-College Assembly of the year at Hampton Institute on Thursday, September 27, at 7 P. M. in Ogden Hall. He will report "The Montgomery Story."

Dr. King, a native of Atlanta, Georgia, is a product of Atlanta University and the Booker Washington High School of Atlanta. He graduated from Morehouse College in 1948 and then entered Crozer Theological Seminary where he graduated at the head of his class in 1945. While at Crozer he served as president of the student body and upon graduating, he received the Pearl Plafiner Award for being the "most outstanding student" in his class. He also received the J. Louis Crozer Fellowship, which gave him the opportunity to work toward the Ph. D. Degree at the University of his choice. On June 5, 1955, Dr. King was awarded the Ph. D. degree by Boston University in Theology. He has also done work at the University of Pennsylvania and at Harvard University where he was a special student in philosophy.

Dr. King, who is also President of the Montgomery Improvement Association, is recognized as the leader of the Montgomery City Bus Lines boycott by Negroes of that city. The association, under King's leadership operated a car pool to transport thousands of Negroes who joined in the movement, which was in protest against segregated seating. The boycott has been 95 per cent effective.

Dr. King, along with 89 others was indicted on a charge of breaking a 1921 statue outlawing boycotts of legal businesses, which was originally designed to apply in times of labor strife. King was tried, convicted and fined $500.00. His case is now being appealed.

Since December 5, 1955, when the boycott began, Rev. King has become a nationally known figure, receiving awards from the National Urban League and Alpha Phi Alpha Fraternity, and being featured at meetings throughout the country, telling the story of the struggle for equality by the Negroes of Montgomery.

Negro Pastor Faces Judge as Alabama Opens Bus Boycott Trial at Montgomery

Inquirer P.4

MONTGOMERY, Ala., March 19 (UP)—A young Negro minister, first of 90 scheduled defendants, went on trial today on charges of conspiring illegally in a city bus boycott. Inq. 3-20-56

The Rev. M. L. King, 27, who said he supported the boycott of segregated buses to assert the "dignity" of his race, was the first defendant. Philadelphia

Circuit Judge Eugene Carter repeatedly ruled that conspiracy must be proven at the outset.

PERMITTED MEETING Pa.

One of the first witnesses, the Rev. A. W. Wilson, testified that he was a member of the Montgomery Improvement Association, the Negro organization blamed by the State for the boycott.

Mr. Wilson testified that he permitted a mass meeting in his church about Dec. 5, 1955, but did not take part in it, he denied he knew whether the improvement group organized its transportation, finance and contract committees that night in anticipation of the boycott.

REFUSED TO MOVE

The boycott began last December after a Negro seamstress was convicted of refusing to take a back seat in violation of the city segregated seating laws. The defendants, originally 93 but reduced to 90 today when the State dropped three cases, were charged under a 1921 law against any conspiracy which prevented a normal business operation.

A panel of Negro attorneys put up a barrage of objections earlier, most of them sustained, when the State called the manager of the bus company as the first witness against King, 27.

J. H. Bagley, manager of the Montgomery City Bus Lines, described how Mr. King had asked the transit system to assure Negroes more courtesy from drivers and "first come, first served" seating.

All the defendants were charged with conspiring to interfere with the normal conduct of a business under a little-used 1921 law originally enacted to combat the Ku Klux Klan. The boycott began after a Negro seamstress was convicted of violating the segregated seating law.

Defense attorneys asked that all the charges be thrown out on the grounds the old antiboycott law was illegal, but Judge Carter overruled their demurrers.

Rev. King's Own Story Of Montgomery Boycott

Chicago, Ill.

Defender P.1 Sat. 3-31-56

By ETHEL L. PAYNE

MONTGOMERY, Ala. — "Peace can be obnoxious if it is not a true peace without a compromise. Violence is the seed of its own destruction. Even if violence is visited upon us, we will not return it."

Those are the words Martin Luther King, jr., a 27-year-old 20th century disciple, spoke a few hours after a judge gave him a choice of paying a $500 fine or serving 386 days at hard labor for "conspiring to sustain Montgomery's four-month old bus boycott. He is appealing.

The Rev. King is president of the Montgomery Improvement Association and the first of 90 persons to go to trial for conspiracy in the bus boycott case.

In an exclusive interview, Dr. King declared:

POWER OF LOVE

"We intend to use the power of love as our only weapon in this struggle. Perhaps in some way, we can negate the opposition.

"Christ came to bring peace, but where he went, he started a conflict of ideas between the old order in which selfish evil was dominant and the new order in which self is denied, and love is the motivation of life.'

"So it is with our struggle, here in Montgomery. We will never falter. But we will continue on until righteousness shall run down like the river.

"This movement from the very beginning was a spontaneous outgrowth of natural resentment over long and continued abuses. It came from the people and it is truly a people's movement. One could say this is really a part of the worldwide revolt of subjugated peoples in their yearning for the dignity that belongs to free men.

"I did not seek the leadership of the movement, but as a minister, with strong convictions on the inherent right of all men, I could not shirk my responsibility when it was placed upon me. We have no bitterness. Neither we can tolerate segregation, because it is an evil which divides men and destroys good will.

Chicago, Ill.

"We know our cause is just and have faith that we will win. "I firmly believe that all men are basically good and that ultimately good will triumph over evil. Throughout history, man has struggled to achieve self respect.

LAW ABIDING

"We are law-abiding citizens and we are loyal to our country and our flag. One of the great traditions of democracy is the right to protest. I am the servant of the people; to carry out their will.

"The only thing I have urged throughout all of this is to let your conscience be your guide and to refrain from violence. My wife has been loyal through all of this ordeal although the strain has been great upon her.

"She has said: 'I know my husband is right and even if it means the sacrifice of personal comfort and safety, I shall stand by him.'

"Day and night since the beginning of this non-violent, passive resistance movement, we have been subjected to threats and intimidations, but this will not stop us.

"We are more determined than ever to go on. The 50,000 Negroes of Montgomery are more united than ever. They are strong and their morale and their courage is high.

"These are the times that try men's souls. But they have proved that where a people are God fearing and prayerful, no evil can befall them.

"The eyes of the world are watching us, but we are not pursuing our course because of this. We are determined to carry through our fight because it is the only right and decent thing to do.

"Somehow, I believe that the world will be better for this."

Defender P.1 Sat. 3-31-56 Chicago, Ill.

REV. MARTIN LUTHER KING, jr. and his wife, Coretta. are flanked, by friends as they leave courthouse in Montgomery, Ala. following his conviction last week for conspiracy in the bus boycott.

CLIMBING STAIRS of courthouse in Montgomery, Ala, are Rev. M. L. King, Jr., (left) and Rev. Ralph Abernathy, These young clerics are leaders of the three-month-old Montgomery bus boycott. Rev. King was found guilty of conspiracy last week and is appealing his conviction to the Alabama supreme court.

Gradualism No Cure To Bias

Daily World Sun 9-9-56 Atlanta Ga

Rev. King Tells Baptists

By TASCHEREAU ARNOLD

DENVER, Colorado — The 5,000,000 strong National Baptist Convention moved into its final business session at City Auditorium Saturday and prepared final touches on resolutions dealing with the explosive school integration and Civil Rights issues.

Keynote for civil rights action by delegates was made late Friday afternoon by Dr. M. L. King Jr., who led the Negro Bus Protest in Montgomery.

"The cancer of segregation cannot be cured by gradualism. The United States cannot afford to slow up in the move toward justice. The very life of the nation and its future position in world affairs, depend upon how we dispose of the matter of racial integration."

SYMBOL OF HOPE

Dr. King at 27 has become the symbol of hope for much of the south's colored population and he lashed out at the nation's churches.

"It is both appaling and shameful that 11 a. m. each Sunday is the most segregated hour in Christian American. It s a disgrace that here in America we find more integration in the sports arena and in night clubs than in our churches."

SCIENTIFIC PROGRESS

..He warned that America's scienti-

He warned that America's scientific progress has "far outstripped moral and spiritual development."

"It's bad sign when the scientific means by which we live outdistances the spiritual ends for which we live, "King arrived.

He also told the delegates to be prepared to suffer in the fight for freedom." "Freedom is not a lavish dish the white man will serve up and Negroes need only furnish the appetite," he pointed out. "The tension and mob actions in the south today represented the necessary pains of the birth of anything new."

Dr. T. J. Jemison of Baton Rouge La., secretary of the convention told delegates "If a man is choking me I don't want him to release me gradually -- I want him to turn me loose now."

STAMP PROGRAM

Daily World

In other business Friday the body adopted a resolution urging the U. S. Post Office Department "consider" outstanding Negroes in its commemorative stamp program.

Dr. H. J. Jackson of Chicago, convention president, is scheduled to deliver a convention sermon at 11:30 a. m. Sunday at the auditorium. Also Mrs. Esther Misth of Atlanta will have charge of a great foreign Mission Meeting Sunday afternoon.

Rev. A. M. Reeves Griffin Ga. pastor Achaia Baptist Church moderator Cabin Creek Assn, was outstanding here; so was Rev. A. L. Collins, pastor, new prospect Baptist church.

Rev. and Mrs. T. Arnold, Mrs. Ruby Calmore, Pasadena Calif., Rev. Arnold's cousin Mrs. Frankie Cooke, Pasadena Calif., spent Saturday sight seeing. The Arnolds will do likewise Sunday before entraining for Atlanta Sunday at 5:30 p. m.

The Convention closes Sunday and will hold its next session in 1957 at Kansas City Mo.

King Selects Sunday Topic

Advertiser Montgomery Ala

Dr. M. L. King Jr., minister of the Dexter Avenue Baptist Church, will speak on Sunday from the subject: "The Dream That Did Not Come Through." The morning anthem will be "O Worship the King" by Nichols, with Mrs. W. D. Pettus as soprano soloist. The processional hymn will be "A Mighty Fortress" and the recessional hymn "Hark, Hark, My Soul." The public is cordially invited to share the inspiration of the services.

12-20-56

The annual observance of Woman's Day on last Sunday was a great success. Flowers were placed on the altar by the Smiley and Morris families in memory of their sister, Miss Etta Mae Smiley who died 18 years ago.

The service committee headed by Mrs. F. W. Taylor planned and executed a social hour following the morning worship. Those assisting were Mesdames and Misses Emerette Austin, Cherrye Ballard, Margaret Beverly, Claris Chambliss, Olivet Dean, Bautine DeCosta, Jean Nesbitt, Geraldine Preston, Grenetta Ross, Ida B. Smiley, Rebecca Stringer, Joretha Walker, Jimmie Walton, Minnie Wood and Evelyn Wysinger.

Handling the financial side of the occasion was a special committee headed by Mrs. Thelma Austin Rice and including the following women: Mesdames and Misses Cynthia D. Alexander, Henrietta Austin, Curlie Bibb, Beulah Brewer, Warren Brown, Verdie Davie, Delores Sankey Davis, Fannie Mae Doak, Mattie Gilchrist, Ruby Henderson, Louvenia Herring, Effie Jackson, C. Elizabeth Johnson, Bessie Kerr, Daisy Meadows, Marguerite Moore, Mary L. Morgan, Thelma S. Morris, Geraldine Nesbitt, Hattie Mae Smiley, Lillie Thomas, Leola Whitted, Mary L. Williams and Hattie Wood.

Dr. King during the week has filled speaking engagements in Durham, N.C., for the Business & Professional Men's Club; at Syracuse, N.Y., for the state convention of the Unitarians and at Steelton, Pa., for the Pennsylvania State Baptist Convention.

Mrs. King was presented in voice recital at Chicago's Olivet Baptist Church, pastored by Dr. J. H. Jackson, president of the National Baptist Convention.

The Social-Political Action Committee of the church, headed by Mrs. Mary Fair Burks is announcing a clinic on voter-registration to be held in the downstairs auditorum after the worship service on Sunday, Oct. 28.

Newly-elected presidents of the August and October Clubs have been announced as Beverly Booth and Mrs. Mary Lewis Morgan, respectively.

Meetings during the week have been held at the residence of Miss Verdie Davie and Mrs. Daisy Meadows.

4,000 vow to walk til bitter end

Afro-American Sat. 5-5-56 Baltimore, Md.

By ART CARTER
AFRO Managing Editor

MONTGOMERY, Ala. —"We will never go back on jim-crow buses."

Making the above declaration with vociferous applause and unanimous approval, citizens of Montgomery Thursday night vowed to continue the bus boycott until "justice and democracy prevails."

More than 4,000 perspiring men, women and children overtaxed the Day Street Baptist Church for a mass meeting at which the decision was made.

By a standing vote, with no dissenters, the members of the Montgomery Improvement Association approved the 200-word resolution urging continuance of the boycott.

* * *

THE RESOLUTION was read by the Rev. Martin Luther King, president of the MIA, who hurried to the meeting after an executive session of the MIA officers at which the resolution was drawn.

The seven-part resolution cited the April 23 decision of the U.S. Supreme Court declaring unconstitutional intra-state bus transportation in South Carolina.

It pointed to orders of the National City Lines, parent organization of the Montgomery City Lines, to cease enforcement of the local laws requiring segregation on city buses.

It also called attention to the change of bus policy in other southern cities, notably Richmond, Va., Little Rock, Ark., and Dallas, Texas.

* * *

THEN THE resolution pointed out that Montgomery city officials have indicated, both orally and in writing, that they "intend to and will use all means available to continue segregation on local buses."

It said that city officials had said they would do this even if it is necessary "to arrest bus drivers and passengers who refuse to abide by and obey the segregation laws of Montgomery."

This, the resolution pointed out, means that "conditions heretofore existing remain the same because of the position taken by our public officials."

And because of this position, the resolution concluded: "We, the colored citizens of Montgomery, do now and will continue to carry on our mass protest until such time as the matters (stated above) are clarified; and we hereby authorize and direct the officers and board of directors of the Montgomery Improvement Association to do any and all acts that it deems necessary to perfect our desires."

Baltimore, Md.

THE REV. MR. KING hardly completed reading the resolution before the Rev. B. D. Lambert jumped up from his sitting position on the floor near the front of the church and made a motion to adopt it.

"God is on our side and we will never go back on jim-crow buses," the Rev. Mr. Lambert declared. He lamented the fact that city officials did not and apparently would not do what the highest court of the land had asked that they do, but suggested that they may be forced to do so come May 11.

May 11 is the trial date for the court suit testing the constitutionality of Montgomery City and Alabama state laws on public transportation.

* * *

A DOZEN seconds were made for the Rev. Mr. Lambert's motion, then the resolution was adopted with loud applause and a two-minute standing vote. The Rev. Mr. King called three times for dissenting votes but received none, with someone yelling the "nayes are dead."

The Rev. Mr. King expressed gratitude to the National City Lines for the stand it had taken, emphasizing that the bus company had acted in "good faith."

Then he pointed out amid tremendous applause that "we are not out to put the bus line out of business, but simply seeking to put justice in business."

He urged the walkers to "carry on in the same rational and dignified manner that they have in the past." He added, "eveutually democracy will prevail on the buses and when segregation does go away we want to be able to go into it with dignity."

* * *

THE YOUTHFUL passive resistance" leader emphasized that whatever victories may come will not be a victory alone for the 50,000 Montgomery citizens nor the 16,000,000 American colored citizens, but "a victory for justice and for democracy the world over."

"Let us not abuse our new rights and continue to walk with head high," he concluded.

Others who spoke at the rally were the Revs. A. Sanders, R. J. Glasco, B. J. Sims, Ralph D Abernathy, W. J. Powell, B. W. Hilson, M. C. Cleveland, and Dr M. W. Jones, who presided.

The temperature in Montgomery hovered around the 72 degree mark, and it was at least 20 degrees hotter in the church but many came three hours before the schedule 7 p.m. starting time to get vantage seats in the edifice.

* * *

THOSE WHO tried it two hours earlier were rewarded with standing room on the main floor, while the "late comers" were forced into the basement where a public address system was erected, or had to stand outside and listen through the open windows.

Before the meeting had its formal opening those assembled sang hymns and prayed, all of this being done spontaneously. They prayed for the "guidance of God" in reaching a decision.

The heat was so oppressive that the men were coatless and many wore open collars, the women, some with children lap sitting, wore sleeveless dresses, and all used newspapers and books for fans—that is all that did not have a real fan.

* * *

ADDED TO the normal heat of the church was the fact that newsreel and newspaper cameramen were all over the place with huge lights trained on the singers.

Cars were parked for blocks around the church, though many walked to the meeting. Another mass meeting is scheduled for Monday night at the Holt Street Baptist Church.

With the stalemate of the bus boycott seemingly unbreakable at this point, all attention this week switched to the legal phase of the city segregated transportation laws scheduled for a test in Federal court on May 11.

Fred D. Gray, 25-year-old attorney who represents the Montgomery Improvement Association in the suit contesting the constitutionality of the intrastate and city bus segregation, Friday was huddled for several hours with opposition lawyers.

Gray, along with city, state and bus company attorneys conferred on details of the pending suit in the attorney general's office.

* * *

THE ATTORNEYS agreed on a series of stipulations — uncontestable facts. This was done to save time of arguing the points when the case goes to trial.

Meanwhile the city continued to maintain its position that the bus segregation must be obeyed, and the bus boycott went on as it has for the past five months.

* * *

IN BRIEF the latest developments as of Saturday were:

1. After two meetings between the National City Lines officials and city commission members, there was no change of attitude on the part of city authorities.

2. Following the second session, Mayor W. A. Gayle issued a statement, declaring the city "will require the bus company to follow to the letter existing segregation laws.

3. Benjamin W. Franklin, vice president of National City Lines, stood firm on the company's instructions to bus drivers not to enforce the segregation laws..

4. There was no change in the Montgomery Improvement Association's decision to continue the boycott until city officials withdraw their threats to arrest passengers or drivers who did not enforce segregation.

* * *

THIS DECISION was voted unanimously by the MIA in a mass meeting attended by 2,800 persons Thursday night at the Day Street Baptist Church. Another mass meeting was scheduled for Monday night.

As of Saturday there was no indication of any further discussions between city officials and bus company executives, thus leaving final solution to the bus protest up in the air.

At the same time there was no further comment on the city's threat to revoke the company's franchise by court action if it fails to comply with segregation laws. This franchise was renewed only six weeks ago.

* * *

THE TEXT of the city commission's statement after the second meeting with company officials read:

"No agreement has been reached. The city commission has advised that all laws and ordinances will be enforced and that the commission will require the company to follow to the letter all laws and ordinances."

The impasse developed last week in the wake of the Supreme Court action in refusing to review a lower court decision in South Carolina.

This decision declared segregation on busses in Columbia, S.C., unconstitutional, and has been interpreted as outlawing all intra-state bus segregation.

* * *

ON THE HEELS of the decision, J. H. Bagley, superintendent of the Montgomery City Lines, issued orders to company drivers not to enforce the segregation laws.

Immediately city officials countered with an announcement that drivers or passengers disobeying the segregation laws would be subject to arrest.

The bus company's notice read:

"We have been advised that the Supreme Court of the United States rendered a decision the effect of which is to hold unconstitutional all segregation of the races on buses.

"Under the circumstances, the company has no choice except to discontinue the practice of segregation of passengers on account of race and drivers will no longer assign seats to passengers by reason of their race."

* * *

THE NATIONAL City Lines, Inc., has headquarters in Chicago and operates bus franchises in more than 30 cities, a majority of them in the South.

Several cities elsewhere, notably Little Rock, Ark. and Dallas, Texas, immediately changed the segregation policy of seating bus riders to one of integration.

The order for the local company was signed by J. H. Bagley. Two days later Mr. Bagley suffered a heart attack.

At Thursday's mass meeting, the Rev. Martin Luther King, president of the Montgomery Improvement Association, asked the assembly to "pray for Mr. Bagley's recovery."

His condition was reported "improved" Saturday morning.

Mayor Gayle with Commissioners Clyde Sellers and Frank Parks on the heels of the company order declared there would be "no change" in the city commission's policy and followed it with threats of arrest.

* * *

THEY SAID: "We're going to enforce the state and city ordinances just as we have been doing, and we expect the bus company to continue to abide by these laws."

Then the MIA, in its mass meeting, outlined all the developments and in the face of the situation voted to continue the boycott, with the only hope for an early solution resting on the outcome of the three-judge court trial May 11.

The Rev. Mr. King said, "We'll carry on with the same love and dignity" and will hope that "justice and rightousness will triumph. We are just standing by and waiting."

The 27-year-old minister, one of the 90 persons indicted by a Montgomery County grand jury two months ago for violation of the Alabama anti-boycott law, was convicted and fined $500. An appeal is pending.

* * *

THE CASES of the other 89 persons, 26 of them ministers, has been continued pending the appeal of the Rev. Mr. King.

At the outset of the desegregation decree by the bus company, the Rev. Mr. King indicated that the MIA still felt that one of the points requested in the original protest of the bus segregation was still unanswered.

That was the hiring of colored

drivers on predominately colored routes.

No mention of this phase of the protest has been mentioned since. It was not cited in the resolution continuing the boycott.

It has been learned, however, that a roadblock developed along this line as the company's contract with the union would prove a hindrance in any immediate employment changes.

* * *

THE CONTRACT, it is reported, provides for reemployment of any drivers now on furlough before any new drivers may be employed and gives route preference to drivers with seniority.

A MIA official, who preferred not to be quoted, indicated that "we would not expect the company to break its contract." However he indicated that something further may be developed along this line if and when integration on the buses is accomplished.

So the majority of Montgomery's 50,000 colored citizens walk and walk and take advantage of the car pool established shortly after Dec. 5, last, when the boycott began.

There is no clear view for an end to this historic struggle for justice on the buses here.

King Raps Jim Crow Dixie Rule

Defender
Chicago, Ill.
Sat. 4-21-56

By ETHEL L. PAYNE

"We cannot slow up because we have a date with destiny and we must move with all deliberate speed. There are some things we never intend to become adjusted to, lynch mobs, oppression, economical exploitation and political domination. I call upon you to resist with all your heart and strength the forces of evil."

Thus, in clarion tones that rang through the huge Rockfeller Memorial Chapel on the University of Chicago campus last week, the Rev. Martin Luther King, leader of the Montgomery bus boycott, flung down the gauntlet of challenge for all Americans to join in the fight for decency and democ-

1,600 ATTEND MEETING

Standing in the high pulpit in the magnificent Gothic setting of the cathedral, the earnest young minister seemed almost an echo of the great reformer, Martin Luther, whose name he appropriately bears. The audience of 1600 people of all races and creeds who had flocked to listen to this amazing new leader who combines the technique of Mahatma Gandhi with the principles of Christianity sat literally spellbound as he described the passive resistance movement which he organized. His sermon was interrupted a dozen times by prolonged applause.

Defender

Dr. King was the guest speaker at the Jefferson Day Rally sponsored by the Chicago Area Conference of Religious Liberals which includes churches of the Unitarian and Universalist denominations. He was introduced by Dr. Homer Jack, minister of the First Unitarian Church of Evanston, Ill. His topic was "The Declaration of Independence and the Negro" and he likened the present struggle for full equality to the circumstances of slavery which led Thomas Jefferson to frame the declaration.

"CANCER OF SEGREGATION"

Answering the warning of Novelist William Faulkner and the proponents of moderation, the eloquent young Baptist minister said: "The cancer of segregation cannot be cured with the vaseline of gradualism. This is not merely a struggle between Negro and white people. This is a conflict between the forces of light and dark and in the end there will be victory for justice and democracy because love will triumph."

He explained the protest movement reason. "We are not out to put the Montgomery City Lines out of business. We are simply out to get justice in business. We are not fighting the white people of Montgomery. We are out to help them."

Sat 4-21-56

For 300 years, he said, the Negro in slavery and emancipation was docile and submissive to his inferior status in life and as long as he accepted this, there was a peace of stagnant complacency, but an obnoxious peace because it was negative and not positive. Under this, the Negro lost faith in himself and was the victim of a mental paralysis. He came to accept the belief that he was inferior.

Now, he continued, the Negro has awakened and re-evaluated himself, his nature and destiny. He has a new sense of dignity and status and he walks with his head high and no longer hanging low. This, Rev. King said, is because the Negro is inherently religious by nature and the scripture read that Christ said, "I came not to bring peace but a sword." Wherever He went, He started a conflict between the old and the new.

"CONFIDENT WE'LL WIN"

"We are protesting for some interim relief while the courts will decide the matter of whether segregation in local transportation shall be ruled out. We are confident that ultimately we will win the fight."

He described the six tactics used by the city to break the protest. 1. Forcing through negotiation to call off the protest in conferences. 2. Divide and conquer. 3. Spreading false rumors. 4. The "get tough" policy. 5. Physical violence and harrassments. 6. Indictments and conviction.

All six have failed to stop the movement. "This is a drama with not just one actor but 50,000 actors," Rev. King said. Concluding, he said "We must use as our weapons, the love which transcends everything and can make you compassionate with those who hate you. If you can't run, walk; if you can't walk, crawl, but keep moving forward!"

Bus Protest Leaders Head Montgomery Drive

State Press Fri. 4-6-56
Little Rock Ark. P. 1

MONTGOMERY, Ala.—In this small city, where a mass passive resistance campaign against racial discrimination on city buses has become a focus of world attention, a drive to enlist 10,000 NAACP members has been launched under the direction of two leaders of the bus protest.

They are the Rev. Martin Luther King and the Rev. Ralph D. Abernathy. Mr. King was found guilty of violating the Alabama anti-boycott law in a recent trial. His case is being appealed to a higher court.

Miss Lucille Black, NAACP national membership secretary, reported that 1,200 memberships were received from Montgomery immediately following Mr. King's conviction.

In asking local support for the NAACP, Mr. King has told Montgomery citizens that the association has created an atmosphere in which Negroes can use the right of peaceful protest as a powerful weapon against racial discrimination.

Miss Black noted in New York that the steady growth of NAACP membership in the south, as reported by Al Kuettner of the United Press in an analysis of the NAACP, is reflected in membership campaigns now being conducted in Atlanta, Ga., and Miami, Fla.

She said the Atlanta NAACP membership has passed the 6,000 mark.

In Miami, Miss Black said, where the NAACP campaign is a county-wide effort, Dade county NAACP branches are aiming for a minimum of 5,000 members "with good prospects of reaching their goal."

Montgomery Leaders Hail Court Action

Daily World P. 1
Wed. 4-25-56 Atlanta, Ga.

MONTGOMERY, Ala. — (INS) — The leader of Montgomery's highly-publicized Negro boycott of city buses hailed the U. S. Supreme Court decision banning segregation on intra-state conveyances.

"We certainly welcome the decision, and all people of good will welcome it, also," the Rev. M. L. King said.

The Rev. King, who is awaiting appeal on his conviction of violating Alabama's anti-boycott law because of his part in the long Negro protest against the Montgomery transportation system, declared:

"It (the Supreme Court ruling) is a reaffirmation that the principle of segregation in all forms is evil and must be eradicated before our Democratic society will come to full maturity."

"This decision is not a victory for the Negro," the Rev. King said, "but justice and Democracy, and all lovers of Democracy will seek to comply in all good faith with this decision.

In addition to the long bus boycott, which has caused the transit system at Montgomery to reduce its service and raise fares, a Federal Court suit is pending attacking Alabama's State law requiring segregation on intra-state common carriers. This is the same type of law which the Supreme Court said was unconstitutional in South Carolina.

Rev. King Not To Speak In Mississippi

Daily World
Wed. 4-25-56
Atlanta, Ga.

MONTGOMERY, Ala. --(INS)-- The Rev. M. L. King, Montgomery Negro minister, will not speak in Jackson, Miss., Friday, but he said the request of Gov. J. P. Coleman was not responsible.

P. 1

Coleman wired King, and New York Rep. Adam Clayton Powell asking both not to keep speaking engagements in Jackson Friday night.

King said he has not accepted the invitation to attend a regional conference of Negro leaders in Jackson because he has a previous engagement. He said:

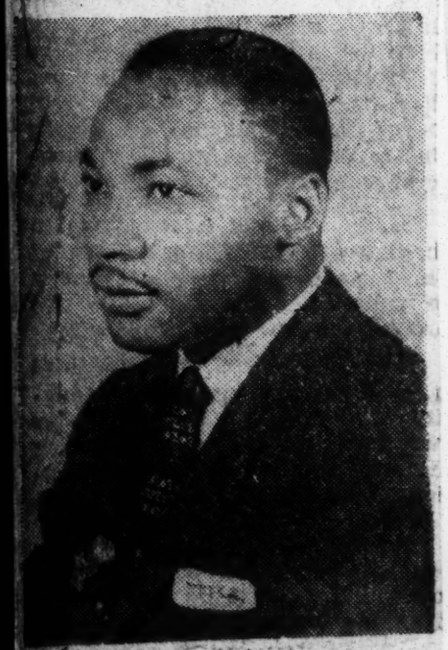
"If I had accepted (the invitation) I would go. I would have a moral obligation to go. I want it understood that Gov. Coleman's telegram had nothing to do with my not going."

The Rev. King added:
"I would not have gone with the intention of disturbing the so-called peace of the community, although I wonder what type of peace he (Gov. Coleman) was talking about?"

Montgomery Protest Leader To Speak Here On April 10

World Birm, Ala. 4/1
Fri. 4-6-56

The Rev. Dr. Martin Luther King Jr. of Montgomery, Ala., pastor of Dexter Avenue Baptist Church and president of the Montgomery Improvement Association, is scheduled to be guest speaker at a public forum at eight o'clock Tuesday night, April 10 at the Mt. Zion Baptist Church, Sixth Avenue and 63rd Street North (Zion City).



THE REV. M. L. KING JR.

The program is being sponsored by the Pan-Community Council of Zion City.

The guest speaker received his elementary school training in the public school system of Atlanta, Georgia, and his high school training was received at the Atlanta University Laboratory High and the Booker Washington High Schools of Atlanta, Georgia.

The Reverend Mister King entered Morehouse College in 1944 as a Freshman, receiving the A. B. degree from the institution in 1948. After finishing Morehouse, he entered Crozer Theological Seminary, Chester, Pennsylvania, from which he was graduated at the head of his class in 1951. While at Crozer he served as president of the student body and upon graduating received the coveted Pearl Plaque award for being the most outstanding student in his class during his three-year course at the Seminary. He was also awarded the J. Lewis Crozer Fellowship to work toward the PhD. Degree at the University of his choice. While at Crozer, he also enrolled as a graduate student in the Philosophy Department at the University of Pennsylvania.

Upon graduating from Crozer, he enrolled at Boston University graduate school where he received the PhD. Degree. While at Boston University, Dr. King was also enrolled as a special student for two years in the Philosophy Department of Harvard University.

Dr. King began his ministerial career in 1947. He was ordained in the Ebenezer Baptist Church, Atlanta, Georgia, of which his father is pastor.

He served as assistant pastor two years and as co-pastor for four years of the Ebenezer Baptist Church and is presently serving as pastor of Dexter Avenue Baptist Church, Montgomery, Alabama. Since beginning his ministry Dr. King has traveled extensively delivering the message of God.

The public is invited to hear this dynamic educator and pulpiteer. He will speak on the theme: "The Negro's Revaluation of His Nature and Destiny."

A reception in honor of Dr. King will be presented at the First Baptist Church (Zion City) 8th Court North and 88th Street, Rev. F. D. Chiles, pastor, from 6:00 p. m. to 7:30 p. m., the evening of April 10. Dr. A. G. Gaston, prominent businessman of Birmingham, will be the reception speaker. He will discuss the "Negro in Business." The public is invited to share this occasion also.

Where to send your donation

Afro-American P.1
Sat. 4-7-56

If you as an individual or your church, club or other organization wants to help in the defense of the valiant Montgomery passive resisters, send checks or money orders (don't send cash money) to the following address:

The Rev. M. L. King Jr.,
Montgomery Improvement Association,
454 Dexter Avenue,
Montgomery, Alabama

Montgomery Improvement Association have colled for more courtesy, seating on a first-come first-served basis, and Negro drivers for predominantly colored bus routes.

Negro Minister Convicted In Alabama Bus Boycott

Times N.Y. 3/
New York
Fri. 3-23

By WAYNE PHILLIPS
Special to The New York Times.

MONTGOMERY, Ala., March 22—The Rev. Dr. Martin Luther King Jr. was found guilty today of leading an illegal boycott against the Montgomery city bus lines. Circuit Judge Eugene W. Carter sentenced the 27-year-old Baptist minister to serve 386 days at hard labor in the County of Montgomery—the equivalent of a fine of $500 and court costs of $500.

The sentence was suspended pending appeal, and Dr. King was released on $1,000 bond. The cases of eighty-nine other Negroes arrested in connection with the Negro protest against the bus lines were continued pending the appeal.

The protest began Dec. 5 over the arrest of Mrs. Rosa Parks, a 43-year-old seamstress, for refusing to give up her seat to a white person.

Nearly all of Montgomery's 50,000 Negroes have refused to ride the city buses since then. They have used a pool of 300 automobiles organized by the Montgomery Improvement Association, which is headed by Dr. King.

The protest movement went on without interruption or incident today. There was every indication it would continue to do so until some agreement was reached with the city and the bus company.

Arthur D. Shores, one of the eight lawyers who defended Dr. King in the four-day misdemeanor trial, estimated that it would take three years for the case to come up in the Alabama Court of Appeals.

There was every indication that the case would go from there through the Alabama Supreme Court to the United States Supreme Court on the ground that the convicition violated the Constitutional rights of Dr. King under the state and Federal constitutions.

The conviction was under a 1921 statute forbidding the hindering of a lawful business without "just cause or legal excuse."

There was no sign of emotion from the predominantly Negro audience as Judge Carter delivered his finding at 3:56 P. M. as soon as arguments were completed.

The spectators—many of them wearing cloth lapel crosses reading "Father, Forgive Them"—quietly left the court during the long wait to determine the trial costs and to set the amount of the bond.

Judge Carter announced that he was finding Dr. King guilty, but would fine him only half the possible penalty because he had continually urged his followers to observe a policy of non-violence.

Prepared for the 'Worst'

"I was optimistic enough to hope for the best but realistic enough to prepare for the worst," Dr. King told those who gathered around him a few minutes after the verdict.

"I am sure that when taken to the high courts of the land it will be proven unconstitutional to convict a person under this law," he said. "We have stood under the aegis of the Constitution throughout this struggle."

"This will not mar or diminish in any way my interest in the protest," the young minister said. "We will continue to protest in the same spirit of non-violence and passive resistance, using the weapon of love."

Mrs. Parks, who was in the courtroom throughout the trial, said the verdict was "just about what I expected—I didn't think we'd do any better than we did." She did not appear as a witness.

When Dr. King emerged with his wife at 4:39 P. M., there was a crowd of about 300 Negroes outside the courthouse.

As he appeared, the crowd applauded and shouts went up "Behold the king," and "Long live the king." The Rev. Ralph D. Abernathy, one of the other defendants, called to the crowd.

"Don't forget the mass prayer meeting tonight."

"You gonna be there?" a Negro in the crowd shouted, and the gathering chorused back, "Yes."

"You gonna ride the buses?" the same Negro cride, and the crowd roared back, "No!"

Dr. King was to address the prayer meeting at the Holt Street Baptist Church. It was at a mass meeting there that the Negroes had decided to extend a spontaneous one-day boycott until the bus company bettered conditions.

The demands of the Mont

$5 Fine Assessed To Negro Pastor In Traffic Case

Afro-American P.1
Montgomery, Ala.
Fri. 2-17-56

A false fire alarm at the church of Rev. Martin Luther King Jr. last week resulted in a $5 traffic violation fine for the pastor of another Negro church in Recorder's Court yesterday.

Patrolman C. T. Rowland said a 1956 Mercury belonging to Rev. Ralph David Abernathy, 29-year-old pastor of the First Baptist Church for Negroes, had rolled unattended into a parked truck causing slight damage.

Rev. Abernathy was charged with failing to set his hand brake. One of the Negro spokesmen in the current bus boycott, Abernathy testified he heard that the Dexter Avenue Baptist Church was on fire, rushed to the scene and parked. When he came back he said he discovered that his car was gone.

Judge John B. Scott fined the minister $1 plus $4 court costs.

N.J. daily gets $1,339 for King

Afro-American P.13
Sat. 4-14-56
Baltimore, Md.

By SAMUEL A. HAYNES

ASBURY PARK, N.J. — "I feel that an injustice has been done a large segment of our citizenry."

This statement was made by U.S. Sen. H. Alexander Smith, one of several distinguished leaders and citizens of both races who sent contributins to the Asbury Park Press last week the Rev. Martin L. King of Montgomery Ala.

The liberal daily launched a drive March 24 for $1,000 to pay the boycott leader's fine and court costs.

* * *

WAYNE McMURRAY, editor, reported that, as of Friday morning people from as far away as California and Pennsylvania had sent a total of $1,339. 82.

The contibutors included two U.S. Senators and a Congressman from New Jersey.

Senator Smith a close advisor to President Eisenhower, told the press:

* * *

"YOU HAVE my heartfelt support in the drive you have been conducting to assist the Rev. Martin L. King with his legal expenses.

"I fell that an injustice has been done a large segment of our citizenry."

* * *

U.S. SENATOR Clifford P. Case, who in 1950, while a member of the House of Representatives, blocked passage of an Amendment to change the Electoral System and who again vigorously opposed another Amendment last week, said in a message wih his gift.:

"I had occasion to mention this drive on Sunday, March 25, on the College Press Conference television program.

"I am grateful for the opportunity to repeat my endorsement.

* * *

"IT SEEMS to me particularly appropriate for people in New Jersey who have always been in the forefront of protecting other people's liberty to contribute of the beleaguered group in Alabama."

Among the contributors to the fund to assist the Rev. Mr. King with his legal expenses was Rep. James C. Auchincloss.

He lost caste with his colored constituents in Ocean, Monmouth and Middlesex counties who attended the national civil rights legislative assembly in Washington, D.C. last month when he called "a lot of noise," refused to see them, and suggested that they go back home.

* * *

AMONG OTHER contributors to the fund who represented

many races, creeds and nationalities were:

Mrs. Gealdine Thompson of of Middletown Township, one of the most influential Republican women leaders in the state a friend of minorities, and a veteran member of the board Of Control of the Department of Institutions and Agencies.

Also Mrs. Barbara M. Sprengger, Bakersfield, Calif.; Mrs. Priscilla. Halpern, Riverside, Calif; he Rev. Gleen Finchbough, Hamburg, Pa.; and Mrs. B. W. Baker, Jamaica, L. I.;

* * * *

THE SECOND Baptist Church Long Branch; the Second Baptist Church. Asbury Park; the Elks Civil Liberties League of Monmouth County, Fred, Dempsey American Legion Post 266, Nepunte and the Westside Community Center.

Also Dr. E. A. Robinson, William Dean, Mr. and Mrs. Leon Davis, Defar's Towing Service, The Golden Harmonaires, William Knuckles. Marie Aldarelli, and the First Ward, 5th District GOP Club.

Boycott Leader Says Negroes Just Want Justice

Mon. 3-26-56

New York, March 25 (AP)—The Rev. Martin Luther King, Jr., convicted Alabama-bus-boycott leader, said today Negroes in the United States "are not seeking to defeat the white people," but are merely fighting injustice.

Negroes in Montgomery, he said, "are willing to receive violence, but we will not return it."

King spoke at a Brooklyn rally sponsored by the Business and Professional Women's Club.

"We in Montgomery have discovered a method that can be used by the Negroes in their fight for political and economical equality," King said. "We fight injustice with passive resistance."

"And it works," he told the cheering congregation.

The Montgomery Story Inspiring

Wheeling P. 3-B

THE courageous and unified action of Montgomery, Alabama Negroes in the current bus boycott is indeed inspiring, moving and morale building. In spite of the recent pressure of jailing over 100 leaders (largely ministers) for their part in the boycott, they have stood firm in their resolve not to ride the busses. Instead they have vowed to continue their mass protest against "oppression" and dedicated themselves to a swelling movement of "passive resistance."

New Orleans, La.

All over the country Negroes have nothing but admiration for those brothers and sisters in Montgomery who are "standing up and being counted" for what they believe to be a just cause. This show of strength and unity is based on solid ground, as indicated in the most recent remarks by the leaders in the movement.

Said one of the leaders, Rev. Martin Luther King:

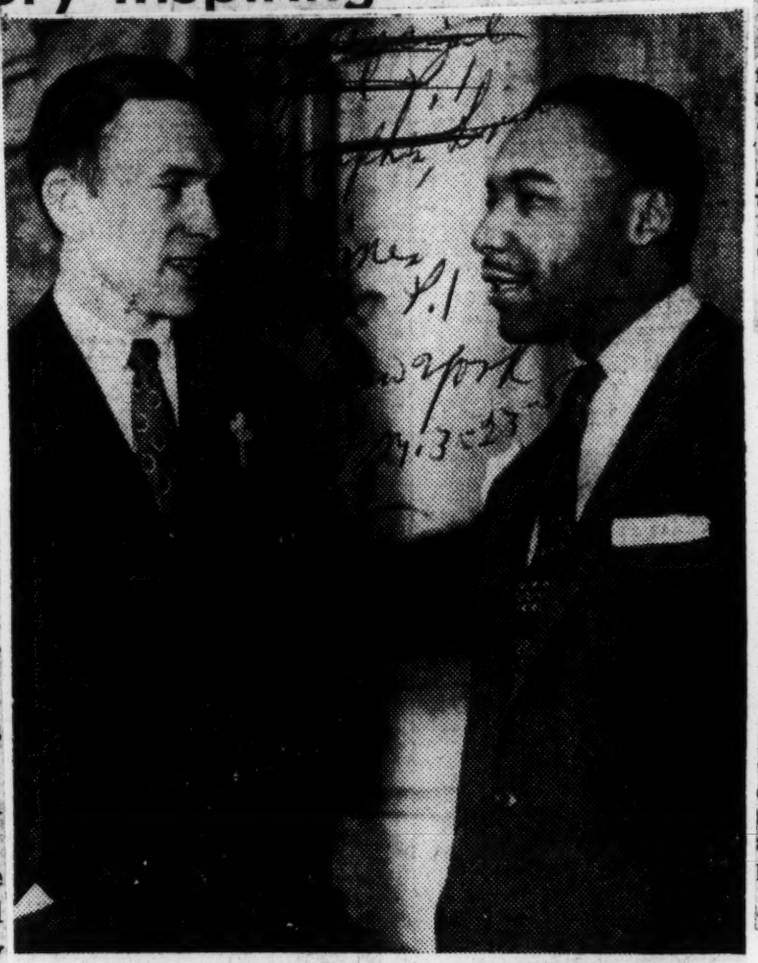
Sat. 3-3-56

"If we are arrested every day, if we are exploited every day, if we are trampled down every day . . . **let nobody pull so low as to hate them . . . We must use the weapon of love.** We must have compassion and understanding for those who hate us. So many people have been taught to hate, taught from the cradle. They are not totally responsible! . . . It is not a conflict between the white race and the Negro race. It is a conflict between justice and injustice!"

It is becoming increasingly obvious that Negroes are serious in being tired of the oppressions, humiliations and intimidations they have experienced through the years. Now that the President, the United States Supreme Court, spurred by enlightened public opinion have acted to see that first class citizenship embraces all citizens regardless of race, creed or color, Negroes are in no mood to accept anything less than what the law says they are entitled to as American citizens and human beings.

The tyrannical and hysterical actions of the race hating, white supremacists to defy law and order and to crush the desires and aspirations of Negroes to be treated and respected as law abiding citizens is daily winning public opinion and friends over to the side of the Negro. The sane, intelligent white people of goodwill of this country are becoming fed up with the glaring imperfections of our professed beliefs in democracy and christianity. They are becoming tired of the defiance and arrogance to the American spirit of fair play and justice exhibited by the white supremacists and pro-segregationists.

Lawlessness and defiance to the Supreme Court, democratic and christianity principles will not long continue to be countenanced by the American people.



Associated Press Wirephoto

NEGRO MINISTER CONVICTED: The Rev. Dr. Martin Luther King Jr., right, who was found guilty in the Montgomery, Ala., bus boycott case. He is shown talking yesterday with the Rev. Robert S. Graetz, a defense witness.

Negroes Air Gripes At Bus Boycott Trial

Herald Thurs. 3-22-56

Miami, Fla.

MONTGOMERY, Ala. —(INS) — Bitter, long-standing grievances over their treatment on Montgomery buses spilled forth from Negro witnesses Wednesday as the defense of one of their ministers, Rev. M. L. King Jr., opened in Circuit Court.

As the prosecution rested its case against the 27-year-old Baptist Negro minister accused of leading a bus boycott, the defense tried but failed to get an immediate verdict in favor of the defendant.

P. 2-A

King is the first of 90 Negroes, including 24 ministers, to go on trial in connection with the boycott that began on Dec. 5.

All of the defense witnesses told of mistreatment or discourtesy on Montgomery buses and some said they stopped riding before Dec. 5.

Circuit Judge Eugene Carter is hearing the case without a jury.

Montgomery's 16-week bus boycott apparently was triggered by Mrs. Rosa Parks' arrest after she refused to move from one seat to another when ordered to do so by the bus driver.

The state ended its case at mid-morning with the testimony of Mayor W. A. Gayle who said he attended about 20 conferences designed to settle the boycott. He testified he adopted a so-called "get tough" policy in late January because "nothing else could be done by the city to end the boycott."

Defense Rests in Alabama Bus Boycott Trial

World-Telegram Sun

By the United Press.

MONTGOMERY, Ala., March 22.—The defense rested at 11:25 a.m., (CST) (12:25 p.m. EST) today in the trial of the Rev. Martin Luther King, 27-year-old Negro minister and the first of 90 defendants to be tried on conspiracy charges in connection with the Montgomery bus boycott.

Thurs. 3-22-56

Following closing arguments by attorneys for the state and the defense, the cas ewill be decided by Circuit Court Judge Eugene Carter, since Mr. King and the other 89 defendants waived jury trial.

Mr. King was the last of more than three dozen defense witnesses. He testified that Montgomery Mayor W. A. Gayle called him soon after the mass boycott of city buses by Negroes began Dec. 4 and made a compromise proposal for settling it.

The boycott, now in its 15th week, grew out of a one-day walked to work in protest demonstration by Negroes, who against the segregated seating arrangements on city buses.

Mr. King said he told Mayor Gayle he would have to take up the mayor's proposal with the people.

Mr. King also was questioned about the Montgomery Improvement Assn., which he heads. This organization was formed after the boycott began.

He said "any citizen interested" could become a member.

He denied, in answer to a question by one of his attorneys, that he had ever urged members to refrain from riding buses.

"I said let your conscience be your guide," he said.

The minister said a city proposal to reserve the first 10 seats on a bus for white passengers and the 10 rear seats for Negroes, plus a guarantee of courtesy, was "turned down by the people."

Throughout defense testimony, Negro lawyers representing Mr. King have hammered at the idea that the boycott began spontaneously before the mass demonstration, and that the MIA was not devoted exclusively to conducting and supporting the bus boycott.

Today's first witness, Mrs. Willie Chism, said she has not ridden on a city bus since October, 1954, because a bus drove off too quickly when she was getting off at her stop. She said she was pregnant at the time.

Bus Boycott Leader Says Plan Works Bids All Negroes Emulate Gandhi

Herald Tribune Mon. 3-26-56

New York, N.Y.

P. 6

By Paul Tobenkin

The Rev. Dr. Martin Luther King jr., who was convicted last week for his part in leading the bus boycott in Montgomery, Ala., called yesterday upon all Negroes of America to follow the example in Montgomery and press for immediate integration by passive resistance.

"We can't slow up," he said. "We have our self-respect. We are on the highway of freedom to the goal of equality, and we can't slow up because we have a date with destiny."

Discussing the methods of non-violence and passive resistance which have brought national notice to the city where he is pastor of the Dexter Ave. Baptist Church, Dr. King declared that the 50,000 Negroes there "have borrowed from a litte brown-skinned man in India, Gandhi, the message that brought the British Empire to its knees."

Says Plan Can Work

He explained that "We have proved in Montgomery that it can work in America. What we are doing is refusing to co-operate with injustice. We are refusing to spend our money."

Dr. King spoke in the partially-completed Concord Baptist Church at 833 Marcy Ave., in the Bedford-Stuyvesant area of Brooklyn. He addressed an overflow crowd of 2,500 persons meeting under the auspices of the National Association of Business and Professional Women, a Negro organization.

The next step on the way to complete freedom in this country, he said, is for all Negroes to emulate the Montgomery experiment. "Let us take a stand for the elimination of all segregation. It is evil. It is slavery covered up with niceties," he declared.

Dr. King's was the first trial in a group of persons charged with violation of a 1921 Alabama statute forbidding organized boycott. The Negroes began it last Dec. 5 in an effort to get equal treatment on the buses. They carried it on through the efforts of the Montgomery Improvement Association, of which Dr. King is president. He is now appealing his conviction and he told his audience that no matter what the disposition in his case, the boycott will go on until local Negro demands are met.

He spoke eloquently and forcefully, studding his talk with Greek and Latin allusions as well as frequent references to the Bible. He was ofter interrupted with cries of "Amen" and applause.

Covering the history of slavery in America since 1619, he noted that Alabama was the cradle of the Confederacy. "For the first time in years," he said, "the cradle is rocking."

Seek Equal Treatment

Specifically, he explained, the Negroes want equal treatment on the buses. Generally, they want equal treatment with all men. "We have come to realize that the measure of a man is his soul and not his color. The Negro has come to a new found dignity," he said.

The methods used against passive resistance have varied, he pointed out, from court action to violence in the bombing of his own home and from negotiation to attempted devision among Negro leaders. But their followers have given them unanimous support, he explained, an dthey expect the support to spread.

The speed of resistance will grow, too, he said, pointing out that "We can't slow up because of our great love for America and for democracy."

As the main speaker of the meeting, Dr. King talked for an hour and twenty-five minutes. Among the other speakers was Abe Stark, president of the City Council, who called upon the President to urge an immediate dismissal of the charges against the remaining eighty-nine persons still awaiting trial on bus boycott charges.

State Rests in Bus Boycott Case; Defense Hints Early End of Trial

World-Telegram + Sun Wed. 3-21-56

New York, N.Y.

By the United Press.

MONTGOMERY, Ala., March 21.—The state rested today in the trial of th Rev. M. L. King, first of 90 Negro defendants to be tried for violating Alabama's anti-boycott law in connection with the 14-week Negro boycott of Montgomery city buses.

P. 9

Defense attorneys indicated they will be able to complete their testimony today, which would send the case for decision to Circuit Court Judge Eugene Carter.

Mr. King and the other 89 defendants waived jury trial and exercised their right to be tried separately.

Final prosecution testimony came from J. H. Bagley, manager of the Montgomery city bus lines, who was recalled to the stand for the third time during prosecution testimony.

Whites Removed.

Mr. Bagley read three reports from the company files on instances when Negro women had been ejected from the buses. The bus boycott began after a Negro woman, Rosa Parks, was arrested and fined for refusing to give up her seat at request of a driver last Dec. 1.

Mr. Bagley was asked whether he had any reports of white persons being removed from buses.

"Yes sir, I have," he replied. "I have some reports of white people removed from buses for disorderly conduct and refusing to move in sections of the bls."

Earlier Mr. Bagley testified that his company quit trying to serve predominantly Negro areas of Montgomery after the boycott began lost Dec. 4 because the buses were being shot at and stoned.

Mayor on Stand.

Mr. Bagley was followed to the stand by Montgomery Mayor W. A. Gayle, who described several meetings he held with Negro leaders in fruitless attempts to settle the boycott.

Mr. Gayle said, "I want everyone to know we did all we could." A Negro defense attorney asked: "Did you think your joining the White Citizens Council could help anything?"

Judge Carter sustained an objection to the question, and it was not answered.

King Montgomery Leader, Here For Series Of Talks

World-Tel. Tues. 4-10-56

Birm., Ala.

The Rev. Dr. Martin Luther King, Jr., dubbed the "Moses of Montgomery" comes here today for a series of speeches.

He is scheduled to appear at the 18th Street Branch YMCA at one o'clock this afternoon as guest of the Hungry Club which shifted its meeting from Thursday.

Dr. King, pastor of fashionable Dexter Avenue Baptist Church, Montgomery, Ala., is slated to make a speech at eight o'clock tonight at the Mount Zion Baptist Church, Sixth Avenue and 93rd Street, Zion City. The Rev. A. L. Bratcher is pastor of the church.

The program at Mt. Zion Baptist Church is sponsored by the Pan-Community Council.

First Baptist Church of Zion City, 8th Court North and 88th Street, is giving a reception in honor of Rev. King at six o'clock this evening. The Rev. F. D. Chiles is pastor of the church.

In Montgomery, Dr. King is president of the Montgomery Improvement Association. He is serving along with the Rev. Ralph David Abernathy as co-director of the NAACP membership campaign in that city.

Herald Tribune
Mon. 3-26-56
p. 6
New York, N.Y.

Herald Tribune photo by Don Rice

BUS BOYCOTT LEADER SPEAKS HERE—The Rev. Martin Luther King at the Concord Baptist Church, 833 Marcy Ave., Brooklyn, yesterday with the Rev. Gardner C. Taylor, pastor of the church, and Mrs. Helen Maxwell, president of the Brooklyn chapter of the National Association of Business and Professional Women, which sponsored the meeting.

'Nation's heard our plea, we're grateful'

Afro-American
Baltimore, Md.
Sat. 3-17-56

MONTGOMERY, Ala. — "The nation has heard our plea and we are grateful."

The Rev. M. L. King, head of the Montgomery Improvement Association, which has been staging a 13-week "passive resistance movement" protest against the racial policies of the Montgomery bus lines, made the statement.

p. 2

Officials of the improvement association revealed that about $12,000 had been received from sympathizers in all parts of the nation, last week.

* * *

THE LARGEST DONATIONS came from New York City and Chicago.

Last week, the Rev. Thomas L. Kilgore flew down from N.Y.C. to present the association with a check for $3,200.

On Monday, $2,844 was collected at a meeting at Bethel Baptist Church.

An estimated throng of 12,000 persons overflowed the church, its grounds and nearby property.

EIGHTY-NINE members of the association who have been indicted for violating the state's boycott laws are slated to go on trial during the week of March 18.

Meanwhile, Fred D. Gray, 25-year-old legal advisor for the group, has been cleared of a charge in the state court filed by Mrs. Jeannette Reese.

She accused Mr. Gray of filing a suit in U. S. District Court attacking the segregation policies of the bus lines without her authorization.

* * *

THE GRAND JURY indictment was nol prossed on March 2 on a motion by City Solicitor William Thettford, who said that the case was filed in a Federal court, hence the state had no jurisdiction.

The information which led to the indictment, Thettford said, was turned over to the U. S. District attorney for appropriate action.

Negro Pastor Found Guilty in Southern Bus Boycott

Daily Tribune
Fri. 3-23-56

BULLETIN

Montgomery, Ala., March 22 (AP) — The Rev. Martin Luther King Jr. was convicted today as a leader in the Negro boycott of segregated city buses and was fined $500. Defense attorneys filed notice of appeal.

Chicago, Ill.

Montgomery, Ala., March 22 (AP)—The Rev. Martin Luther King Jr. denied today that he ever encouraged any Negro to refrain from riding segregated city buses during the 17 week-old mass boycott.

The Negro Baptist minister, 27, first of 90 Negroes called to trial on boycotting charges, also testified in his own defense that never at any time did he advocate violence during t he boycott; instead, he said, he had urged his people to refrain from violence.

Defense attorneys rested their case at the conclusion of King's testimony. The state announced it would have some rebuttal evidence before the guilt or innocence of King is turned over to Circuit Judge Eugene Carter to decide in the absence of a jury.

Call White Pastor

Despite King's disavowal of urging Negroes to stay off the buses, Circuit Solicitor William F. Thetford sought to show that the Negro minister at least indirectly was a party to that.

Earlier, the white pastor of an all-Negro church who has helped in the boycott testified he has never heard King urge other negroes not to ride the buses.

The Rev. Robert S. Graetz, 27, identified himself as a member of the Montgomery Improvement association, which has supported the bus boycott and is made up almost entirely of Negroes.

The white minister also tes-

The Rev. Robert Graetz [left] and the Rev. M. L. King Jr.

tified he has driven his own car in a motor pool which has provided transportation for the boycotting Negroes, but said he has received no money or gasoline as some of the other drivers have.

Tells of Continued Boycott

The Rev. Mr. Graetz testified that as he understands it the association intends to continue the boycott until its original demands for better seating arrangement on city buses are granted or until some compromise is reached. But he quoted King as saying that the prospects of an acceptable compromise are slim.

The white clergyman said he has heard King on several occasions tell other Negroes he was not in favor of threatening or intimidating anyone who chose to ride the buses. The state has attempted to show that Negroes who did try to use the buses were threatened or otherwise intimidated.

Negro Pastor Convicted in Bus Boycott

Inquirer Fri. 3-23-56 Philadelphia Pa.

386-Day Jail Term Suspended; Speedy Appeal Launched

P.1

MONTGOMERY, Ala., March 22 (AP).—The first of the Negro bus boycott leaders, the Rev. Martin Luther King, Jr., was convicted today. Defense attorneys immediately began an appeal that may lead ultimately to the U. S. Supreme Court.

Mr. King, 27-year-old pastor of the Dexter Avenue Baptist Church, was fined $500, plus $500 court costs, for violation of Alabama's seldom-used antiboycott law for his part in the 17-week-old boycott against segregated city buses. The trials of 89 other Negroes on similar charges were postponed pending Mr. King's appeal.

JAIL TERM SUSPENDED

The fine and costs imposed on the pastor were converted into a jail sentence since he chose to appeal rather than pay the money. He was sentenced to a total of 386 days.

The sentence was suspended, however, after Negro defense lawyers served notice of appeal. They have said they will take the appeal to the U. S. Supreme Court on constitutional grounds if the State appellate courts uphold the conviction.

Circuit Judge Eugene Carter, presiding over the four-day trial in the absence of a jury, could have fined Mr. King $1000 and added a six-month jail sentence under the State law.

MODERATION CITED

But he said he decided on a lesser penalty because it was shown in testimony that the minister used his influence throughout the mass bus protest to urge his people to refrain from violence.

Judge Carter said Mr. King, had "started a fire he couldn't stop" as president of a new Negro rights organization which the State said conceived, financed and executed the boycott. The 90 were indicted Feb. 21.

In a statement to newsmen, Mr. King said the verdict "will not increase or diminish in any way my interest in the protest."

'WEAPON OF LOVE'

"We will continue with the protest in the same spirit," he continued, "with nonviolence, passive resistance and using the weapon of love."

As he left the courthouse, the minister was cheered by waiting Negroes with shouts of "behold the King" and "long live the King."

Fred D. Gray and Arthur Shores, defense attorneys, insisted in their closing arguments that the State had failed to prove Mr. King committed any unlawful acts and that Negroes had a justifiable reason for refusing to patronize the bus company.

BUS DRIVERS ACCUSED

Nearly two-score Negro witnesses had testified of repeated acts of mistreatment in the past decade at the hands of white bus drivers. Defense lawyers argued the boycott was the culmination of those experiences.

State's attorneys completed their testimony with seven rebuttal witnesses, including six bus drivers who denied they had ever mistreated any Negro passenger.

Negro defense witnesses said they were insulted by bus drivers, forced to stand while seats remained vacant in white sections of buses, and at times forced to give up their seats to white passengers.

The bus company manager, J. H. Bagley, testified he had fired 21 drivers in 10 years for discourtesy to passengers. Bagley also produced a performance report by his parent company, National City Lines, Inc., of Chicago, based on a spot check of Montgomery buses last November. The manager said it failed to show one instance of driver discourtesy.

Defense Uses 28 Witnesses In King Trial

Advertiser Thurs. 3-22-56 Montgomery Ala.

Lawyers Try To Show Negroes Mistreated While Riding On Bus

P.1

By TOM JOHNSON AND FRANK McARDLE

Defense attorneys in the Montgomery bus boycott trials yesterday summoned 28 Negro witnesses to the stand to describe alleged mistreatment of Negroes on Montgomery City Lines buses in the last decade.

It is expected that the trial of the Rev. M. L. King, boycott leader and first of more than 90 people indicted on charges of violating the state boycott law, will be concluded today.

The trial is before Circuit Judge Eugene Carter who will rule on the guilt or innocence of the Rev. King.

FORMAL ARGUMENTS

Formal arguments will be presented by both defense and prosecution staffs today.

As Negro defense attorneys called witness after witness yesterday, it was understood that they were attempting to show "just cause" in the grievances of the Negroes in their refusal to ride Montgomery City Lines buses.

Among defense witnesses were R. A. Parks, 634 Cleveland Ave., husband of Rosa Parks whose arrest set off the bus boycott; Rosalie Murray and Martha Kate Walker, 707 Ellerwood St.

These and other grievance witnesses testified that they had been subjected to "unpleasant conditions" while riding the buses. They said they had encountered abusive language from drivers, instructions to move to the rear of the buses under threatening conditions, and other forms of mistreatment.

QUIT RIDING

Rosalie Murray said that she quit riding the buses "because if 50,000 other Negroes could stop riding them, I could too."

Martha Kate Walker said her blind husband suffered an injured leg when the drive of a bus closed the door and caught his foot before he had cleared the step when getting off the bus.

nant wife was forced to give her seat to a white woman and "everywhere you find more than one Negro you will find criticism of the buses." He admitted he was one of the indicted boycotters and a NAACP member.

The general questioning line was on whether the witness had ridden city buses, if he had suffered "unpleasant experiences," the manner in which drivers addressed the passengers, and the seating arrangements.

The witnesses said the drivers had habitually referred to them as "niggers," "ugly apes" and in other deragatory wordage.

After calling three witnesses, including Mayor W. A. Gayle, the state rested its case at 10:35 a.m.

Negro Atty. Fred Gray immediately asked the court to exclude all of the state's testimony and return a judgment in favor of King.

After listening to Gray's extensive arguments, Judge Carter overruled the motion and ordered trial to proceed.

The defense motion was based on the contention the state's evidence was "legally insufficient" to warrant a conviction, failed to show a criminal conspiracy, and failed to implicate King in any unlawful acts against the bus company.

Advertiser

Gray also argued the state anti-boycott law, as applied to King, was in violation of rights guaranteed by the state and federal constitutions — rights of free speech and worship, assembly, due process of law and petition for redress of grievances.

P. 6A

Even if there was a conspiracy Gray said, the state had not shown that the Negroes didn't have a legal excuse.

(State law says boycotts are illegal unless there is "just cause or legal excuse.")

Gray questioned the testimony of two Negroes who testified they were threatened for riding the buses. He said Ernest Smith is an employe of the county (courthouse janitor) and "it is quite likely he would testify that way."

UNKNOWN PERSON

The other witness, Beatrice Smith, who said she was beaten and cut by an unknown person, is employed by the mother-in-law of Mayor Gayle, Gray said.

Gayle, called as a state's witness soon after yesterday's morning session began, testified the City Commission had met "directly or indirectly" with the Negroes more than 20 times since the boycott began.

He said the commission had offered the Negroes a seating plan reserving the 10 rear seats for Negroes and the 10 front seats for white passengers, with the rest of the bus to be filled on a first come, first served basis.

Though "just as fair to Negroes as to whites," the plan was turned down, said Gayle.

Gayle described a meeting Jan. 21 at which three Negro ministers met with the commission and "agreed" to a plan for ending the boycott.

One of the ministers, the Rev. Benjamin F. Moseley, later "repudiated" the agreement, Gayle testified.

Gayle was questioned about the bi-racial committee he named in mid-December to seek a solution to the boycott. He said he named representatives of business, labor, the P-TA, and the ministry as white members.

DEFENDED MEMBERSHIP

He said King accused the white members of being "prejudiced."

Under questioning of King's lawyers, Gayle said one of the committee members was Luther Ingalls, a member of the Montgomery Citizens Council.

Then Gayle defended his own membership in the council by saying, "I wouldn't join anything unlawful." He said he joined in January.

Gayle testified the "get tough" policy he announced Jan. 31 was designed to end the boycott by persuading white persons not to give aid to the protesting Negroes and by urging patronage of the bus company.

"I did just the opposite from the colored people who asked people to refrain from riding," he said.

Gayle was asked his views of the demand for Negro bus drivers on certain city lines. He said he had "nothing to do with the administration" of the company.

As for the Negroes' request for first come, first served seating on all bus routes, Gayle said it would violate the city and state laws requiring equal facilities for white and colored.

ON SOME LINES

Bagley testified earlier that a similar seating arrangement to the one offered by Gayle already is in force on some lines.

He said the rear 10 seats are reserved for Negroes when buses are traveling through predominantly white sections and the opposite is true through Negro sections.

Company policy regarding seating was set up, Bagley said, by the City Commission under the segregation laws of the city and the state.

He added it is the "policy of the bus company to obey" all laws.

Bagley admitted he had received a number of complaints of driver discourtesy but said they came from white and Negro.

City Detective Jack Shows, who with Detective K. W. Jones investigated the boycott, was put on the stand briefly to testify that while parked outside the Negro First Baptist Church, he heard "someone introduced as a Rev. King." But he admitted he never saw the speaker and could not swear that the defendant King, was the person who spoke.

After the state rested, defense attorneys called several witnesses in an attempt to show that Negroes had sought "relief" from the bus company numerous times prior to Dec. 5, when the boycott started.

'ABUSES' TOLD

Other witnesses testified to "abuses" they were subjected to while riding the buses.

Thelma Glass of the Women's Political Council (Negro), testified her group met with the City Commission on several occasions seeking better seating arrangements and other changes in existing bus service.

Sadie Brooks, member of the Civic Federation Club, testified that while riding a bus she saw a Negro passenger threatened because he didn't have the correct change.

"The driver whipped out a pistol," she said, and drove the man off the bus."

Georgia Teresa Gilmore said when she boarded a bus, a driver yelled out to her, "Come out, nigger and go in the back door." When she stepped off the bus to comply with his directions, she said the driver drove away.

She said she determined never to ride the buses again. "When you pay a fare and they count the money, they don't know Negro money from white money," she added.

Richard S. Jordan, a Pullman porter under indictment, testified he and his wife had been forced to move to "make way for white ladies at the Capitol just going two blocks."

'HUNDREDS OF TIMES'

He said he objected to being called "nigger" and "boy."

Della Perkins testified she had

been called "ugly black ape" by a driver.

Gladys Moore said she was forced "hundreds of times" to stand when seats were empty in the front portion of the bus and that drivers treated her "just as rough as they can."

She said she resolved on Dec. 5 not to ride the buses again.

Judge Carter asked her why she chose Dec. 5. The woman's answer did not satisfy him and he repeated the question several times before she finally said "because Rosa Parks was tried."

Few white spectators have been present during the three days of testimony. Except for a small section of seats normally used by jurors, the Negroes have occupied the entire courtroom.

Many of them wear crosses on their lapels, reading "Father forgive them."

At one point when they applauded a witness' testimony, Judge Carter rose to his feet and ordered no further demonstrations.

"Even though you feel that way," he said, "you will have to be quiet in the courtroom."

Pastor Fined In Alabama Bus Boycott By Negroes

Post + Times Herald P.1 Fri. 3-23-56 Washington, D.C.

Trial of 89 Other Defendants to Be Postponed Pending Outcome of Appeal

(Picture on Page 31)

MONTGOMERY, Ala., March 22 (AP) — The Rev. Martin Luther King, Jr., was convicted today as a leader in the Negro boycott of segregated city buses and was fined $500. Defense attorneys immediately filed notice of appeal.

At the same time, Circuit Solicitor William F. Thetford announced that the State had agreed to postpone the trial of 89 other defendants, also indicted on boycotting charges pending the appeal of King's conviction.

Under the State's antiboycott law on which King was tried, Circuit Judge Eugene Carter who found him guilty in the absence of a jury could have imposed a fine of $1000 plus a six-month jail sentence. But the Judge said he decided on a lesser penalty because testimony showed that the minister appealed to his race to refrain from violence during the 17-week-old boycott.

King had testified he never encouraged Negroes to refrain from riding buses.

The 27-year-old Negro Baptist minister, first of 90 Negroes called to trial, also testified that at no time did he advocate violence during the boycott but had urged his people instead to refrain from violence.

Despite King's disavowal of urging Negroes to stay off the buses, Circuit Solicitor Thetford sought to show that the Negro minister at least indirectly was a party to that.

Earlier, the Rev. Robert S. Graetz, white pastor of an all-Negro church who has helped the boycott testified he had never heard King urge other Negroes not to ride the buses. The Rev. Mr. Graetz identified himself as a member of the Montgomery Improvement Association which has supported the bus boycott and is made up almost entirely of Negroes. He testified that as he understands it the Association intends to continue the boycott until its original demands for better seating arrangement on city buses are granted or until some compromise is reached.

The white clergyman said he has heard King on several occasions tell other Negroes he was not in favor of threatening or intimidating anyone who chose to ride the buses. The State has attempted to show that Negroes who did try to use the buses were threatened or otherwise intimidated.

Boycott Head Files Data In Alabama

Journal + Constitution Atlanta, Ga.

MONTGOMERY, Ala., Aug. 11 (AP)—The Rev. Martin Luther King, leader of a Negro boycott of city buses, has filed 500 pages of high-priced transcribed testimony with the Alabama Court of Appeals.

Sun. 8-12-56

The Negro minister, who must pay the $1,400 to $1,500 expense of compiling the testimony, was fined $500 in March for fostering an illegal boycott against segregated buses. The demonstration began Dec. 5 and is still in progress.

P. 10-A

Nearly 100 other Negro defendants were also charged with violating a seldom-used state antiboycott law, but they will not be tried until King's appeal is completed and decided.

Charles Bricken, court of appeals clerk, said the court is now in summer recess and the case will not be submitted for review until the court reconvenes on Oct. 4.

Appeal Near In Trial Of Rev. King

Defender P.16 Chicago, Ill. Sat. 8-18-56

MONTGOMERY, Ala. — (ANP) —A way was cleared last week for an appeal of the circuit court decision that convicted Rev. Martin L. King, president of the Montgomery Improvement Association and leader of the hard-hitting Negro bus boycott here, when bulky transcripts of the court records involved in the case were completed.

The noted minister was convicted last March of an ancient law charging him with illegal boycotting.

He was found guilty of "fostering an illegal boycott against Montgomery City Transit Co."

Rev. King has headed a powerful Negro crusade to stop riding buses in protest of Alabama's segregated seating system.

The vast record of testimony and evidence in the trial, prepared by a court reporter, will be the largest ever presented in a circuit court for a single case.

More than 560 pages are included in the report, requested by Rev. King's attorneys for an appeal of his conviction to the State Court of Appeals.

The Rev. King case became a test case for the indictment of more than 90 prominent Negro leaders accused of promoting the boycott.

BOYCOTT LEADER TO PREACH HERE

Post + Times New York

Dr. M. L. King of Birmingham Coming to Harlem—Paulists Offer Instruction Series

Sat. 8-11-56

By STANLEY ROWLAND Jr.

Among the guest speakers scheduled for New York pulpits tomorrow is the Rev. Dr. Martin Luther King Jr., convicted leader of the Negro boycott of buses in Montgomery, Ala.

Dr. King, who is pastor of the Dexter Avenue Baptist Church in Montgomery, will speak at the 11 A. M. service tomorrow at Mount Olivet Baptist Church at 201 Lenox Avenue, near 120th Street. He is appealing his conviction.

At the New York Cathedral (St. John the Divine), the preacher at the 11 A. M. service tomorrow will be the Rev. William S. Turner. He is rector of Trinity Protestant Episcopal Church in New Orleans.

Among other guest preachers will be the Rev. Dr. Joseph R. Sizoo, Professor of Religion at George Washington University in Washington. He will preach at the Riverside Church, Riverside Drive and 122d Street. His subject will be "When Life Seems Futile."

M. L. King Jr. Appeals Fine In Bus Case

Daily Worker Atlanta, Ga. Sun. 8-12-56

MONTGOMERY, Ala. (ANP)—A way was cleared last week for an appeal of the circuit court decision that convicted Rev. Martin L. King Jr., president of the Montgomery Improvement Association and leader of the hard-hitting Negro bus boycott here, when bulky transcripts of the court records involved in the case were completed.

The noted minister was convicted last March of an ancient law charging him with illegal boycotting.

He was found guilty of "fostering an illegal boycott against Montgomery City Transit Co."

Rev. King has since headed a powerful Negro crusade to stop riding buses in protest of Alabama's segregated seating system.

The vast record of testimony and evidence in the trial, prepared by a court reporter, will be the largest ever present in a circuit court for a single case.

More than 560 pages are included in the report, requested by Rev. King's attorneys for an appeal of his conviction of the State Court of Appeals.

King Takes Dexter Pulpit

Advertiser

Dr. M. L. King Jr., will fill the pulpit on Sunday at the Dexter Avenue Baptist Church after a speaking engagement this week at the Virginia State Branches of the NAACP. He was guest contributor for the annual lecture series at Hampton Institite during last week.

P. 2 B

The music for the morning worship will include as the organ prelude by Mrs. Althea Thompson Thomas, organist, "Priere a Notre Dame" by Boellemann. The postlude will be Bingham's "Serabande." The morning anthem will be "How Long Wilt Thou Forget Me" by Pfhueger, with Cleveland L. Dennard as bass soloist.

Flowers will be placed on the altar by Mrs. Lelia Leverette Owens, of New Haven, Conn., and her brother, Emory L. Leverette, of Toledo, Ohio in memory of their mother, Mrs. Emma L. West, who passed on Oct. 4, 1941 and was funeralized from the church where she had long held membership.

The program for the day also includes the regular monthly meeting of the Woman's Council at 5:30, the Sacrament of Holy Baptism at 6:30, and the Sacrament of Holy Communion at 7, with Dr. King delivering the meditation.

New members who joined the church during September will be officially presented to the congregation at the 7 p.m. hour.

On Sunday, Oct. 14, the annual observance of Womans Day will be held at the mornng worship hour. Principal speaker has been announced by Miss Lelia M. Barlow, chairman of publicity, as Dr. Arenia C. Mallory, principal of the Saints Industrial and Literery School at Lexington, Miss., and vice president of the National Council of Negro Women. The observance is an annual project of the Womans Council headed by Mrs. Thelma Hill Anderson.

Dexter Avenue served as host ths week to the 55th annual session of the Montgomery Antioch Distriot Assn. Womens Convention headed by Mrs. Ida McIntosh. A very fruitful three-day session resulted. Thomas E. Jordan and Howard L. Alexander were the official delegates representing the Crusaders supervised by Miss Verdie Davie. A special feature of the program was the official welcome ceremonies on Thursday night, with greetings from Dr. M. L. King Jr., Mrs. E. M. Arrington, C. T. Smiley, Mrs. Evelyn Lewis, and Miss Alfreda Dean and with music by the choir and by Miss Peggye Ann Taylor. A special reading was by Miss Evelyn Wysinger, with piano accompaniment by Miss Grenetta Ross. Meals were served daily in the dining room with the fine cooperation of the local Baptist churches. The praises for the hospitality shown on this occasion.

38b 1956 ALABAMA

REV. RUSSELL A. ROBERTS
ATLANTIC CITY, N.J.
MONTGOMERY, ALABAMA BUS BOYCOTT

Call P.1 Fri. 3-23-56 Kansas City Mo.

FASTING AND PRAYING.—The Rev. Russell A. Roberts, 32, pastor of the Shiloh Baptist church in Atlantic City, N. J., is shown as he approached the 48th hour of his "indefinite fasting" and "praying for all people." The minister told newsmen that "I'm praying for the unrest in the birthplace of the Prince of Peace in Israel, the tension in India and naturally the bus boycott in Alabama." He said that he would keep up his fasting and praying indefinitely and that he would stop "when I feel spiritually that something has happened." He said he will live on a quart of vegetable juice a day during the fast and he sleeps on an inflatable mattress in his church. —INS Photo.

Jersey Minister Begins Fast For Bus Boycotters

Call P.1 Kansas City, Mo. Fri. 3-23-56

Will Live On Vegetable Juice

ATLANTIC CITY, N. J. — (ANP) — The Rev. Russell A. Roberts, 37, pastor of the Shiloh Baptist church, launched a fast and prayer period last week in support of the Negro bus boycott in Montgomery, Ala., and vowed to stay in the pulpit "as long as God gives me strength."

The minister, a former boxer and sparring partner of onetime heavyweight champion Jersey Joe Walcott, put up a cot in his church and said he would live on a quart of vegetable juice a day.

Before starting his fast, Rev. Roberts sent this telegram to President Eisenhower:

"My fervent and prayerful hope is that you will lend the prestige of your great office to the struggle for dignity of the Christian men and women of Montgomery, Ala., speaking out in their behalf and thus in the interests of freedom and democracy."

Cleric ends bus boycott

Afro-American P.3 Sat. 3-31-56

fast virgil

Baltimore, Md.

ATLANTIC CITY, N.J. — Rev. Russell Roberts, crusading pastor who submitted himself to the ravages of hunger for eleven days and nights to maintain a Ghandi-like fast in his pulpit, ended his vigil here Wednesday at midnight.

The Shiloh Baptist Church pastor had lived, slept, prayed and fasted in his pulpit "in sympathy with the bus boycott in Montgomery, Ala., and praying for the rights of all people."

Face emaciated, eyes set far back in his head, but still revealing an amazing energy, the minister told friends and church officials: "I have seen the vision I have been seeking and I have received a spiritual sign which will direct my future life."

HE WAS taken from the church to the parsonage. An hour after arriving home, the pastor collapsed, remaining unconscious for one hour

Dr. Harry Sweeney, his physician, said the clergyman had lost 15 pounds and had been under a terrific strain. His only daily nourishment has been a quart of vegetable juice.

Rev. Roberts was a former boxer and sparring mate of Jersey Joe Walcott. Concern of Shiloh Baptist Church members over their pastor's health had reached a climax when he concluded his fasting.

38b 1956 ALABAMA

ATTY. THURGOOD MARSHALL
BUS BOYCOTT. MONTGOMERY, ALA.

THESE MINISTERS are among 33 persons named in Grand Jury indictments charging them with violation of a law banning boycotts in Montgomery, Ala. Ministers, who are leading the bus boycott, were among those charged with persuading Negroes to stop riding city buses rather than take a back seat to whites. From left are: Rev. A. D. Abernathy of the First Baptist Church; Rev. Garner (who was not indicted); Rufus Lewis, manager of the Citizens Council; Rev. Leroy Bennett; Rev. W. F. Alford, Beulah Baptist church; Rev. J. I. Cherry, Jericho A. M. E. church; Rev. H. H. Herbert, Bethel Baptist church, and Eli Judkins.

Thurgood To Defend 90 Arrested In Boycott Case

Defender
Chicago, Ill. Apr. 3-3-56

MONTGOMERY, Ala. — Thurgood Marshall, one of the top constitutional lawyers in the country, who has seldom lost a civil rights case in U. S. courts, arrived in Montgomery Tuesday to "move-in" on the bus boycott case in which 90 Negroes have been arrested and indicted.

Marshall, general counsel for the NAACP, left New York after mobilizing all of the vast legal resources of the organization — the same organization that carried public school segregation cases before the U. S. Supreme Court and won.

The mass bus boycott — launched almost 90 days ago — has caused the arrest and indictment of at least 90 persons. Twenty-three of them are ministers. All are charged with conspiring, through the boycott, to injure the transit company's business. Under a 1929 Alabama law this is a misdemeanor.

All 90 defendants pleaded not guilty last Friday when they were arraigned. Marshall told the Defender he would take charge of their defense. A sizeable staff of NAACP administrative help also moved-in on Montgomery for the duration of the court fight which starts March 17. The NAACP has provided funds to pay bonds of those arrested.

The arrests of boycott leaders have seemingly cemented the resistance of Negroes against segregated seating on Montgomery busses. Friday, they observed a "total walking day" by shunning all motor vehicles.

It appeared 100 percent effective; Negroes walked to and from their jobs, with no demonstrations.

At a seven-hour "prayer meeting" that started about 3 p.m., and lasted until 7 p.m., Thursday approximately $2,500 was raised to further the boycott movement by 5,000 persons.

The boycott brought praise last week from Dr. Ralph J. Bunche, United Nations undersecretary-general and Nobel Prize winner. He said Negroes "are doing heroic work in the vineyards of democracy."

Dr. Bunche wired Rev. Martin Luther King, jr., a boycott leader arrested last week, that the Montgomery boycott and its attendant mass arrests provided "an inspiring chapter in the history of human dignity."

Defender

He urged the protesters "stand firm and united in the face of threats and resorts to police state methods of intimidation."

Meanwhile, Gov. James Folsom launched a bi-racial study of segregation problems in the state of Alabama.

Folsom, who has steered a moderate course between diametrically opposed groups favoring and opposing segregation, told leading Alabama editors, publishers and educators last week that he believes Alabama's traditional pattern of racial segregation would continue for "sometime to come."

NAACP Leader Warns Of Negro Vote Boycott

Evening Star Apr. 1-B
Washington, D.C.

Thurgood Marshall, chief counsel for the National Association for the Advancement of Colored People, declared here last night that no political party or candidate for President is going to get the first Negro vote until it does something that looks "awful close to civil rights."

The chief counsel of the National Association for the Advancement of Colored People told a NAACP rally that nothing will deter his organization from its aggressive program for full desegregation in the United States.

Phila 3-12-56

He said tremendous advancement has been made in many places and some in Southern States. He urged the crowd not to lose heart.

If necessary, he asserted, the NAACP will "go underground" in the Southern States which, he said, are trying to outlaw his organization.

Mr. Marshall spoke at the Vermont Avenue Baptist Church to a crowd of Negroes which the sponsors estimated at 2,500. The rally was held primarily to raise money and increase the NAACP membership.

The attorney said all politicians would like to get rid of civil rights.

"Whether they like it or not," he said "civil rights is an issue. It was not made so by Negroes but by people in the South who set themescives above God and the law, by people who insist upon rule or ruin."

He bitterly criticized the State of Mississippi for what he called not bringing to justice those responsible for the killing of Emmett Till, the Chicago Negro boy, and for what he claimed was inaction in other Negro killings.

Blasts State and U. S. Authorities

He assailed Alabama authorities in conection with Montgomery bus boycott and the expulsion of Miss Autherine J. Lucy from the University of Alabama.

Likewise, he blasted the Federal Government for not prosecuting race cases. He said the Government has ample authority to act without getting any new legislation.

"It is high time the Attorney General did some traveling in this country," he said. "It is time to do something to protect the integrity of the United States Supreme Court when it is being attacked by every two-bit politician, from Senator Eastland (Mississippi Democrat) on down. And please pardon me for grading upward when I call them two-bit."

Mr. Marshall told the applauding crowd that he was unable to find the difference in a Democratic Party which is represented at the same time by Senator Eastland and Adlai Stevenson, the presidential aspirant.

"Somebody," he said, "has got to divorce somebody," adding that Mr. Stevenson could not expect to get his vote and Senator Eastland's, too.

Shuns Republicans Also

As for the Republicans, he said they cannot get his support until they do something within the power they already have.

He complained nobody does anything to check "hoodlums" and avowed opponents of the Supreme Court" in the South, but everyone wants the Negro to slow down, be patient and "take it easy."

He declared Negroes today are no more impatient than American citizens were at the time of the Revolution. He said if those citizens "had waited until Great Britain was ready to give them their freedom, we would be saying 'Hail to the Queen,' today."

Sixteen Ministers Among Leaders Arrested, Indicted

In Farmer Sat. 3-3-56 P. 1
Houston, Texas

MONTGOMERY — Thurgood Marshall, general counsel for the NAACP, announced over the week-end that the wholesale indictment of Negro leaders here caused the NAACP to marshal its forces, and him to plan to fly here Tuesday with a complete staff to take over.

Negroes' answer to the arrest and indictment of 100 of their leaders, including 16 ministers, is not onlly to continue the 90 per-cent-effective boycott, but to set aside a special day last week where Negroes would walk to their jobs and use no transportation.

The indicted leaders, most noticably the ministers, returned to their churches and communities and held service, advocating no violence on the part of Negroes, but a firm, dignified persistence in the boycott of buses until Negroes are treated more like human beings.

A contrast in the quiet, lawful way in which the Negroes are persecuting their cause begins to win friends all over the nation, and to attract favorable comment internationally.

On the other hand, the whites in Montgomery give every indication of panic and rashness of action. They are using the machinery of government in an effort to suppress the normal rights of the Negroes, in the hope of frightening them into abandoning the boycott.

As they are being met with calm indifference to indictments, threats, and other abuse, whites are finding themselves forced to go from one extreme violation of the law, in the use of the instruments of government, to another. Having begun, they do not know how to stop the illegal uses of the laws and their facilities for government and orderly operation of communities.

THE LAWLESS CHAIN

The lawless chain of events began December 5, when Mrs Rosa Parker was arrested for refusing to give up her seat in the bus to a white passenger. From a fine, she appealed to the circuit court in Montgomery.

In protest the Negro leaders demanded that the bus company and the city adopt the rule that both white and colored begin to fill up the seats from the front and rear of the bus, respectively, and to fill up the seats until there are no more. Then whoever came in would stand, whether white or colored. They decided not to ride the buses until that request was granted and the bus company instructed its drivers to treat Negroes with courtesy and decency, and hired Negro bus drivers on buses serving mostly Negroes.

At first the city officials treated the Negroes' boycott with scorn. Then as it continued, they became alarmed and the bus company went to the City Council and asked for a sharp (50 per cent) increase in rates, giving as its ground the great shrinkage in travel, due to the boycott. The City Council granted the increase in rates, but the bus company is reported to still be in pinched conditions.

Some of the cool heads attempted to work out compromises. One of the last posed was that Negroes have 50 per cent of the bus, and the whites have the other 50 per cent. This was rejected as not practical nor sensible. So the whites went to the not uncommon practice of using the instruments of government to lynch the rights of the Negro citizens of Montgomery.

The grand jury, instructed by the same Circuit Judge Eugene Carter, to whose court Mr Parks had appealed from the fine in the lower court, and the same judge who on Thursday denied her appeal and sentenced her to 14 days in jail, instructed the grand jury "to investigate the illegality of boycotting the buses."

DRAGS OUT OLD LAW

The grand jury dug up a law 35 years old, admittedly enacted to get after men accused of taking labor from the South to the North and never used in any other case except labor cases, to bring in the 100-odd indictments against Negroes, on the ground that they were boycotting the buses illegally.

OTHER INTIMIDATIONS

Attorney Fred D Gray was indicted about a week before, on the charge that one of the five plaintiffs, seeking to declare the city and the state segregation laws illegal in a federal case, had not given her consent to the filing of the suit. Also Attorney Gray's appeal, on his having been classified as 1-A in the draft, was turned down last week by the draft board. Attorney Gray's ground for seeking deferred classification is based upon the fact that he is an assistant pastor of a church.

All of those indicted, including Attorney Gray, were fingerprinted and forced to put up individual bonds in the amount of $300.

In the meantime, the case in the federal court goes on and the city attorneys have filed answer.

Trials under the indictments are scheduled to start March 19. Possible penalties are $1000 fine and a maximum of six months in jail, if guilty.

In the meantime, efforts to compromise go on. Some white merchants are trying to persuade Negro leaders to accept the compromise of the 50-50 bus division. One such merchant is said to have predicted that settlement would be accepted Monday and the boycott would be over.

But it is hardly conceivable that the boycott can end now with all of these indictments out against the leadership of the Negroes, unless the indictments are dismissed.

Here in this capital of Alabama the battle between passive resistance and dictatorial use of the instruments of government, to destroy the will and the rights of the people, are locked in battle. Whether either will give before things break loose, or whether a compromise can be found before violence takes over, is a jumble that lies on the lap of the gods.

Conviction Here May Bring Test For Bus Barrier

Advertiser
Tues. 12-6-55
P. 1

By JOE AZBELL
Advertiser City Editor

The conviction of Rosa Parks, 42, 634 Cleveland Ave., Negro seamstress at a department store here, may cause a court test on segregation of Negroes and whites on Montgomery buses.

Montgomery, Ala.

The Negro woman was fined $10 and costs in Recorder's Court yesterday for violating a state law requiring racial segregation on city buses.

Thousands of Negroes boycotted city buses yesterday and only about 5 to 10 per cent of the Negroes who normally ride the buses broke the boycott. The boycott reflected an "economic reprisal" in protest of the arrest.

APPEAL DECISION

Fred D. Gray, Negro attorney, told Judge John B. Scott he would appeal the decision of the court to Montgomery Circuit Court. The move apparently was intended as the first step in testing the constitutionality of transportation segregation laws in this Cradle of the Confederacy.

Signing the $100 appeal bond for the woman were E. D. Nixon of Montgomery, a former state NAACP president and Gray.

Gray entered a plea of innocent for his client. The woman did not testify. Assisting Gray was another Negro attorney, Charles Langford.

The entire hearing consumed only about five minutes. City Prosecutor Eugene Loe called bus driver J. F. Blake to tell how Rosa Parks refused to leave a seat in the white section and move to the Negro section in the rear last Thursday night. Blake said he asked the Negro woman and other Negro passengers to move to the rear of the bus but the Parks woman refused to leave her seat.

EQUALIZE SEATING

Blake said there were 22 Negroes and 14 whites seated in the 36-seat bus. He sought to equalize the seating, he said, by asking some of the Negroes to move to the rear.

Loe asked Judge Scott to amend the complaint against the Parks woman to make the warrant read a violation of the state law instead of the city ordinance. Gray objected but Judge Scott allowed the amendment.

The state law sets forth as illegal the failure by any person to comply with the assignment or reassignment order of a bus driver to enforce separate facilities for the white and Negro races.

Gray objected that the state law was not a city law and could not pertain to his client. Loe replied the state law covered all transportation.

Passed by the Legislature in 1947, the state statute authorizes bus companies to provide and enforce separate facilities for White and Negro races. Viilation is punishable by a maximum fine of $500.

It was understood that Gray intended to attack the law as unconstitutional but he declined to say specifically. He said that he intended to use "every legal issue to defend my client."

CALM AND QUIET

The court hearing was calm and quiet, and at times witnesses were almost inaudible as they spoke.

The steps leading into the north side of the courtroom and the sidewalk, along with the corridors leading into the east entrance of the courtroom, all were jammed with spectators and witnesses.

Meanwhile, Montgomery City Lines Manager J. H. Bagley yesterday afternoon estimated that some 90 per cent of the Negroes were refusing to ride the buses in protest of the hearing.

The boycott was uncovered Friday after thousands of unsigned circulars were reportedly being spread throughout the Negro districts in Montgomery.

ONE INCIDENT

Advertiser

Acting upon the orders of Police Commissioner Clyde Sellers that there was to be no violence yesterday patrolmen arrested a 19-year-old Negro youth who allegedly tried to restrain a Negro woman from getting on one of the morning buses.

P. 6-H

Fred Daniel, 19, of 1646 Hall St., was jailed on a charge of disorderly conduct, according to Police Chief G. J. Ruppenthal. Arresting Patrolmen R. M. Hammonds and C. A. Weaver said Daniel grabbed a Negro woman by the arm about 7:15 a.m. at the intersection of Hall and Thurman and pulled her away from a City Lines bus she was attempting to board.

NEGRO TAXI CABS BUSY

All Negro taxi cab operators in the city reportedly told their drivers to charge only 10 cents a head yesterday from the hours 4 a.m. to 9 a.m. and from 3 p.m. until 11 p.m. in an effort to make the bus boycott effective.

Several buses seen on downtown streets carried nothing but white passengers from front to rear.

Several thousand Negroes use the buses on a normal day.

Police cars and motorcycles followed the buses periodically to prevent trouble after Sellers said some Negroes reported they were threatened with violende if they rode buses yesterday.

A mass meeting of Negroes was scheduled last night at the Holt Street Baptist Church to discuss "further instructions" in the "economic reprisal" campaign against the Montgomery City Bus Lines.

The circulars distributed in Negro residential districts Saturday urging the boycott yesterday in protest to the arrest of Rosa Parks were not signed. The Rev. A. W. Wilson, pastor of the Negro church where the meeting is to be held, said he would not disclose "under any circumstances" the names of those who asked permission to use the church for the meeting.

He said the meeting was open to Whites as well as Negroes.

Earlier, Bagley had issued a statement saying the bus company "is sorry if anyone expects us to be exempt from any state or city law."

In the Rosa Parks case yesterday, the city was prepared to offer testimony from 11 witnesses. Only three, Blake and two women passengers testified. One of the women said there was an empt seat where Rosa Parks could have sat if she had moved to the rear.

As the boycott started yesterday morning, Negroes stood on downtown street corners waiting for rides or piled into taxicabs. Many walked two or three miles to work in the crisp cold weather.

Most Negro children walked to school and there was a relay auto pickup system operating throughout most of the day.

"The Montgomery City Lines is sorry if anyone expects us to be exempt from any state or city law. We are sorry that the colored people blame us for any state or city ordinance which we didn't have passed.

"We have to obey all lasw just like any other citizen. We had nothing to dow with the laws being passed, but we expect to abide by all laws, city or state, to the best of our ability."

Bagley said he first learned of the circulars today when a woman informed him her maid had brought one of the circulars to work with her. Beagley said he immediately went to the woman's house and obtained the circular and turned the matter over to the firm's attorney, Jack Crenshaw.

Rosa Parks will be represented by Negro Atty. Fred D. Gray, the same lawyer who represented Claudette Colbert, a 15-year-old similar charge several months ago. The young Negro girl was palced on "Indefinite probation" by Juvenile Court Judge Wiley Hill JR.

Circulars Ask Negro Boycott On City Lines

Advertiser
Tues. 12-4-55
P. 1

Unsigned circulars urging Negroes to boycott the Montgomery City Lines Bus Co. Monday—the date of a bus segregation hearing in city court—reportedly were being passed out here yesterday.

The mimmiographed circulars ask all Negroes to "stay off the buses on Monday in protest of the arrest and trial."

This was in reference to Thursday night's arrest of Rosa Parks, who was charged with refusing to accept a seta ssigned to her by Montgomery City Lines bus driver J. F. Blake.

Montgomery

ACCORDING TO RACE

She was charged under Section 11, Chapter 6 of the Montgomery City Code, a section giving bus drivers "police powers" in assigning seats "according to race."

Ala.

J. H. Bagley, manager of the bus company, issued this statement after learing of the circulars:

"The Montgomery City Lines is sorry if anyone expects us to be exempt from any state or city law. We are sorry that the colored people blame us for any state or city ordinance which we didn't have passed.

"We have to obey all lasw just like any other citizen. We had nothing to dow with the laws being passed, but we expect to abide by all laws, city or state, to the best of our ability."

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BOYCOTT BY NEGROES IS REPORTED SUCCESS

Appeal
Tues. 12-6-55

Action Against Buses Called 90 Per Cent Effective

SPECIAL RATES BY CABS

P. 12

By GLENN ANTHONY
United Press Staff Writer

MONTGOMERY, Ala., Dec. 5. —Negroes protesting the arrest and conviction of a Negro seamstress who refused to take a seat in a segregated bus area staged a boycott against city buses Monday that was pronounced "nearly 90 per cent effective."

Memphis

City buses ordinarily crowded in the early morning with Negro workmen, domestics and schoolchildren were left largely to white passegers Monday.

Lexington

Six Instead Of 250

Negroes walked, rode private cars and hired taxicabs to get to work and school. Attendance at Negro school. Attendance at Negro schools was reported almost normal, but school officials said nearly all of the children walked or came by car.

Negro taxicabs companies offered a special rate of 10-cents per person during the early morning and late afternoon rush hours.

One bus driver, S. E. Moseley, reported that in three hours he picked up only six Negro passengers when normally he would carry about 250. Mr. Moseley said one Negro woman who boarded his bus was peered and nooed by a group of Negroes.

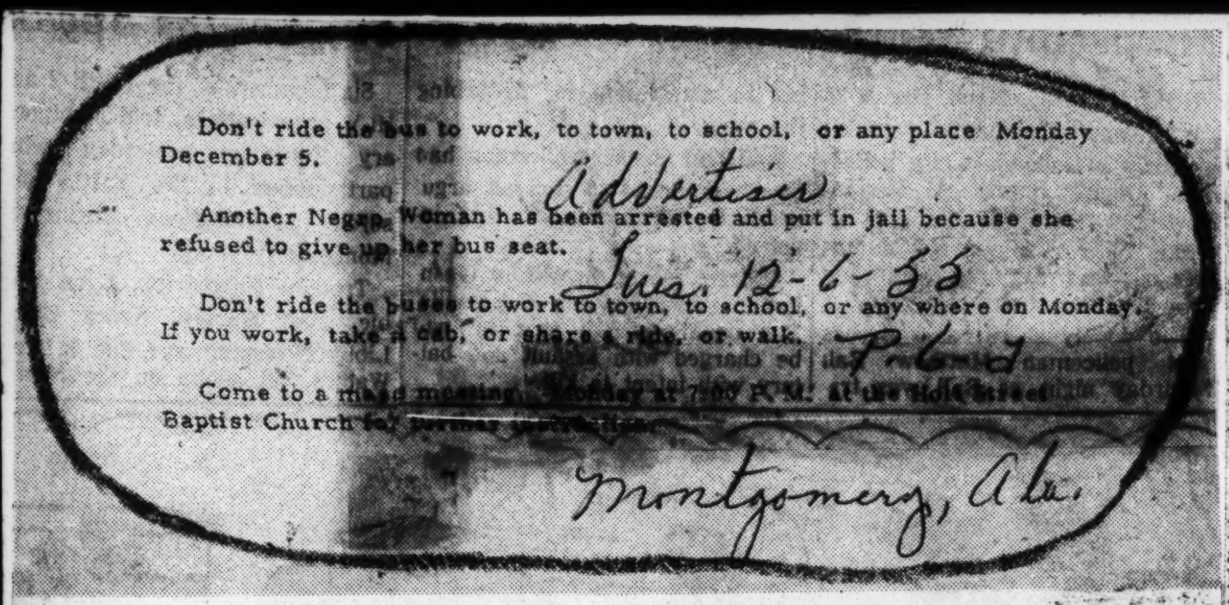
In the only disturbance reported in the boycott, a 19-year-old Negro youth, Fred Daniel, was charged with disorderly conduct for allegedly catching a Negro woman by the arm and pulling her from a bus she attempted to board.

Seatstress Is Fined

The boycott was believed to be one of the largest and most effective "economic reprisals" by either race in recent years in the segregated South.

The immediate cause of the boycott, seamstress Rosa Parks, 42, was fined $10 in Recorder's Court Monday. She was arrested by a bus driver acting under special police authority given to bus drivers under the city code.

The driver said the woman refused to move to a Negro section of the bus. A passenger testified there was a vacant seat in the Negro section to which she could have moved.



Don't ride the bus to work, to town, to school, or any place Monday December 5.

Advertiser

Another Negro woman has been arrested and put in jail because she refused to give up her bus seat.

Tues. 12-6-55

Don't ride the buses to work to town, to school, or any where on Monday. If you work, take a cab, or share a ride, or walk.

P. 6-d

Come to a mass meeting, Monday at 7:00 P.M. at the Holt Street Baptist Church for [illegible]

Montgomery, Ala.

CIRCULAR URGING BUS BOYCOTT

This is one of the thousands of circulars which were distributed over the weekend in Montgomery in a boycott program against Montgomery City Lines buses. Ninety per cent of the Negroes who normally ride city buses found other means of transportation yesterday as the boycott was declared a "success" by Negro leaders.

90 Pct. of Negro Riders Ban Buses in Montgomery

Constitution

Tues. 12-6-55

MONTGOMERY, Ala., Dec. 5 (AP)—Negroes boycotted the city bus system today to protest the conviction of a seamstress who refused to take a Jim Crow seat.

The demonstration was called "90 per cent effective."

P. 2

City buses ordinarily crowded in the early morning with Negro workmen, domestics and schoolchildren were left largely to white passengers today.

Atlanta, Ga.

Negroes walked, rode private cars and hired taxicabs to get to work and school. Attendance at Negro schools was reported almost normal, but school officials said nearly all of the children walked or came by car.

SPECIAL CAB RATE

Negro taxicab companies offered a special rate of 10 cents per person during the early morning and late afternoon rush hours.

One bus driver, S. E. Moseley, reported that in three hours he picked up only six Negro passengers when normally he would carry about 250. Moseley said one Negro woman who boarded his bus was jeered and booed by a group of Negroes.

In the only disturbance reported in the boycott, a 19-year-old Negro youth, Fred Daniel, was charged with disorderly conduct for allegedly catching a Negro woman by the arm and pulling her from a bus she attempted to board.

"ECONOMIC REPRISAL"

The boycott was believed to be one of the largest and most effective "economic reprisals" by either race in recent years in the segregated South.

The boycott apparently was called for only one day, but a mass meeting was reported scheduled for a Negro church tonight for "further instructions" in the demonstration.

The immediate cause of the boycott, seamstress Rosa Parks, 42, was fined $10 in recorder's court today. She was arrested by a bus driver acting under special police authority given to bus drivers under the city code.

The driver said the woman refused to move to a Negro section of the bus. A passenger testified there was a vacant seat in the Negro section to which she could have moved.

SEATS BY LAW

State and city ordinances require segregation of bus passengers. The city code gives bus drivers the responsibility to "assign or re-assign passengers to sections of the bus so as to separate the races."

Montgomery city buses use folding metal signs over the seats to mark Negro and white sections.

The woman's brief trial was held in a crowded courtroom, filled mainly with Negroes, and a large group of Negroes stood outside. She was convicted of violating state segregation laws.

Her attorney, Negro Fred Gray, immediately filed notice of appeal and signed a $100 appeal bond for his client.

Negroes Boycott Buses In Protesting Arrest

Courier-Journal

Tues. 12-6-55

Montgomery Segregation Law May Be Tested After Woman Is Fined $14 for Not Moving

Louisville, Ky.

By The Associated Press

P. 1

Montgomery, Ala., Dec. 5.—An emotional crowd of Negroes voted tonight to continue a boycott of city buses as the threat of a court test of segregated transportation facilities loomed.

A throng estimated by police at 5,000 roared approval when Negro leaders urged that the bus boycott that started this morning be extended.

Thousands of Negroes who normally use the buses refused to ride them, protesting the arrest of Mrs. Rosa Parks. She was fined $14 in Police Court today for disregarding a driver's order to move to the rear of the bus last Thursday.

Crowd Sings Hymns

Negro passengers, under a municipal segregation ordinance, ride in the rear of buses here, white passengers in front.

Spokesmen at the meeting said the boycott would continue until people who ride buses are no longer "intimidated, embarrassed, and coerced."

They said a delegation of citizens is ready to help city and bus-line officials develop a satisfactory and equitable program.

The hymn-singing crowd overflowed the Negro church where the meeting was held and thronged the streets outside.

Bullet Does Little Damage

Manager J. H. Bagley of the Montgomery City Bus Lines said a bullet from a .22-caliber rifle hit the rear of a bus tonight in a Negro business and residential district. It did little damage.

The boycott was organized after circulars were distributed in Negro residential areas urging "economic reprisal" against the bus company.

Mrs. Parks appealed her $14 fine and was released under a $100 bond signed by Negro attorney Fred Gray and a former state president of the National Association for the Advancement of Colored People, E. D. Nixon.

Gray and Charles Langford, another Negro lawyer representing the 42-year-old department-store seamstress, refused to say whether they plan to attack the constitutionality of the segregation laws affecting public transportation.

Charge Is Changed

No hearing on the appeal has been set in Circuit Court.

The Supreme Court in Washington already has before it a test case against segregation on buses operating in Columbia, S. C. The United States Circuit Court of Appeals in Richmond, Va., has ruled in this case that segregation must be ended. If the Supreme Court sustains the decision, the effect will be to outlaw segregation in all states and cities.

Mrs. Parks was first charged with violating a City ordinance that gives bus drivers police powers to enforce racial segregation. But at the request of City Attorney Eugene Loe the warrant was amended in court today to charge violation of a similar State law.

Passed by the Legislature in 1947, the State statute authorizes bus companies to provide and enforce separate facilities for white and Negro races. Violation is punishable by a maximum fine of $500.

80 or 90 Pct. Boycott Buses

Even though Mrs. Parks was fined for violating the State law, a section of the City code provides that any violation of State law is automatically a violation of the City law if a companion ordinance exists.

The bus line is operated by a subsidiary of National City Lines at Chicago.

Manager Bagley estimated 80 or 90 per cent of the Negroes who normally use the buses joined the boycott. He said several thousand members of the race ride the buses on a normal day.

One Negro was arrested on a disorderly conduct charge after officers said he tried forcibly to prevent a Negro woman from boarding a bus.

Montgomery Bus Situation Same

Herald
Fri. 12-30-55

MONTGOMERY, Ala. —(SNS)— The refuse-to-ride campaign ignited over alleged mistreatment on the Montgomery City Lines moved into its 26th day with no signs of settlement in sight.

The stay-off-the-buses action was touched off by the Dec. 1 arrest and Dec. 5 conviction of Mrs. Rosa Parks under the Montgomery move-back segregation laws.

Meantime in a half-page ad in The Montgomery Advertiser-Journal last Sunday, Dec. 25 the protest leaders called attention to alleged "bitter experiences of our people who have, at various times, been pushed around, embarrassed, threatened, intimidated and abused in a manner that has caused the meekest to rise in resentment.' '

Herald Tribune

The statement was signed by "The Negro Ministers of Montgomery and Their Congregations; The Methodist Ministerial Alliance, the Rev. J. W. Hayes, president; The Baptist Ministers Conference, the Rev. H. H. Hubbard, president and the Rev. R. D. Abernathy, secretary; The Inter-Denominational Ministerial Alliance, the Rev. L. Roy Bennett, president and the Rev. J. C. Parker, secretary; and, The Montgomery Improvement Association, Dr. M. L. King, Jr., president and the Rev. U. J. Fields, secretary.

Meanwhile the seventh in a series of twice-weekly informational mass meetings was scheduled for Day Street Baptist Church pastored by the Rev. M. C. Cleveland.

The protest statement listed seven general complaints, namely, lack of courteous treatment (2) seating arrangement, (3) arrests, (4) two fares (5) making change, (6) passing up passengers and (7) physical torture.

The group is asking for (1) "assurance of more courtesy be extended the bus-riders, (2) that seating Arrangements be on a "first come, first served" basis and that 'Negro bus drivers be employed on the bus lines serving predominantly Negro areas."

'At no time," the statement said, "have the participants of this movement advocated or anticipated violence.' It added that "this is a movement of passive resistance, depending on moral and spiritual forces."

"There has not been any coercion on the part of any leader to force any one to stay off the buses." It suggested "the rising tide of resentment has resulted in a vast majority of the people staying off the buses willingly and voluntarily."

In a lengthy letter to The Montgery Advertiser, Dec. 28, a person who signed as "Robert H. Wilmer Birmingham, Ala., complained about the paid-advertisement statement and also charged that "You (THE ADVERTISER) give more space to letters from Negro preachers and a few white people who don't seem to realize the seriousness of what is happening, than you do to the solid opinon of the community."

The Wilmer letter said the writer "talked with dozens on the subject some of them colored friends. Without an exception the rank and file of the white are definitely against it ,and nine out of ten Negroes don't know what it is about and are simply terrorized."

"If there was ever a time in Montgomery when sane, responsible Negro leadership is needed it is now. Where are those Negro leaders who have prosperous businesses and have found Montgomery a place of friendship and cooperation among both races?" the Wilmer letter asked.

The Wilmer letter said, "one man, A Rev. King (he holds a Phd., from Boston University and is pastor of downtown Dexter Avenue Baptist Church), has been quoted over and over as calling different people' unfair."

(It has been rumored that the upper-hand leadership in Montgomery has tried to get some of the other civic leaders to repudiated Rev. King. Instead, it is said, this has driven these leaders to support him more steadfastly.)

(In Birmingham, reporters checked "Polk's Birmingham City Directory, 1956'" but did not find the name "Robert H. Wilmer' listed in it. Nor was it listed in the telephone directory."

Civic leaders here said that they would like to see Mayor W. A. Gayle attend one of the mass meetings and put any proposal he had before the group's leadership. However this leader said he was not speaking for the authorized spokesmen.

The city bus lines officials have announced that all bus service will be suspended for one day Sunday, Jan. 1 because of the fall-off in patronage. Services had been halted for Dec. 25-26 because of the same circumstance.

Montgomery Leaders Hold 3rd Meet On Bus Situation

Daily Tribune
Fri. 12-16-55

BY EMORY O. JACKSON

MONTGOMERY, Ala. — Civic leaders were scheduled last night to hold the third in a series of citizens mass meetings at First Baptist Church pastored by the Rev. R. D. Abernethy to discuss developments and plans in the 14-day-old boycott of the Montgomery City Bus Lines, an affiliate of the National Transit Lines of Chicago, Ill.

1. Civic leaders said that they expected to discuss their grievances with a representative of the National Transit Lines on Wednesday, Dec. 14.

2. A mass meeting was held Monday night, Dec. 12 at Bethel Baptist Church pastored by the Rev. H. H. Hubbard to discuss transportation aid machinery. Spokesmen for the mass meeting said that over 200 automobile owners had volunteered to use their cars free to help assist persons needing unprovided transit service.

3. W. C. Patton, of Birmingham, state NAACP field secretary, said that he was scheduled to meet with the executive committee of the Montgomery Branch NAACP to get a first-hand account of the situation.

4. The organized leadership has not said whether they plan to prepare for a legal test of the bus segregation laws. No discussion has been heard on anything touching directly on a proposed court assault on the passenger laws.

Meantime, the Montgomery Improvement Association headed by Dr. Martin Luther King, Jr., erudite pastor of famed Dexter Avenue Baptist Church, issued the following prepared statement:

STATEMENT OF NEGRO CITIZENS ON BUS SITUATION

"We have heretofore stated the position of the Negro Citizens of Montgomery with reference to the local bus situation. As good citizens we want to comply with the law until the law is changed or is overruled. However, we feel that we have the right to insist that the law be fairly administered.

"In answer to our request that the Montgomery City Lines adopt a policy of loading buses from rear to front with colored passengers and from front to rear with white passengers and that all passengers be permitted to retain their seats on a "first come—first served" basis, with reservation of seats for any particular race, the bus company contends that such an arrangement would be in violation of the law and particularly the Act of July 1, 1947, (General Acts of Alabama, 1947, No. 130, Page 40.)

"In answer to this contention we would like to call attention to the pertinent provision of Section 1 of that Act, which reads as follows:

"Section 1. All passenger stations in this state operated by or for the use of any motor transportation company shall be authorized to provide separate waiting rooms, facilities, or space or separate ticket windows, for the white and colored races but such accommodations for the races shall be equal. All motor transportation companies and operators of vehicles, carrying passengers for hire in this state, whether intrastate or interstate passengers, are authorized and empowered to provide separate accommodations of each vehicle for the white and colored races. Any officer or agent of such motor transportation company or operator, in charge of any vehicle is authorized to assign each passenger or person to a division, section or seat on the vehicle designated by such company or operator or by such officer or agent for the race to which the passenger or person belongs..."

"We believe that this Act was not intended to apply to buses operating within a single municipality, but only to those under the jurisdiction of the Alabama Public Service Commission. However, it should be noted that under the provisions quoted the method of handling the seating of passengers is left entirely to the transportatiton companies themselves. They are authorized and empowered to provide separate accommodations but are not directed or required to take any action whatsoever.

"The Legislature, it seems clear, wisely left it up to the transportation companies to work out the seating problem in a reasonable and practical way, subject to the limitations of reasonableness and equality of treatment to all passengers, regardless of race.

"It should be further noted that even under the City Code of Montgomery (Chapter 6, Section 10 and 11) no person, white or colored, can be required to give up a seat unless there is a vacant seat in the portion of the bus to which the passenger is assigned.

"We feel that there is no issue between the Negro citizens and the Montgomery City Lines that cannot be solved by negotiations between people of good will and we submit that there is no legal barrier tot such negotiations."

Says Law On Boycott Would Work Both Ways

Daily World
Atlanta, Ga.
Wed. 12-28-55

MONTGOMERY, Ala. — Citing a state stature against boycotts, the Montgomery ADVERTISER noted, in a recent editorial, that if the law applies to Negroes who refused to ride the city buses because of Jim Crow practices "it would apply with equal force to some of the economic sanctions against Negroes contemplated by White Citizens Councils. It would seem to work both ways."

The law, the constitutionality of which The ADVERTISER questions, forbids the arguments for the purpose of conducting boycotts and also fordis the publication and circulation of "any notice of boycott."

According to THE ADVERTISER, "The perpetrators of the bus situation distributed mimeographed leaflet asking other Negroes not to ride. But if they are guilty of breaking the law which seems to usa a restriction on free speech—the proposal of the White Citizens Councils (in Dallas County, for instance) to keep a list of Negroes suspected of advocating race mixing would seem to violate" the section of th law which forbids blacklisting.

THE ADVERTISER has expressed opposition to boycotts by either group. The present bus boycott, the newspaper asserts, "makes an innocent sufferer of the bups company The quarrel of the Negroes is with the LAW. It is wrong to hold the company a hostage."

Montgomery Bus Situation Same

Daily World p. 2
Atlanta, Ga.

MONTGOMERY, Ala. —(SNS)— The refuse-to-ride campaign ignited over alleged mistreatment on the Montgomery City Lines moved into its 26th day with no signs of settlement in sight. 12-30-55

The stay-off-the-buses action was touched off by the Dec. 1 arrest and Dec. 5 conviction of Mrs. Rosa Parks under the Montgomery move-back segregation laws.

Meantime in a half-page ad in The Montgomery Advertiser-Journal last Sunday, Dec. 25 the protest leaders called attention to alleged "bitter experiences of our people who have, at various times. been pushed around, embarrassed, threatened, intimidated and abused in a manner that has caused the meekest to rise in resentment.' '

The statement was signed by "The Negro Ministers of Montgomery and Their Congregations; The Methodist Ministerial Alliance, the Rev. J. W. Hayes, president; The Baptist Ministers Conference, the Rev. H H. Hubbard, president and the Rev. R. D Abernathy, secretary; The Inter-Denominational Ministerial Alliance, the Rev. L. Roy Bennett, president and the Rev. J. C. Parker, secretary; and, The Montgomery Improvement Association. Dr M. L King, Jr., president and the Rev. U. J. Fields secretary.

Meanwhile the seventh in a series of twice-weekly informational mass meetings was scheduled for Day Street Baptist Church pastored by the Rev. M. C. Cleveland.

The protest statement listed seven general complaints, namely, lack of courteous treatment (2) seating arrangement, (3) arrests. (4) two fares (5) making change, (6) passing up passengers and (7) physical torture.

The group is asking for (1) "assurance of more courtesy be extended the bus-riders, (2) that seating Arrangements be on a "first come, first served" basis and that 'Negro bus drivers be employed on the bus lines serving predominantly Negro areas."

'At no time," the statement said. "have the participants of this movement advocated or anticipated violence.' It added that "this is a movement of passive resistance, depending on moral and spiritual forces."

"There has not been any coercion on the part of any leader to force any one to stay off the buses." It suggested "the rising tide of resentment has resulted in a vast majority of the people staying off the buses willingly and voluntarily."

In a lengthy letter to The Montgery Advertiser, Dec. 28, a person who signed as "Robert H. Wilmer, Birmingham, Ala., complained about the paid-advertisement statement and also charged that "You (THE ADVERTISER) give more space to letters from Negro preachers and a few white people who don't seem to realize the seriousness of what is happening, than you do to the solid opinon of the community."

The Wilmer letter said the writer "talked with dozens on the subject some of them colored friends. Without an exception the rank and file of the white are definitely against it ,and nine out of ten Negroes don't know what it is about and are simply terrorized."

"If there was ever a time in Montgomery when sane, responsible Negro leadership is needed it is now. Where are those Negro leaders who have prosperous businesses and have found Montgomery a place of friendship and cooperation among both races?" the Wilmer letter asked.

The Wilmer letter said, "one man, A Rev. King (he holds a Phd., from Boston University and is pastor of downtown Dexter Avenue Baptist Church), has been quoted over and over as calling different people' unfair."

(It has been rumored that the upper-hand leadership in Montgomery has tried to get some of the other civic leaders to repudiated Rev. King. Instead, it is said, this has driven these leaders to support him more steadfastly.)

(In Birmingham, reporters checked "Polk's Birmingham City Directory, 1956'" but did not find the name "Robert H Wilmer' listed in it. Nor was it listed in the telephone directory."

Civic leaders here said that they would like to see Mayor W. A. Gayle attend one of the mass meetings and put any proposal he had before the group's leadership. However this leader said he was not speaking for the authorized spokesmen.

The city bus lines officials have announced that all bus service will be suspended for one day Sunday.

The Tip-Off

Daily World
Fri. 12-23-55 p. 13

BY EMORY O. JACKSON

It took an incident on a bus, specifically, the arrest of Mrs. Rosa Parks, a fine, ,up-minded, meek-mannered, Christian woman to fire up and solidize the total leadership of the group in Montgomery, Ala.

This point is stressed at the twice-a-week community pep rallies in Montgomery, the "Cradle of the Old Confederacy" and the prospective new ground of a fresh quality of Democracy.

Atlanta, Ga.

History has a way of re-making itself in localized, present-day events

The birth of the Christ Child was opposed by a king nearly 2,000 years ago. The birth of a new dignity for a segment of the population in Montgomery is opposed today by the ruling hand. The Montgomery story and the Bethlehem story are centuries apart but close enough to tie in with humanity.

The Rev. Martin Luther King, Jr., a Baptist minister, helping to give the protest the spiritual direction, the sense of mission, the idealism which it needs. He says that "our weapons are protest and love." In reminding the followship that love will win, he often tells the story of how Mahatma Gandhi, the emaciated emancipator, liberated India with his non-violence campaign.

What he seems to be trying to do is to find a suitable adaptation of the Gandhi philosophy and method and apply it to the Montgomery problem. So far there has been a blend of protest and purchasing power. The issue spotlighted is that of mistreatment, Racial segregation seems to breed racial mistreatment. Keep this in mind.

Attend one of the informational mass meetings and you come away with a feeling that the leaders know what they want, how to go after it, and the price they will have to pay to get it. All of the leaders speak the same language, even if the tone, emphasis and color varies. One speaker summed up the goal when he said, "We are sacrificing that you may sit where you please" on the transit buses.

One minister pointed out that this was the first time in this pre-Civil War city that the ministers of all denominations had come together as one in a cause like this. Injustice inflicts a hurt on humanity. The churches are made freedom stations. Another minister declared, "We are able to carry this thing on for 12 months." That is the pulpit talking and the pulpit is power.

Ministers relish the fact that something has come along which is "throwing the ministers together." They are learning of each other; loving each other; understanding each other; sensing each other's strength. This type of spirit is seeping down through the followers.

Dr. King has called on the people not to get weary. He reminds them that "Negroes were born walking." He relates a number of walking stories. "We were raised walking," he reminds them. "Walking is nothing new . . . walking never hurts us." He told of the long distances some still had to walk to get to school. He might also have pointed out that Jesus Christ was described as a vigorous walker.

The walking stories seem to borrow something from the Gandhi program of sacrifice.

The eloquent Rev. King in a flush of oratory told a gathering on Dec. 15 that "we are going to fight until we take the heart out of Dixie." Heart of Dixie is the symbol of Jim Crow, it seems to me.

Usually at this season of the year I try to do a column in the spirit of Christmas. Yet the Montgomery story had to become my Christmas column. Merry Christmas to all.

COMPROMISE URGED IN RACIAL DISPUTE

Commercial Appeal p. 2

Committee Fails To Get Truce In Bus Boycott

Sun. 12-18-55

MONTGOMERY, Ala., Dec. 17. — (AP) — Another conference seeking a truce in the 14-day racial segregation boycott by Negroes of city lines buses failed Saturday.

A committee of eight Negro members couldn't get together on a resolution to postpone the boycott until Jan. 15, after the Christmas and New Year's holidays.

Negro members voted solidly against calling off the demonstration until they get some assurance that officials of the Montgomery City Lines, Inc., will meet their demands.

Rev. M. L. King, pastor of the Sexter Avenue Baptist Church and president of the Montgomery Improvement Association which is spearheading the campaign, said his group still insists that the bus company:

1. Assure more courtesy on the part of bus drivers toward Negro patrons.

2. Establish a seating policy of "first come, first serve" with Negroes filling seats from the rear to the front and white people from the front to the rear.

3. Employ Negro bus drivers on predominantly Negro routes.

Mayor W. A. Gayle named a committee to work up resolutions seeking to compromise the differences. After the resolution calling for a four-week truce failed, the group agreed to meet again Monday for another try.

K. E. Totten, Chicago, vice president of the National City Lines, holder of the Montgomery franchise, sat in on the conference.

5,000 Voice Support of Bus Boycott

DIXIE'S "NEW LOOK"—Bitter crowds, who perhaps for the first time are really sticking together to fight just one of Montgomery's (Ala.) racial injustices, are "packed to the ceiling" in the Holt Street Baptist Church in a busline boycott meeting. This crowd boiled after 42-year-old Rosa Parks, "a seamstress and churchgoer" was convicted for "disorderly conduct" on a bus segregation violation charge. Alabama laws require Negroes to stand even though the "white seats" may be unoccupied, and are often forced to get up out of "colored seats" if the bus is crowded and a white patron wishes to take a "colored seat."

PUTTING A FOOT DOWN—An irate crowd of nearly five thousand Negroes in Montgomery, Ala., tried to get into the Holt Street Baptist Church in support of the city-wide boycott against the Montgomery city buses. The group voted to ask all citizens of Montgomery to refrain from riding buses until the transportation situation clears up to the "satisfaction of citizens" who ride and patronize them. Many stood outside, unable to enter the church. The Rev. M. L. King, pastor of the Dexter Avenue Baptist Church, told the crowd "We must stick together and work together if we are to win our rights as Americans."

The Tip-Off

BY EMORY O. JACKSON

MONTGOMERY, Ala. — (SNS) - Counter moves, in the form of a warning from the Montgomery City Hall to taxicab operators, about fare regulations have gone out.

This should, then, also be an excellent opportunity to check into taxicab regulations to see whether they hug the law closely in other ways. Passenger hauling on a restricted basis and parking privileges at the bus and train terminals look odd to a visitor.

Taxicabs apparently were picking up some of the slack growing out of the riders rebellion which started Dec. 5. Particular incident setting off the drift away in Negro bus riding was the arrest packing away to jail, and subsequent trial and conviction of Mrs. Rosa Parks, an upstanding, civic-minded, church-working woman of attractive character.

She was seated in a bus when the driver reportedly asked that she remove herself so that a male white passenger who had boarded the bus at a later time could slide into the seat she held. Mrs. Parks is said to have disobeyed his request, which under Montgomery segregation, and the circumstances, was an infringement upon the bus racial ordinances.

What seems to have cut the feelings of the group to the quick was the alleged administration of the bus law. Civic leaders charged that Mrs. Parks was humiliated more by the manner of executing the law than by the law itself. The core issue seems to be that of treatment under the segregation laws. Keep that in mind.

After reported shooting and throwing of bricks into buses traveling routes in densely Negro areas, the bus company halted services in this area. This perhaps aided the alleged boycott by the group. Substitute service was provided by the community leaders, with taxicabs fattening on the traffic.

About one week after the boycott, city officials cracked down on so-called "cut-rate taxicabs." Cabs licensed to haul Negro persons reportedly were hauling passengers at 10 cents a head, in violation of city law. (The city laws also require that cabs specify whether they will haul Negro or white passengers exclusively). Montgomery law requires a minimum 45 cent fare.

Whether bus or taxicab, the segregation law controls.

If the stay-off of the buses by Negro riders is a boycott, then, it too is an infraction of the law. But the bus segregation law, the restrictive taxicab ordinance and the boycott have never been tested before the last bench. All of these events could have the power of a great questioning, an awakening, which would culminate in a challenge of undisturbed laws. The Montgomery awakening could work wonders and bring about changes which will stun and startle.

One of the significant contribution made by the bus riders protest is the spotlighting the quality of civic leadership the group has. Ministers were in the forefront and nobody of goodwill and democratic tendencies could likely find fault.

In light of the disturbed bus service in Montgomery all of the leaders involved might read with advantage the essay by Steven Runciman on "Feudalism — Not For Export" which appears in the Dec. 10 issue of The Saturday Review. He points out that some of the leaders in olden times "loved the law, and they were not going to prejudice the traditional rights of their order even if the Kingdom perished."

He adds: "The old order went down with the flags flying. But its desperate gallantry came too late; it could not wipe out all of the folly of previous years."

Talk with some of the group's civic and spiritual leaders and you sense a new strength. It is an untested civic strength which could find an unrevealed source of cosmic backing. These are the facts of history, not merely of Southern life. Eventually right rule will replace that other kind of rule. The doctrine of "white rule" offends the declaration of democratic rule.

The Shape of Things

38b

The Two-Way Squeeze

The "economic pressure" that is the stock in trade of the White Citizens Councils can be a two-way squeeze —especially in those sectors of the South where Negroes, by their labor and by their spending, provide so much of the economy's life-blood. However menial their jobs, however small their individual purchasing power, if all the Negroes of a Deep South town or county were to stay home for even one day, that area would be paralyzed.

In Montgomery, Alabama, recently an impressive demonstration of this latent strength occurred when the Negro community—some 40,000 strong—declared a boycott against the city bus lines. The incident provoking the ban was the arrest of a seamstress who refused to give up her seat at the order of a driver. The driver testified that he had twenty-two Negro passengers and fourteen whites in his thirty-six-seat bus, and he ordered the woman and others to move back to "equalize" the seating.

Such incidents have been all too frequent in "the Cradle of the Confederacy": last summer a fourteen-year-old Negro girl was dragged off a bus by three policemen and taken in handcuffs to jail because of a refusal to relinquish her place to a white man. A bus driver left his vehicle to beat up a mentally deficient Negro who had "bothered" him from the sidewalk. Drivers have been said to carry guns in their cash boxes to "settle" disputes about transfers and change-making. Because of the stored-up resentment these caused, no organization or leader can be said to have inspired the boycott. "The leaders were led," said one Negro minister. "It was a vertical thing, sweeping through all our people. It was the most amazing thing I have ever seen, and the most heartening."

On the first day of the boycott, December 5, motorcycle police escorted buses on their routes and patrolmen were stationed at major stops. But the buses rolled along, as empty as husks, while long lines of Negro workers trudged with quiet purposefulness to their jobs. Parents formed car pools to get their children to school. The Negro taxicab companies offered a special rate of a dime a person to any place in the city. Bus-line officials admitted that the boycott was 95 per cent effective.

That same day, the arrested woman was convicted and fined $14. Her attorneys announced their intention to appeal the verdict with a clear view toward getting a federal ruling on the constitutionality of segregation in intrastate transportation. That night 5,000 Negroes overflowed the auditorium and lawn of a church and voted to continue the boycott until the bus line agreed to halt the "intimidation, embarrassment and coercion" of Negro patrons.

This dramatic display of unity may well inspire the Negro residents of other Southern cities to similar action. But whether it does or not, most observers agree that it has severely discouraged the White Citizens Council's recruiting drive in Montgomery.

Blockade To Fairness

In Montgomery, Alabama, civic leaders have been protesting against alleged shabby treatment some riders of the city buses have received. Specifically, an outstanding woman who reportedly refused to get out of her seat and give it to a white male passenger, was allegedly arrested, carted off to jail, and fined in court. Segregation is a blockade to fairness.

She was accused of failing to (1) obey a bus driver who is authorized by law to seat passengers according to the segregation law. She, then violated the (2) segregation law. Montgomery buses have no section marked or designated for any segment of the population. By arrangement, white passengers are seated (or seat themselves) from the front and Negro passengers are seated (or seat themselves) from the rear.

It would appear that nearly always the bus drivers, not the passengers, are involved in the controversy. The segregation law in effect makes them policemen. For under the law, they can tell white and Negro passengers where they must sit. Segregation becomes dictation.

Segregation laws can no longer find constitutional support in the federal courts. Until a legal attack is made, however, city and state segregation laws will continue, we believe, to be used as excuses for mistreatment of Negro persons.

With good law on their side to help erase, bad law, there should be legal action to resolve the issue if it is not met otherwise. It is clear that Montgomery citizens will not be able to ride the city buses in peace so long as the segregation laws give to the bus drivers the instructions to become the wardens of Jim Crow.

38b 1956 ALABAMA

MRS. ROSA PARKS, MISS BETTY JEAN ADAMS
AND MR. WOODROW CANTY
MONTGOMERY, ALA. BUS BOYCOTT

MRS. ROSA PARKS (center [illegible] for violating Alabama's Jim Crow laws touched off the now famous Montgomery bus boycott, goes over clippings on the case at 5112 Peoria with Miss Betty Jean Adams and Woodrow Canty. Enroute to Seattle and Spokane, Wash., to fill speaking engagements for the NAACP, Mrs. Parks was the guest of Miss Adams in Chicago during stopover between planes. Canty, now, of Chicago was a neighbor of Mrs. Parks in Montgomery. Miss Adams lived in the Parks home while attending school in Montgomery.

Segregation in Court

Last Dec. 3 Mrs. Rosa Parks, a Negro seamstress in Montgomery, Ala., was arrested for refusing to give up her bus seat to a white. The arrest triggered into action the Negroes' resentment over segregation. The following evening Montgomery's Negro leaders met in a Baptist church to chart their course. On Dec. 5 they launched a boycott of all city buslines. Since then 90 per cent of the Negroes in Alabama's capital city have refused to board a bus.

Last Tuesday, six months to the day after the boycott started, the Negroes won a legal victory. A three-man Federal Court in Montgomery ruled that city and state laws requiring segregation on Montgomery buses violated the Federal Constitution. The ruling will not become effective until the court issues an injunction against enforcement of bus segregation laws, and even then city authorities may force a postponement by appealing to the Supreme Court. Nonetheless Montgomery has been put on notice that it is only a matter of time until segregation in public transport is banned.

When it is banned—and not until then—the Negroes will start riding the buses again. One of their leaders, the Rev. Martin Luther King Jr., said last week that the boycott would end "whenever it becomes possible to go back on city buses on an integrated basis."

No End Seen for Bus Boycott

"EQUALITY WORTH FIGHTING FOR"—Mrs. Rosa Parks of Montgomery, Ala., right, told Marnesba Tackett, left, Los Angeles NAACP membership drive chairman, that equality is worth fighting for and she has again refused to give up her seat to a white man.—Simpson Photo.

'Negroes Together In Ala.'

—MRS. ROSA PARKS

LOS ANGELES—There is no foreseeable end in sight for the Montgomery bus boycott, Mrs. Rosa Parks, 43, whose arrest started the long walk, told a press conference here.

Mrs. Parks said she was convinced that racial equality is "worth fighting for" and that she would refuse again to give up her bus seat to a white man if the situation repeated itself.

The bus boycott started three days after Mrs. Parks was arrested Dec. 5 for refusing to obey a bus driver's order to give up her seat. She was fined $14, based on Alabama's segregation law.

■

Mrs. Parks, a board member of the militant Montgomery Improvement Association, said that 75 per cent more colored Americans than whites had previously patronized the bus lines before the boycott, but none ride them now.

MRS. ROSA PARKS

. . . boycott to on't end

She was principal speaker at the local NAACP's closing membership drive meeting at Second Baptist Church here Sunday. The Rev. J. Raymond Henderson, an active NAACP worker, is pastor of the church.

Rosa Parks Makes Plea In Capital

WASHINGTON — (ANP) — "Support the NAACP, live up to the ideals of Mary McLeod Bethune, stick close to Christianity, don't give up faith, and one day we will have the Democracy we are all hoping for."

This was the advice given by Mrs. Rosa Parks to the women attending the "New Crusade" conference sponsored by the National Council of Negro Women at the Statler hotel.

Mrs. Parks, whose arrest in Montgomery, Ala., six months ago set off the bus boycott in that city, pledged to "continue in every way I can to make Democracy a reality."

RAPS SUPREMACY MYTH

"Coming up in a segregated society does something to you — not only to the oppressed, but also to the oppressor," said Mrs. Parks. "The sooner the myth of white supremacy is done away with, the better off we will be. There is only one race — the human race — and we are all children of one God."

Mrs. Parks referred to the Supreme Court decision on school segregation as a "second Emancipation." But nothing will be done about it unless the people do something themselves on a community level.

This courageous woman felt it was her responsibility to do something toward promoting equal justice in her community. She recalled having heard Mrs. Bethune speak, sometime back in the 40s.

She remembered that this great leader advised her audience to prepare themselves for any opportunity which might arise, even if one never comes.

INSPIRED

Perhaps it was this advice which inspired Mrs. Parks to attend workshops at the Highland Folk school in Tennessee to discuss desegregation. "This was my first experience of living in an integrated society," stated the speaker.

When she returned home she realized how complacent or contented the people were. She had learned that you must fight for your rights, that you cannot look to the other group to do it for you.

Anxious to do her part to promote better conditions for her people, Mrs. Parks joined the NAACP and worked in many civic groups. "The people of the community knew me," she said. "They knew that I was not a person to say very much. I was not an agitator or troublemaker."

That is why they became so excited, and even angry, when they heard of her arrest for refusing to give her seat to a white passenger.

Montgomery Negroes Call Off Bus Boycott, Hear No Violence Plea

Integration Order Served By Marshals

MONTGOMERY, Ala., Dec. 20 (AP)—Jubilant Montgomery Negroes decided tonight to end their long boycott tomorrow morning and ride buses again, without the restrictions of racial segregation.

The action came at a mass meeting of several hundred hymn-singing, cheering Negroes celebrating the U. S. Supreme Court's order banning bus segregation in Montgomery. The order went into effect earlier today.

URGES NO VIOLENCE

A boycott leader, the Rev. Martin Luther King Jr., urged his people to patronize the buses but warned them against violence. An outburst of applause greeted his recommendation.

A second mass meeting at another Negro church across town followed the first gathering in the church where the boycott began the night of Dec. 5, 1955.

"This is a time when we must evince calm dignity and wise restraint," King pleaded. "Emotions must not run wild. . . If we become victimized with violent intents, we will have walked in vain and our 12 months of glorious dignity will be transformed into an eve of gloomy catastrophe."

SCHOOLED IN APPROACH

A "laboratory institute period" followed King's speech in a church auditorium filled with singing, cheering Negroes. Its purpose was to acquaint Negroes with "some of the things that might be expected" when they ride integrated buses.

The Negroes have been schooled in recent weeks in a nonviolent approach with constant emphasis on remaining peaceful "even if others strike first."

Enforcement of city and state laws requiring separate seating of white and Negro passengers was ordered halted in Montgomery shortly before noon when U. S. marshals served writs of injunction carrying out the decision handed down by the Supreme Court Nov. 13.

A notice to drivers was posted at the office of Montgomery City Lines, Inc., which operates the city's only bus service. It contained a copy of the injunction writ along with instructions to bus operators to cease enforcing segregation laws.

The bus company manager, J. H. Bagley, said it will be impossible to resume full service on all former routes immediately but that will be done "as fast as possible." Many drivers were laid off and routes through predominantly Negro sections of Montgomery were discontinued during the boycott.

The injunction directed against city and state authorities and the bus company, Montgomery City Lines, Inc., was first issued last June 19 after a three-judge federal court panel held the segregation laws unconstitutional.

Pending appeal to the Supreme Court, the restraining order was suspended and put into effect immediately when formal notice of the Supreme Court ruling arrived here in the mail.

Although the decision knocked out the state law as well as a Montgomery city ordinance requiring bus segregation, the injunction against continued enforcement applied only to Montgomery, the birthplace of the Confederacy.

Presumably, it will take a separate court order to extend it to other Alabama cities.

Montgomery Buses Told to End Bias; Negroes Plan Test

By The United Press.

MONTGOMERY, Ala., Dec. 20—The United States Supreme Court order ending bus segregation here went into effect today. Negroes announced they would end their year-long bus boycott tomorrow "prepared for the worst."

"I certainly hope there will be no violence," said the Rev. Martin Luther King, leader of the boycotters, "but realism compels us to realize it is a possibility."

"We hope this transition [to non-segregated seating] can be made without difficulty," Mr. King added. "However, we are prepared for the worst."

The high court order, denying city and state appeals for a rehearing in the bus case, arrived at the local United States district court today. Marshals immediately began serving writs of injunction on city and state public service commission officials ordering an end to segregation on the transit line.

Birmingham Target

The order applied only to Montgomery, but in Birmingham, the state's largest city, a Negro group said it considered the segregated bus law now null and void throughout the state.

Police Chief G. J. Ruppenthal, who received one of the Federal writs, said he had no plans for "putting on extra officers."

Negro leaders asked the city to afford them protection tomorrow in "danger zones" described by them as the end of bus routes and dark streets.

Mr. Ruppenthal said "our policemen will be covering their regular beats."

The City Commission here said, "Althoug we consider the Supreme Court's decision to be the usurpation of the power to amend the Constitution we have no alternative but to recognize it."

However, it said "that not to say that we will not continue through every legal means at our disposal, to see that the separation of the races is continued on the public transportation system here on Montgomery."

Commissioner Warns

C. C. Owen, Public Service Commission president, meanwhile notified all intra-state carriers in Alabama that the decision "does not purport to enjoin its commission from enforcing the state laws requiring segregation of races except to the extent that such state law may apply only to transportation in the city of Montgomery."

Montgomery became a testing ground for South segregation laws when the city's 40,000 Negroes virtually all ceased riding the buses last December protesting mistreatment by white drivers.

Five Negro women entered the suit ultimately decided by the Supreme Court.

Negroes sought the right of first come, first served seating and more courteous treatment and when the city and state refused to lower the color barriers the boycott persisted. Negroes rode to work in car pools and the bus line suffered heavy financial loss.

Mr. King and eighty-nine other Negro leaders were arrested under an old law against economic boycott. The case of Mr. King, who faces a possible year in prison, comes up on appeal of his conviction this Friday.

Special to The New York Times.

BIRMINGHAM, Ala., Dec. 20—A Birmingham Negro group asked the Birmingham City Commission today to end segregation on public buses immediately.

If the commission did not meet their request, the group said in a prepared statement, "Negroes plan to ride the buses unsegregated."

"If there is any interference with the Negroes riding buses unsegregated, we will take whatever action is necessary," said the Rev. F. L. Shuttleworth, president of the Alabama Christian Movement for Human Rights.

The group was formed here last year after Montgomery Negroes began their boycott.

Birmingham's City Commission will meet next Wednesday. City commissioners had agreed several weeks ago on a "no comment" attitude on the bus segregation issue pending a study of any petitions such as the one filed today.

A Birmingham ordinance forbids Negroes and whites to sit together at public gatherings and in public conveyances.

The Negro group also sent a letter to the Birmingham Transit Company, requesting it to desegregate its buses, remove white and Negro seating signs and hire Negro bus drivers.

The letter to the Transit Company also asked that seating be on a "first come, first served" basis. The company made no comment immediately.

December 19, 1956

INTERGRATED BUS SUGGESTIONS

This is a historic week because segregattion on buses now been declared unconstitutional. Within a few days the Supreme Court Mandate will reach Montgomery and you will be re-boarding Integrated buses . This places upon us all a tremendous responsibility of maintaining, in face of what could be some unpleasantness, a calm and loving dignity befitting good citizens and members of our Race. If there is violence in word or deed it must not be our people who commit it.

For your help and convience the following suggestions are made. Will you read, study and memorize them so that our non-violent determination may not be endangered. First, some general suggestions:

1. Not all white people are opposed to integrated buses. Accept goodwill on the part of many.
2. The whole bus is now for the use of all people. Take a vacant seat.
3. Pray for guidance and commit yourself to complete non-violence in word and action as you enter the bus.
4. Demonstrate the calm dignity of our Montgomery people in your actions.
5. In all things observe ordinary rules of courtesy and good behavior.
6. Remember that this is not a victory for Negroes alone, but for all Montgomery and the South. Do not boast! Do not brag!
7. Be quiet but friendly; proud, but not arrogant; joyous, but not boistrous.
8. Be loving enough to absorb evil and understanding enough to turn an enemy into a friend.

NOW FOR SOME SPECIFIC SUGGESTIONS:

1. The bus driver is in charge of the bus and has been instructed to obey the law. Assume that he will cooperate in helping you occupy any vacant seat.
2. Do not deliberately sit by a white person, unless there is no other seat.
3. In sitting down by a person, white or colored, say "May I" or "Pardon me" as you sit. This is a common courtesy.
4. If cursed, do not curse back. If pushed, do not push back. If struck, do not strike back, but evidence love and goodwill at all times.
5. In case of an incident, talk as little as possible, and always in a quiet tone. Do not get up from your seat! Report all serious incidents to the bus driver.
6. For the first few days try to get on the bus with a friend in whose non-violence you have confidence. You can uphold one another by a glance or a prayer.
7. If another person is being molested, do not arise to go to his defense, but pray for the oppressor and use moral and spiritual force to carry on the struggle for justice.
8. According to your own ability and personality, do not be afraid to experiment with new and creative techniques for achieving reconciliation and social change.
9. If you feel you cannot take it, walk for another week or two. We have confidence in our people. GOD BLESS YOU ALL.

THE MONTGOMERY IMPROVEMENT ASSOCIATION
THE REV. M. L. KING, JR., PRESIDENT
THE REV. W. J. POWELL, SECRETARY

Dr. Reddick Analyzes Ala. Bus Situation

Daily World

Thurs, 2-2-56

By WILLIAM GORDON
Managing Editor,
Atlanta Daily World

P. 1

Issues back of a city bus boycott and the growing political climate of the state of Alabama were uniquely analyzed yesterday at the "South's most famous forum."

Atlanta Ga.

Dr. L. D. Reddick, young historian and head of the department of history at Alabama State College, was the guest speaker for the Hungry Club at the Butler Street YMCA.

A cross-section of Atlanta's civic and community groups, including educators, a group from Emory University and two college presidents, ignored the weather and came to hear Dr. Reddick praise the leadership of Governor Folsom and pay respects to the work of a brilliant young minister.

YOUNG MINISTER

The latter, Dr. M. L. King, Jr., pastor of Dexter Avenue Baptist Church, has been at the head of a movement by Negroes in Montgomery protesting the "inadequate and sometimes insulting conditions they face on city buses."

Dr. King came into the national and international spotlight when he assumed leadership of this movement. The boycott began nearly two months ago when a woman, Mrs. Rosa Parks was asked to get up while riding a bus and give her seat to a white man. She declined to do so and was arrested.

UNANIMITY OF SPIRIT

Almost spontaneously, it seemed, Negroes agreed to stay off the buses in Montgomery. Out of this action by Negro citizens the movement caught unanimity of spirit and Dr. King was brought into the picture as the leader. The protest has worked so smoothly under his leadership that anti-Negro elements in Montgomery announced a "get-tough policy." On Monday night the home of Dr. King was bombed.

Analyzing the political climate of Alabama, Dr. Reddick called Governor Folsom a "tall broad-shoulder ed man, with a kindly face and a direct manner."

He added that Folsom has never found it necessary to race-bait. "He gives the lie to those who say that it is essential that politicians in the Deep South campaign on a racist platform, if they would be elected."

RACIST ATTITUDE

The governor is popular with the masses, Dr. Reddick said, but he's having difficulty with the legislature. However, none of this seems to make him take a racist attitude, he pointed out.

Dr. Reddick said that although sentiment for nullification has developed in several Southern states, Folsom has announced the move as "Hogwash."

"As a student of history," Dr. Reddick said, "we thought that the nullification question had been settled in 1832 when President Andrew Jackson notified John C. Calhoun that federal troops would be sent into South Carolina if necessary, in order that federal law, prevail there as elsewhere."

Moving into the issues of Montgomery, Dr. Reddick said, "The ancient figure of speech is quite apt here: "The eyes of the world are on Montgomery."

SOURCE OF TROUBLE

The historian told how national newspapers and magazines have taken an interest in current issues there. He added:

"It may well be that the Negroes of Montgomery are defining for us all, the form and the nature of the Negro's response to the present crisis in race relations."

He went to the source of the trouble in Montgomery. He said the visitor to the city before last December would have been "astounded to see Negroes packed and jammed in the city's buses during the rush hours, standing up, hanging on straps from ceiling, not sitting down in empty seats beneath them in the front of the coach. The front seats were reserved for white people." The job of seating was left with the bus driver, he said, and bus operators would demand that Negroes keep in a certain section of the bus. These demands, he added, were all too often "insulting." This continued until the present movement went into effect December 1, 1955.

In thier protests, Negroes asked for three things:

Courteous treatment by bus operators; that passengers be seated on a first come-first served basis and that Negro bus operators be employed on buses that serve predominantly Negro neighborhoods.

BOYCOTT SUCCESSFUL

For nine weeks now, the ex-bus riders have stuck it out and refused to go along with requests of city officials.

Dr. Reddick says the boycott is successful, first of all, because it was a "real grievance. Second, because the leaders have not competed against each other. Third, because the whole Negro community has cooperated. Fourth, because Montgomery is a compact little city, many people could walk to town anyway. Fifth, because transportation pools have been set up for those having to ride.

"As we see it," Dr. Reddick said, the immediate objectives of the bus boycott are limited objectives. This is important," he added, "in that this is a demonstration of the organization, discipline, leadership and sustained morale of the Negro people, that if necessary, will be called upon for bigger things to come."

Daily World

Attempts by the city commission to negotiate with Negroes for a settlement have been unsuccessful. City officials have even gone so far as to announce that an agreement had been reached, but Negroes failed to follow this "fake" settlement.

P. 6

"Since then the police have been harrassing and arresting Negro automobile drivers, some of whom have not had a traffic ticket in years," he pointed out. He added that some of the buses have even been put back on the line, but that Negroes continue to ignore them.

But inflammatory appeals have borne some fruit, the speaker said. He referred to a stick of dynamite thrown on the front porch of Dr. King, chief spokesman for the movement. He said, here again, Negroes have met this provocation with discipline and have not yet launched a counter offensive.

Negro citizens have followed the calm and "intelligent advice" of Dr. King in that "no violence should be initiated by Negroes." With this the young minister has taken even a more firm stand on the bus protest. He said violent action by those who threw the dynamite has only served to intensify the will of the people to carry on their boycott.

At the end of the question and answer period, Rev. M. L. King, Sr., father of the young minister, spoke briefly on his recent visit to Montgomery Rev. King admitted that the situation in Montgomery was tense, but that he had faith and hope in the ultimate out come. He also praised Governor Folsom for being an "honest governor."

BROUGHT APPLAUSE

Suggestion from Dr. Brawley of Clark College brought applause when he asked that financial assistance be sent to the people of Montgomery.

Dr. Reddick called the picture of Alabama and specifically that in Montgomery "a classic struggle for democracy and human dignity. It is a struggle," he added, "in which we are all involved. It is a strugle that could do with legal and financial assistance. It is magnificent. It must not fail. Victory at Montgomery means victory for us all."

Montgomery Has An Opportunity

Daily World

Surely such a peaceful neighbor as Montgomery, Alabama has no desire to enter competition with another neighbor, the state of Mississippi for the unfavorable headlines rendering that state such a painful disservice.

Thurs. 2-2-56

Since early in December, Montgomery has been in the picture as one of those municipalities where a reasonable grievance of her colored population has gone unmet. The situation has been allowed to drag along to a near violent state.

P. 4

Upon the arrest and subsequent fining of Mrs. Rosa Parks, a Negro seamstress for the alleged refusal to surrender her seat to a white man. They felt that such treatment visited upon Negro patrons had reached the straining point and with no other immediate effective weapon, a boycott of the buses was resorted to.

Atlanta, Ga.

The grieved citizens luckily selected as their leader, Dr. M. L. King, Jr., pastor of Dexter Avenue Baptist Church, who in cool deliberations made appeal after appeal in an effort to amelio-

rate the situation. All through the struggle he possessed himself with dignity and patience and rendered credit to the cause of the citizens and the city at large for his reasonableness and cool demeanor.

The citizens asked three things: The seating of passengers in the order of their arrival; more courtesy exercised on the part of drivers and the employment of Negro drivers in predominantly Negro settlements.

Any fair-minded person will see no unreasonableness of the request made by the Negro citizens of Montgomery.

Certainly no breach of policy and no serious hindrance in the service would obtain from this modest appeal.

As the affair enters into its third month, there is apparently no letup in its intensity; those who had the opportunity of settling the affair before it reached such a critical crisis refused proper action.

Appeal after appeal was made to the authorities; the city's Mayor Gayle to the contrary is reported to have initiated a "get tough" policy which had its timely reactions of more strained relations. Hence, subsequent to his "get tough" speech, the home of the Rev. King, Jr., was bombed.

It is highly hoped that the Mayor will exercise his high powers in the direction of the peace of the city and the safety of its citizens; that his good offices and influences may be of such as to occasion peace between the colored citizens and the transit company and in the meantime realize that the reasonable requests they have made for the peace of all concerned, would enhance the city's usefulness far more than the bombing of the home of a law-abiding citizen.

Surely Montgomery will find no pleasure in revenging such a fine opportunity of its own making.

Bus Firm Puts Official Okay On Franchise

Advertiser Montgomery, Ala. Thurs. 2-16-56

A new 10-year franchise for Montgomery City Lines has been officially accepted by the bus firm, the City Commission was notified yesterday. P. 1

A letter informed the commission that the franchise, which becomes effective March 8, was satisfactory to the national firm which operates the local bus company.

The expiring franchise was granted for 20 years in 1936.

A public hearing on a rezoning petition from the Normandale Development Corp. was set for March 8. If approved, the rezoning will allow the shopping center to expand to the south.

COMMISSION OKAY

Already approved by the City Planning Commission, the Change now must be okayed by the City Commission.

Developers of the project have promised nearby homeowners that no drive-in restaurant, night club, bowling alley or other noisy establishments will be included in the addition.

A new system of lighting and buffer-type landscaping have also been promised.

In other business, the commission agreed to amendment of the city's agreement with the Housing Authority of the City of Montgomery, providing for a profit-sharing arrangement when two projects are completed.

When construction bonds on Victor Tulane Courts and Jackson Heights are retired in 40 years, receipts will be divided between the authority and the city "in proportion to the aggregate contribution" each has made to the projects.

Charles Rogers, director of the authority, estimated the proportion would be about five to one.

Employment of Robert C. Copeland as a clerk II was approved, as was a retail beer license for C. W. Willis and C. H. Cummings, operators of Mike's Cafe, 526 Columbus.

Advertiser

The franchise approved by the bus company, and in its last stages before official acceptance by the city, is substantially the same as the old one. P. 2-A

However, there are two main differences. In the event the company should cease operation, the "rolling stock" does not become the possession of the city, as the old franchise provided.

In another section of the franchise, "boycott" is listed for the first time as one of the disabling factors over which the company would have no control.

City officials have said the differences are minor, because there are legal weapons that would prevent the company's dropping the franchise without just cause.

Mayor W. A. Gayle was not present for the meeting. He left earlier to attend a two-day conference on national defense—a conference called by President Eisenhower.

The mayor is expected to return to Montgomery during the weekend

Montgomery's Boycott

Advertiser

The Sylacauga News

At first we had some sympathy for the colored bus riders in Montgomery, feeling there was probably room for compromise when buses are overcrowded, but now with their tactics of boycott, that sympathy is no longer existent. Boycott is too often the action of a prejudiced minority to enforce their will against a majority, rather than accept the findings of arbitration. In the Montgomery incident the colored people have been their own worst enemy, and the unhappy inevitable result might teach them to trust themselves rather than imported leaders or imported leadership.

Bus Riders Won't Mix Despite Segregation Ban

Star Wed. 4-25-56

MONTGOMERY, Ala., April 24 (AP).—Montgomery's newly integrated city buses remained segregated for all practical purposes today, while Negro boycotters and city officials debated their next moves.

Washington, D.C.

The traditional assignment of seats according to race was ended yesterday by bus company decree. The few Negroes who rode buses, however, made no attempt to sit in the fron section formerly reserved for white persons. P. 7-A

No tense incidents between the races have been reported.

The desegregation order, far from immediately ending troubled transportation problems in Montgomery, created a sharp split between the City Commission and the bus company. The status of the prolonged Negro bus boycott also was still in doubt.

Mass Meeting Slated

Negro leaders said a decision on ending the 5-month-old protest movement may be made tomorrow night at a mass meeting of members of their race.

Bus officials said the number of Negroes riding yesterday on the first day of desegregation was about the same percentage that has continued to ride despite the boycott. That figure had been previously estimated by the company at from 5 to 15 per cent of the normal load.

Vice President B. W. Franklin of National City Lines, parent company of the Montgomery City Bus Lines, flew here from Chicago last night and promised to meet with newsmen today.

The desegregation order and his statement at Chicago yesterday that the company would make no attempt to enforce segregation on buses drew immediate answer from city and State officials here. They insisted Alabama bus segregation laws are still in effect and would be strictly enforced.

The parent company's decision followed a United States Supreme Court ruling Monday holding bus segregation unconstitutional. National City Lines operates bus franchises in several other Southern cities—Mobile, Ala.; Jackson, Miss.; Tampa, Fla.; Tulsa, Okla.; and Beaumont, Wichita Falls and El paso, Tex.

City Issues Warning

The three-member Montgomery City Commission yesterday issued a warning that it expects "the bus company and all other persons to abide by existing laws and ordinances." They said the Supreme Court ruling affected only South Carolina."

Police Commissioner Clyde Sellers said he would order the arrest of "any passenger or bus driver who indulges in desegregation."

"As far as I'm concerned, this damn thing (the Supreme Court decision) applies only to South Carolina. I'm going to enforce all city laws to maintain segregation."

Mr. Sellers admitted, however, that a Federal suit attacking bus segregation in Montgomery may soon bring a court order to desegregate here. The suit, an outgrowth of the bus boycott, is scheduled for a hearing May 11 before a three-judge Federal panel.

President C. C. Owen of the Alabama Public Service Commission sent a telegram to President Roy Fitzgerald of National City Lines in Chicago demanding withdrawal of the integration order. And he warned all other carriers operating in Alabama to adhere strictly to existing segregation laws "or suffer the consequences."

Want Negro Drivers

A boycott leader indicated yesterday that an end to the prolonged protest movement may hinge on the bus company's attitude toward hiring Negro drivers for predominately Negro routes.

The Rev. Martin Luther King, jr., Negro Baptist minister, said the boycott would continue at least until the mass meeting tomorrow night. At that time, he said, the Montgomery Improvement Association probably would make a recommendation to fellow Negroes or at least "discuss alternatives" for ending the boycott.

Mr. King is president of the MIA, a Negro organization formed to promote the boycott which began December 5 in protest to segregated seating on buses. The movement started the day that Mrs. Rosa Parks, Negro seamstress, was fined $14 for refusing to move to the back of a bus.

Mr. King has appealed a $500 fine he received on conviction of violating Alabama's anti-boycott law. About 90 other Negro leaders were also indicted on the same charge, but haven't yet been tried.

Press Views On Ala. Bus Case Decision

Afro-American Sat. 11-24-56 P. 13

Baltimore Md.

Editorial comment from a cross-section of the nation's leading newspapers on the U.S. Supreme Court's unanimous decision (9-0) in the Alabama bus case clearly indicates that the high court's order struck a death blow to separate seating in intra-state transportation.

Herewith are several excerpts from daily newspapers around the country:

RALEIGH (N.C.) NEWS AND OBSERVER:

The unanimous decision of the Supreme Court in the Alabama bus case that State or local laws requiring segregation on buses are unconstitutional fixes the status of that question.

It is most unlikely that any future litigation on this subject will be carried to the Supreme Court. It will be disposed of by local courts.

This question might as well be regarded as settled and forgotten.

* * *

ASBURY PARK EVENING PRESS:

Every fairminded American will applaud the action of the U.S. Supreme Court in wiping out racial segregation now enforced under the authority of state and local laws.

But the feeling of satisfaction that fairminded people experience in reading the Court's ruling is followed by regret that such action on the part of the nation's highest tribunal was necessary.

Actually, if a man is a citizen of the United States why should he have to resort to court action to receive the same treatment as is accorded his fellow citizens whose skin is a shade lighter?

Bus transportation is a public facility; the buses operate on the public streets which belong to all the people; they charge every passenger the same fare. By what right do they tell one citizen he may sit where he pleases and tell another that he must sit in a certain seat?

And by what strange process of reasoning do the operators of the line justify their conduct? For if the bus company or the municipal government has the right to assign seats to people of dark complexions why can they not, in future, prescribe seating arrangements for people with blue eyes and blond hair?

An injustice such as this, perpetrated on the colored man, may conceivably be visited upon his white brother in other times.

* * *

ST. LOUIS POST-DISPATCH:

By a brief order of only 11 words—"the motion to affirm is granted and the judgement is affirmed" — Chief Justice Warren and his eight associates put the final stamp of unconstitutionality on racial segregation in buses. — This case came up from Montgomery, Ala., scene of the widely-noticed bus boycott.

The Supreme Court order, which upheld a ruling of the Fourth Federal Court of Appeals, dealt also in effect with racial segregation on buses in all states which have enacted Jim Crow transportation statutes.

There is no such thing as justice if it does not extend to bus riders in Montgomery. The Supreme Court members know this and that is why these orders have been handed down from our highest bench.

* * *

WASHINGTON (D.C.) POST:

Segregated seating in city buses, one of the most conspicuous, cruel and pointless manifestations of Jim Crow, has now formally been declared unconstitutional by the Supreme Court.

The "separate but equal" rationale which has been employed ever since 1896 to justify the inequality of segregation has now been entirely discarded. Segregation is revealed for what it has always been — discrimination.

Then the Post editorial quoted Mississippi's Governor J. P. Coleman who declared "Our attitude about this decision will be the same as about the school segregation cases. We will continue to segregate," and commented:

This readiness on the part of responsible state authorities to defy the Supreme Court of the United States is ominous indeed.

If it succeeds and is allowed to gain prevalence, it can have disastrous consequences to national unity.

There is a most urgent need, therefore, for national leadership to remind local officials of their obligations to the United States and its institutions.

* * *

BALTIMORE EVENING SUN:

The Supreme Court's refusal to review the ruling of a three-judge Federal court in Alabama against the state's bus-segregation law seems to exhaust the legal remedies of those who wish to maintain the legal separation of the races on all public vehicles.

The practical situation with respect to segregation on buses and other public conveyances is quite different, however, from the practical situation with respect to public schools.

On conveyances, the Jim Crow line can be obliterated by a mere stroke of the pen, and without any of the administrative changes that are necessary to eliminate school segregation.

The Supreme Court has itself recognized this difference by remanding the school cases to the lower Federal courts with instructions that segregation be ended "with all deliberate speed."

In public transport, such deliberation would be from the practical standpoint ridiculous. You either have segregation or you don't, and for all practical purposes the change can be effected at once.

* * *

NEWARK (N.J.) EVENING NEWS:

Again the Supreme Court of the United States emphasizes that the 1954 decision outlawing public school segregation was no limited repudiation of the separate but equal doctrine of 1896.

Three times now the court has indicated the scope of that decision to have been all inclusive. It ruled first against racial discrimination in the public parks. Then it ruled likewise with reference to public golf courses.

Now the high court declares segregation on buses operating within states is as clearly unconstitutional as segregation in the public schools.

* * *

TALLAHASSEE DEMOCRAT:

Plainly, the Supreme Court of the United States has gone far astray.

Unless it begins to reappraise its position as just one arm of government, or some action is taken to curb its encroachment into the jurisdiction of other branches of government, we genuinely fear this nation will be faced with precedents that will permit a judicial tyranny over the people.

Whether we like it or not, this Alabama bus seating decision will stand because the majority sentiment of the whole nation is against the white southern point of view and no effective national resistence to the Supreme Court's usurpation can be aroused.

The South's only weapon, and its greatest duty to the nation, is to try — as the Florida legislature has — to start a movement to awaken the rest of the states to the danger of encroachment by the Federal judiciary on rights of local self-government everywhere.

Decision affects all Dixie states

Afro-American Sat. 11-24-56

WASHINGTON — Angry screams of certain Southern officials that the Supreme Court's bus desegregation ruling would not affect their states, was seen here as just so much hogwash.

Baltimore Md.

In its action Tuesday, the Supreme Court left no doubt about the unconstitutionality of city ordinances and state laws requiring racial segregation on city buses.

P. 1

And the ruling, while directly affecting Montgomery and Alabama, is applicable to all other states with laws enforcing segregation on such public facilities.

The American

LAWYERS HERE said it would be fairly simple now to knock out similar laws in all Southern states.

P. 2

As the result of the ruling, street car segregation can be knocked out in Atlanta, Savannah, Birmingham, Mobile, New Orleans, Miami, Tallahassee, Jacksonville, Charleston, and any U. S. District judge is now duty bound to automatically issue an injunction against the enforcement of segregation laws as quickly as petitions can be filed.

This means city bus and Columbia, S.C., by merely filing a petition in Federal court for an injunction.

* * *

THE RULING Tuesday was in the form of granting a motion to affirm the judgment of a three judge Federal Court at Montgomery, which outlawed segregation on that city's bus lines.

Colored people in Montgomery have been boycotting buses of the Montgomery City Lines, Inc., since last Dec. 5. Montgomery City Lines is a subsidiary of the National City Bus Lines of Chicago.

In an order, the Supreme Court Tuesday cited its decisions in the school segregation cases, the Baltimore park and swimming pool case, and the Atlanta, Ga. golf course case, in all of which it declared illegal racial segregation imposed by state or city authorities.

* **

THE ACTION of the court leaves no doubt that all state laws requiring or permitting segregated public transportation null and void, and that the fight to end segregation in public transportation has just about been won by the NAACP.

The motion to affirm the judgment of the District Court was filed by the NAACP through Robert L. Carter and Thurgood Marshall, attorneys of the NAACP legal staff; Fred D. Gray, a lawyer-minister whose draft status is the subject of controversy, and Charles D. Langford, Montgomery attorney.

The high court's action was unanimous. The original decision by the lower court was that enforced segregation on buses violated the Federal constitution's guarantees of due process and equal protection of law.

* *

THE LOWER COURT opinion was delivered last June 5 in a 2-1 decision by the three-judge court in Montgomery. Declaring the Alabama laws unconstitutional were Judges Richard T. Rivers of the U.S. Circit Court of Appeals and Judge Frank M. Johnston Jr. of the U.S. District Court.

The suit was brought by Mrs. Aurelia S. Browder, Mrs. Susie McDonald, Miss Claudette Colvin and Miss Mary L. Smith, all of Montgomery.

* *

THE SUIT asked for a permanent injunction against the defendants to restrain the city and state officials and the bus company from enforcing segregation on buses.

The judges, however, withheld the permanent decree pending the appeal to the U.S. Supreme Court.

In their ruling, Judges Rivers and Johnston observed that:

"There is ... a difference, a constitutional difference, between adherence to custom and the perpetuation and enforcement of that custom by law. (Shelly vs Kraemer, 334 U.S. 11, 12;.

"The 14th Amendment provides that 'No state shall ...deprive any person of life, ligerty or property without due process of law; nor deny any person within its jurisdiction the equal protection of the law.

"Those provisions do not interfere with the police powers of states as long as the state laws operate alike upon all persons and property similarly situated (Barbier vs. Connolly 113 U.S. 27, 31, 31).

"That amendment 'merely requires that all persons subjected to such legislation shall be treated alike, under like circumstances and conditions, both in privileges conferred and in the liabilities imposed.' (Merchant vs. Penn. Railroad, 153, U.S., 380, 390).

* *

"WE CANNOT in good concience perform our duty as judges by blindly following precedent of Plessy vs Ferguson supra, when our study leaves us in complete agreement with the Fourth Circuit opinion in Fleming vs South Carolina Electric and Gas Co., 224 F. 2nd 752, appeal dismissed, April, 1956.

"That the separate but

Bus Boycott Comes To Joyful Ending

Afro-American Sat. 11-24-56 P.1

equal doctrine can no longer be a correct statement of the law.'

"In fact, we think that Plessy vs Ferguson, though not implied, though not explicitly, overruled, and that under later decision, there is now no rational basis upon which the separate but equal doctrine can be validly applied to public carrier transportation within the City of Montgomery and its police jurisdiction.

"The application of that doctrine cannot be justified as proper execution of state police power."

The judges concluded that the segregation laws "violate the due process and equal protection of the law clauses of the 14th Amendment to the Constitution of the United States."

THE REV. FRED GRAY, one of the attorneys for the Montgomery Improvement Association which is leading the bus protest movement in Montgomery, Tueday night told the AFRO he was greatly "elated" over the Supreme Court's bus segregation ruling.

He said the decision would have "a decided effect" on the case against Mrs. Rosa Parks, who has appealed her conviction for disobeying the state's segregation laws by refusing to be jim crowed on local buses.

The attorney pointed out that it might have also an "indirect effect" on the conviction of the Rev. Martin L. King, MIA president, on charges of having violated the local laws in leading the protest against bus segregation.

* **

IN TALLAHASSEE, Florida, where a similar bus boycott has been under way for nearly six months, Dr. M. C. Williams, executive secretary of the Inter-Civic Council, declared:

"We are so happy, we don't know what to say. We feel that we won't have to carry our case as far as the highest court in the land."

Twenty-one persons in Tallahassee currently are appealing a conviction for violation of the state for-hire laws in connection with the bus boycott there.

TO RESIST DESEGREATION

Afro-American

MONTGOMERY, Ala.—Mayor W. A. Gayle Thursday said the Montgomery City Commission does not accept integration as inevitable despite the Supreme Court's ruling outlawing desegregation on the city's buses earlier in the week.

Gayle declared "we shall continue to enforce segregation" to insure "public safety, to protect the peoples of both races and to promote order in our city."

Gayle and Police Commissioner Clyde Sellers appealed to residents to be calm and "cool-headed." Said Sellers: "This is not the time for hotheads, oratory, loud talk or threats."

Vote to end 'long, long' walk

Baltimore, Md.

MONTGOMERY, Ala. — The Rev. Martin Luther King Jr. told the AFRO Thursday that the colored citizens of Montgomery have decided to end the 11-month-old boycott of the Montgomery Bus Company.

He said the boycott will not be over officially, however, until "the U.S. Supreme Court mandate banning bus segregation arrives here," adding the order is expected in two or three days.

"Until that time," the Rev. Mr. King said, "we will keep walking and continue to share rides with friends since the city has a temporary injunction to keep the car pool from operating."

"We had a conference with bus company officials Wednesday night and they agreed to comply with the Supreme Court's ruling as soon as the order gets here," he said.

* * *

THE COLORED citizens of Montgomery voted to end the boycott at two mass meetings held at Hutchinson Street and Holt Street Baptist Churches on Wednesday night. Some 8,000 were in attendance.

Representatives of the Montgomery Improvement Association's board of directors told the two groups that the board recommended that the boycott be ended in light of the high tribunal's decision.

The Rev. Mr. King spoke to the capacity audience at the Hutchinson Street Church. They greeted the board's recommendation with a cheering, standing ovation.

* * *

"IT HAS BEEN recommended that no one ride the buses until the Supreme Court mandate has been turned over to the Federal District Court," the Rev. Mr. King said.

He explained that "we want to avoid needless harassment and meaningless litigation" since riders could be arrested for violating the state and city segregation laws until the order gets here.

Afro-American

The boycott organizer and president of the MIT, said there have been no demonstrations or protesting from white citizens of Montgomery that he knows of.

P.2

He reported that "the colored citizens have remained just as calm as they have throughout the boycott." The MIT board appealed to colored citizens through its represenatives "to be calm and reasonable."

ALTHOUGH THE boycott ended (unoffically) Wednesday, the car pool has been out of operation for several days.

In an effort to break up the car pool, the city received a state court injuction to halt its activities.

The boycotters, Wednesday, were refused a Federal Court injuction to stop city interference.

Some 50,000 persons are believed to have been transported by the car pool since Dec. 5 when the bus company boycott was organized.

Ask speed

WASHINGTON — Attorneys representing the plaintiffs in the Montgomery bus case Saturday asked the Supreme Court to speed up the effective date of its mandate declaring unconstitutional state and local laws requiring segregation on buses.

Normally the court order to the lower court takes 25 to 30 days, and the mandate is not effective until the lower court is notified.

Negro Leaders Hail Boycott As Wedge In Racial Barrier

Advertiser Montgomery, Ala.

Wed. 12-2-56

By NELSON COLE

On the eve of the Montgomery bus boycott's first anniversary today, a Negro historian and a sociologist both acclaimed the protest as a positive instrument to "break racial barriers through non-violence."

P.1

The men were speakers at the second session of the Montgomery Improvement Association's Institute on Non-Violence and Social Change. The mass meeting, attracting nation-wide visitors, will run through Sunday.

Speaking at a luncheon meeting yesterday, Dr. Preston Valien, head of the Fisk University Sociology Department, said studies indicated "the boycott incident has taken the positive form of a great social movement." He also quoted surveys made of both white and colored people as to their "feelings" about the boycott.

"The studies show the masses were far ahead of the leaders, the boycott did not start, in reality, because of just a single incident, and that its organizational prowess has amazed even the experts.

"Through it, the Negro has also gained a new conception of himself and of his right to freedom and dignity," he said.

Preston quoted one Negro maid as telling an interviewer about her "white lady" being approached by the White Citizens Council and asked to "starve your maid for one month by laying her off." The maid reported her employer said, "If I do join the movement, I still want you to come once a week."

The same maid, according to Preston, said her boss asked her what went on at the church meetings. "I told her we sang and prayed. 'You're lying' she tells me, so I said, 'Why don't you come out and see for yourself if you're so curious.' Then I thought to myself, 'Darned if I'm going to come back in here and — out to her all that my people tells me.'"

Advertiser

D. B. Reddick, director of the Alabama State College History department, told delegates that "Negro people, here and now, seem to be the principal carriers of the ideas and ideals of the coming modern South."

P.2-A

"Who are the people that are talking about one world, the United States, integration and universal brotherhood" he said. "Who are the people that reject violence at a time when men everywhere are sick of war and conflict Who are the people that have brought Ghandi to the sretste of Montgomery These are indeed ideals and aspirations of the modern world."

Wed. 12-56

The Negro professor also said the boycott showed "there is a way, even under the most distressing conditions, to transform the old, obsolete pattern of life. We should be grateful for this example, for some of us had feared and concluded that we would have to fight it out. Now we know that the transition can be made peaceably."

He added there were still two important questions yet to be answered:

"First, will our media of communication — our newspapers, radio television, etc. — make the transition less painful for our people (especially those of us who are mixed up) by fair and accurate reporting and by editorially facing forward

"Secondly, if this transition is a positive good for the nation—and perhaps for the world—how much will the nation and the will the Negroes of the South have to continue to carry the main weight of this task alone"

Tomorrow, the institute is stressing a famed Ghandhian principle: fasting and praying. All Negroes, "even those in jail," are being asked not to eat until after 4 p.m. and prayer services will be held in most Negro churches. The day will start by the ringing of church bells at 6 a.m.

From Montgomery To Washington

Courier 12-9
Pittsburgh Pa.

The famous Montgomery boycott case has finally gone to the U. S. Supreme Court, which has now been asked by Alabama legal officials to overturn a decision that outlawed segregation on the city's buses.

The Montgomery bus boycott has continued unabated since Dec. 5, 1955, the leaders have been indicted and fined, the Federal Court, on June 5, 1956, decided that city and state laws requiring separate racial seating were unconstitutional, and the Montgomery Board of Commissioners and the Alabama Public Service Commission were ordered to stop enforcing the jim-crow laws.

Sat. 9-8-56

There is little doubt about how the U. S. Supreme Court will rule in this case (or subsequent ones) because it has already outlawed segregation and discrimination in public accommodation.

Having exhausted the last recourse, white Alabama will then be confronted with the dilemma of obeying or not obeying the law.

Our own view is that Montgomery officials will bow to the will of the high court because there is really no white mass sentiment against unsegregated transportation, most of the opposition having come from a small minority of White Citizens Council members, most of whom do not ride the buses anyway.

Montgomery Bus Boycott Praised

Post Herald p. 17

MONTGOMERY, Dec. 4 (AP)—The year-old Montgomery bus boycott was credited today with showing Southern Negroes that racial barriers can be challenged peacefully.

A history professor at Alabama State College for Negroes in Montgomery, L. D. Reddick, told a Negro-sponsored South-wide Race Relations Institute that the entire nation in indebted to the bus boycotters for pointing the way.

Birmingham

Montgomery Negroes, protesting against segregated seating, have refused since Last Dec. 5 to ride Montgomery City Lines buses.

Wed. 12-5-56

Reddick told a luncheon meeting the boycott has proved "there is a way, even under the most distressing conditions, to transform the old, obsolete pattern of life."

"We should be grateful for this example," he added, "for some of us had feared and concluded that we would have to fight it out. Now we know that the transition can be made peaceably."

"The Old South is gone, the Confederacy is indeed a lost cause," the historian declared. "And a great deal of our pain today, whether we realize it or not, comes from the effort to maintain a set of human relations that were developed to serve a plantation, master-slave society."

Two important questions, however, still must be answered, he continued:

"First, will our media of communication—our newspapers, radio, television, etc. — make the transition less painful for our people (especially those of us who are mixed up) by fair and accurate reporting and editorially facing forward?

"Second, if this transition is a positive good for the nation — perhaps for the world—how much will the nation and the world help to bring it about, or will the Negroes of the South have to continue to carry the main weight of this task alone?"

At Montgomery—

Negro bus boycotting praised by historian

Mer. 931

MONTGOMERY, Ala., Dec. 4—(AP)—A Negro historian said today the nation is indebted to bus boycotting Montgomery Negroes for their pattern of peaceful resistance to segregation.

"Through them," said Prof. L. D. Reddick of Alabama State College for Negroes in Montgomery, "We have seen that there is a way, even under the most distressing conditions to transform the old, obsolete pattern of life."

Mer. 12-4-56

"We should be grateful for this example, for some of us had feared and concluded that we would have to fight it out. Now we know that the tarnsition can be made peaceably."

The historian spoke at a Southwide race relations institute sponsored by leaders of the bus boycott which will mark its first anniversary tomorrow. Montgomery Negroes except for a few dissenters have refused to ride segregated city buses since last Dec. 5.

REDDICK, who teaches history at the college, said there are two big questions still unanswered.

Birmingham

"First, will our media of communication—our newspapers, radio, television, etc.—make the transition less painful for our people (especially those of us who are mixed up) by fear and accurate reporting and by editorially facing forward?

"Secondly, if this transition is a positive good for the nation—and perhaps for the world—how much will the nation and the world help to bring it about, or will the Negroes of the South have to continue to carry the main weight of this task alone?"

REDDICK SAID the South is becoming industrialized faster than any section of the nation except possibly California and asked:

"Are we going to impose on these industries, these cities, these broad highways, these new skyscrapers and the cultural institutions that they help make possible, a set of ideas and human relations that do violence to the service and civilization that these developments represent?"

THE WEEK-LONG racial institute opened last night with a bus boycott leader outlining to his people five ways to speed the "inevitable" end of segregation.

The Rev. Martin Luther King Jr. told a packed church at the opening of a southwide Negro institute on passive resistance to racial segregation that "we must speed up the coming of the inevitable."

King described the five ways Negroes could do this:

1. "We must continue to gain the ballot. . . . One of the basic keys to the solution to our problem." Both the Democratic and Republican Parties have "betrayed" Negro hopes, King said.

2. **"In order to control the extenal effects of prejudiced internal feelings, we must continue to struggle through legislation."**

3. "We must donate large sums of money to the cause of freedom." Several thousand dollars were collected at the meeting to support the Montgomery Improvement Assn., the group that coordinates the boycott and is sponsoring the institute. King is its president.

4. Negroes must "develop intelligent, courageous and dedicated leadership . . . one of the pressing needs of the hour."

5. And, "we must have the moral courage to stand up and protest against injustice wherever we find it. Wherever we find segregation, we must have the fortitude to passively resist it."

Negroes should "meet every act of violence toward an individual Negro with the fact that there are thousands of others who will present themselves in his place as potential victims," King said.

"This dynamic unity, this amazing self-respect, this willingness to suffer, and this refusal to hit back will soon cause the oppressor to become ashamed of his own methods."

DURING THE BOYCOTT several small bombs have been tossed at the home of its leaders but no injuries have been reported.

In his prepared speech, King paid tribute to white persons in Montgomery for their conduct during the boycott. "If there had not been some discipline and moral sensitivity in the white community, we would have had much more violence," King declared.

"It is only the fringe element, the hoodlum element, which constitutes a numerical minority, that would resort to the use of violence," King said in copies of his speech passed out to the audience. He later said the comments were not included in the delivered speech because of lack of time.

A public forum will be held tonight on "nonviolence in social change." Participants will include the Rev. C. K. Steele, a leader of the Negro bus boycott in Tallahassee, Fla., and the Rev. T. J. Jemison, Negro leader from Baton Rouge, La., where a short Negro bus boycott several years ago protested segregation.

May stay desegregation—

Patterson asks court to reconsider bus ruling

Birmingham News p. 4

WASHINGTON, D. C., Dec. 4—Alabama Atty. Gen. John Patterson yesterday requested the Supreme Court to reconsider its decision ending segregation on Montgomery, Ala., buses.

In a short petition, Patterson stated that the court's decision of Nov. 13 had "wrongfully taken" from Alabama the state's police power.

He said the 10th amendment to the Constitution has been "written out of the Constitution" by the Nov. 13 decision. That amendment reserves for states all power not given to the federal government.

PATTERSON protested that for years such segregation laws have "been generally, even universally, recognized as within the competency of the state Legislatures in the exercise of police power."

Birmingham News 12-4-56

"This has been the expressed opinion of many distinguished and learned justices who have heretofore sat on the Supreme Court," Patterson said.

The high tribunal's decision upheld a ruling by a special three-man U. S. District Court in Montgomery, Ala., which struck down state and Montgomery laws requiring separation of the races on buses.

PATTERSON'S petition said the state respectfully submitted that "laws permitting and even requiring the separation of the races in places where they are liable to be brought into contact do not necessarily imply the inferiority of either race to the other."

There is now "a no man's land in which the state, under the Supreme Court's opinion, is powerless to protect property and prevent breaches of the peace which will inevitably result from the court's decision," the petition added.

The attorney general asked the court to reinstate the principle of separate but equal facilities.

Patterson's petition may automatically hold up desegregation.

On bus desegration—

Judge challenges Brownell's moves

CLAYTON, Ala., Dec. 4——The authority of Atty. Gen. Brownell to try to apply a recent Supreme Court decision against city bus segregation to the entire South was challenged yesterday by Circuit Judge George Wallace.

Wallace said Brownell has no authority to instigate suits against bus segregation laws or to test the laws. Only private individuals can bring such suits, the judge said.

BROWNELL HAS scheduled a conference with U. S. district attorneys from the South next week to discuss application of the Nov. 13 decision on Montgomery city and Alabama bus segregation laws.

Wallace said a statement by Brownell that bus segregation is now a dead letter makes the judge think Brownell "either told a deliberate lie or is one of the most uninformed attorneys general in history." The decision applies only to Montgomery, Ala., Wallace said.

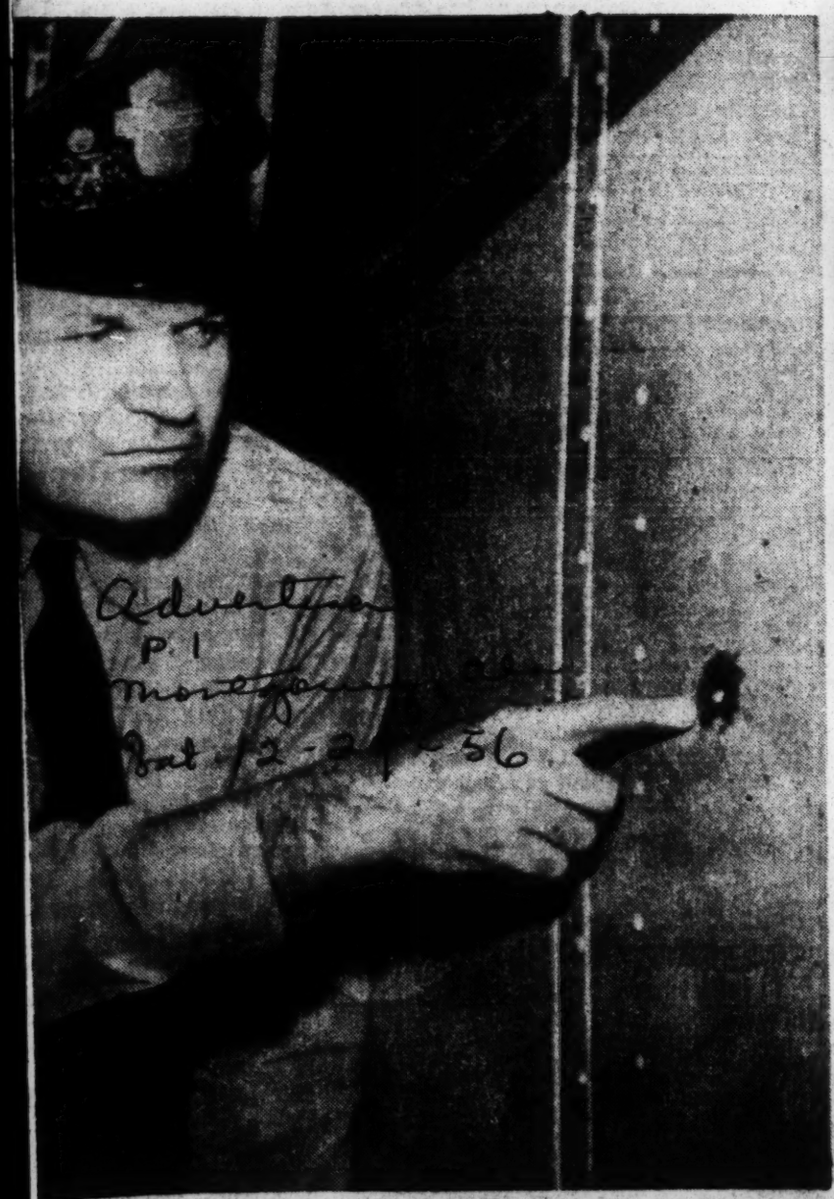
Segregation laws "are still in force and will be enforced in this county," Wallace declared in a charge to the Barbour County Grand Jury.

THE JURY WAS expected to consider charges that W. A. Stokes Sr., a member of the county board of registrars from Eufaula, and Elijah Franklin, a Negro, illegally registered 32 Negro voters. Indictments against them were thrown out earlier on technical grounds.

The names are still on voting lists after a state effort to have them purged was dismissed, also on a technicality.

NEW YORK MAYOR Robert Wagner purchases first two tickets for a benefit concert to be held Dec. 5, at Manhattan Center to commemorate the first anniversary of the non-violent protest against bus segregation in Montgomery, Ala. In photo are (rear) Mrs. Wagner, Mrs. Ralph J. Bunche and Mrs. Roy Wilkins. Kiddies are Andy Levison and Lynn Elda Kilgore.

Sniper Fires On Bus; Wounds Negro Woman



DRIVER CHECKS BULLET HOLE IN BUS
William H. Fullilove, 2805 Locust St.

PASSENGERS GET ABOARD BOYLSTON BUS
At Police Station Following Shooting Incident

Officials Halt Transit Line After Attacks

A Negro woman was wounded in both legs here last night by a sniper's bullet fired from ambush into a city bus carrying 12 passengers.

The same bus was fired on a second time a short while later. No one was reported injured in the second shooting.

Montgomery Police Commissioner Clyde C. Sellers ordered all bus runs halted for the remainder of the night.

LAUNDRY WORKER

The Negro woman was identified as Rosa Jordan, 22, a laundry worker. The bullet pierced one of her legs and lodged in the other, according to attendants at Oak Street Hospital where she was admitted. Her condition was reported as satisfactory.

The first shooting took place on Columbus avenue near Bainbridge street about 6:35 p.m. Whites and Negroes were riding the bus in a segregated seating arrangement.

The second shooting occurred after the Boylston bus had left police headquarters at 7:30 p.m. and almost in the same spot. The second shot glanced off the front window near driver W. H. Fullilove of 2805 Locust St.

BUS RETURNED

The spot where both shootings took place is a fringe neighborhood, housing Negroes on one side of the street, whites on the other. Police said both shots came from the direction of a new Negro housing project.

After the first shooting the bus returned to police headquarters with the dozen passengers, about equally divided between white and Negro.

After interrogation by police, the white passengers boarded the buses to continue the interrupted trip. The Negroes refused to reboard the bus, however.

At almost the same spot as the initial shooting, a bullet glanced off a front window near the driver.

All passengers returned to police headquarters for the second time—riding on the floor of the shot-riddled bus.

After a second interrogation, the passengers were returned to their homes in police squad cars.

Fullilove said most of the riders thought the first shot was a firecracker. But when the Jordan woman screamed, "something hit me . . . I don't know what it is." and they saw the blood on her legs, they realized a sniper was at work.

The Jordan woman was sitting on the left side of the bus, on the driver's side, near the rear wheel on a seat parallel to the windows. The bullet smashed through the steel siding and struck her in the legs.

She was placed under sedative at the hospital, police reported.

City Detective J. C. McKenzie was aboard the return run of the bus when it ran into the second ambush. He ordered all passengers to lie on the floor during the trip to headquarters.

Police combed the area after both incidents but failed to turn up any concrete clues. They said the shots came from the Negro housing project.

An emergency meeting of the City Commission was held at police headquarters in city hall after the first shooting and Police Commissioner Clyde Sellers and Mayor W. A. Gayle ordered suspension of bus operations for the rest of the night. The order was given to the Montgomery City Lines at about 7:15 p.m., Sellers said.

A spokesman for the lines said the buses will resume normal operations at about 6 a.m. Saturday.

WHITE DISSIDENTS STIR BUS CLASHES

New York Times 12-23-56

Some Incidents Attributed to a Montgomery Plot by Segregationists

By GEORGE BARRETT

Special to The New York Times.

MONTGOMERY, Ala., Dec. 22—The number of white passengers riding Montgomery's newly integrated buses increased today. However, there were signs that some white supremacists were trying to incite racial fights to "prove" that Jim Crowism must still be maintained in practice—if not by law—on the local buses.

This was the second day that Montgomery's buses ran on a desegregated basis, following a direct order from the Supreme Court. The mood of general unconcern over the issue was reflected in the way whites and Negroes mixed almost without incident as they took the buses to town for Christmas shopping.

But the phrase "almost without incident" contains the real danger that confronts Montgomery as each day passes with no public outcry against desegregation. Small groups of white segregationists, disturbed over the easy transition from long-established customs, apparently are plotting to foment trouble.

Passive Resistance

One incident occurred this morning on a bus that starts in a Negro section and runs through a neighborhood of upper-class white families. A Negro man boarded the bus and took a seat in the front, which used to be reserved for whites. A white woman immediately stood, charged that he had "muttered" at her, and began belaboring him with a book.

He took the attack in silence. Six other Negroes sitting in the bus said nothing and did not move to his defense, adhering to the Negroes' resolve here never to meet violence with violence. Finally, they all rose and quietly left the bus.

Several cars occupied by white men had pulled up behind and in front of the bus. The woman looked at the white bus driver, but he simply asked her if she wanted to make a formal complaint. She retorted that she "might have known that's all that would happen," got out of the bus and entered one of the cars.

Negro leaders did not report that incident to the police. They are deliberately "playing down" all such provocations, determined not to give the white supremacists any chance to exploit the transition process.

Senator Makes Charge

Later, State Senator Sam Engelhardt Jr., Secretary of the White Citizens Council in the state, telephoned the newspapers here to charge that a Negro man had winked at a white woman and invited her to sit down beside him.

Witnesses of the incident said, however, that the Negro's wife had followed him into the bus and was paying the fares when the white woman began striking her husband. The White Citizens Council did not explain why any Negro would invite a white woman to sit with him in a town like Montgomery, or why he would offer her a seat his wife would expect to use.

It is this kind of a created incident that the Negro leaders here fear could set off racial rioting despite their efforts to give no offense.

A "prayer for guidance" has been distributed by the Rev. Dr. Martin Luther King Jr., leader of the Negroes' year-long struggle to abolish Jim Crow on the buses. He has called upon Montgomery's 50,000 Negroes to display a "calm and loving dignity" through the critical days of the transition.

"If cursed, do not curse back," the Negroes have been instructed. "If pushed, do not push back. If struck, do not strike back. Evidence love and good will at all times."

Most of the passengers on the buses today were Negroes, but a tally made by the bus drivers for the company showed that there were more whites on the buses than there had been on Saturdays during the past few weeks.

BUS INTEGRATION IN ALABAMA CALM

New York Times

Montgomery Quiet on First Day of Change—Single Act of Violence Reported

Sat. 12-22-56

By The Associated Press.

MONTGOMERY, Ala., Dec. 21—The Southern tradition of racial segregation ended calmly on city buses here today. Negroes sat where they pleased without interference.

Some chose front seats while white passengers took those farther back. Before the buses were desegregated under a Federal court order that went in effect yesterday, Negroes were seated in the rear.

Only one incident of violence was reported. A Negro woman said she had been slapped and shoved to the ground by a young white man as she got off a bus.

But there was no widespread violence despite earlier predictions of "bloodshed" by some city officials.

Precaution Is Urged

To lessen the possibility of trouble, Negro leaders urged their people to stay off the buses after dark as much as possible for the first few days.

The Rev. Robert Graetz, a white minister who has supported the Negroes, said that precaution had been taken on the theory that the danger was greater at night.

J. H. Bagley, bus company manager, said no service would be provided after 7 or 7:30 P. M. until the demands justifies later runs. Bus schedules have been curtailed since shortly after the mass Negro boycott began more than a year ago.

The report of an attack on a Negro woman came from a Negro spokesman, the Rev. Martin Luther King Jr., and was not made to the police department.

Mr. King identified the woman as Mrs. Janie Ruth Wilson, a servant in the home of a white family. He said she had suffered a cut lip but was not seriously hurt.

Attack Not Returned

The minister, who was a leader of the eyar-long mass boycott of city buses before they were desegregated, said Mrs. Wilson had made no attempt to strike back. Negro leaders had urged their people in recent days to remain peaceful during the change to integration, "even if others strike first."

Downtown, a white man watching a Negro board a bus shouted to photographers, "go ahead get that black ——'s picture." But Negroes standing near-by let the remark go unanswered and it ended there.

White passengers for the most part reacted calmly to the end of bus segregation. On one bus, five white women sat down behind a young Negro already seated.

A girl who gave her name as Linda Russell, 18 years old, sat down beside a Negro woman as she boarded a bus in a residential district. Miss Russell told reporters "I figure if they stay in their place and leave me alone, I'll stay in my place and leave them alone."

Four carloads of white men and some in a pickup truck stayed close to a downtown bus stop for part of the morning but left. At one time the men left their cars and conferred on a street corner. Later one of the cars drove off at a signal from three heavy-set white men in a passing automobile.

Ministers Set Example

Police Chief G. J. Ruppenthal said he had received no report of their presence.

Mr. King and other Negro ministers rode buses during the day to set an example for their race. The clergymen described the conduct of bus drivers as "exceptionally courteous."

The drivers, employes of Montgomery City Lines, Inc., had been notified officially of the new integration policy last night. Signs advising Negroes to sit in the rear were gone from the buses today.

Some Negroes continued to sit in the back despite the end of segregation as a requirement of the law. Others sat in seats once reserved for white passengers.

Two city officials, Mayor W. A. Gayle and Police Commissioner Clyde Sellers, testified in United States District Court here last May 11 that the end of bus segregation would bring "violence and bloodshed."

They were witnesses in the court suit that led to the United States Supreme Court decision holding city and state bus segregation laws invalid.

Segregation Ends Quietly On Bus Line

Boston Herald

Actual Incidents Of Race Mingling Few, Far Between

Sat. 12-22-56

Racial segregation on city buses in Montgomery ended serenely here yesterday.

Negro and white passengers seats on buses where they found them, and in isolated instances memberse of the two races sat side by side.

The calm but cautious acceptance of this significant change in Montgomery's way of life came without any major disturbances.

A statement by Police Chief G. J. Ruppenthal last night told the story in full—there were no reports of violence made to the police, no additional officers were called into duty.

NO MASS RETURN

"It was just another Friday before Christmas for us," Ruppenthal said.

There was no mass return to city buses by Negroes. And many of those who did return walked to the rear of the bus to take a seat, just as they had been required to do by law until yeserday.

There was also a scracity of white people on the buses. Even during late afternoon rush hours yesterday most of the vehicles were only partially filled.

Instead of riding the buses, numerous Montgomerians watched them with mixed emotions. Throngs crowded the downtown area during the late afternoon, and every time a bus pulled to a curb to pick up passengers, passers-by stopped to watch.

FEWER PASSENGERS

Bus company officials said last night they were unable to determine to what extent business had increased, but it was apparent the number of passengers yesterday was far below the pre-boycott average.

Wire services reported a Negro woman was struck in the face by a young white man just as she departed from a bus, but police officials said no such incident was reported to them.

Rarely during the day did whites and Negroes sit side by side, the first such case occurring early yesterday morning when a young salesgirl boarded a bus and sat beside a Negro woman although there were seats available which she could have shared with white passengers.

"I figure if they stay in their place and leave me alone, I'll stay in mine and leave them alone," she commented later to newsmen.

BUS INTEGRATION STARTS QUIETLY

Times-Picayune New Orleans, La.

Montgomery Ends Traditional Segregation

Sat. 12-22-56

MONTGOMERY, Ala., Dec. 21 (AP)—The southern tradition of racial segregation ended calmly on city buses in Montgomery today and Negroes sat where they pleased without interference.

In some instances, they chose front seats while white passengers took those farther back. Before the buses were desegregated under a federal court order which went in effect yesterday, Negroes were seated in the rear.

There was only one reported incident of violence. A Negro woman said she was slapped and shoved to the ground by a young white man as she got off a bus.

But there was no widespread violence despite earlier predictions of "bloodshed" by some city officials.

Warns of Night Riding

To lessen the possibility of trouble, Negro leaders urged their people to stay off the buses after dark as much as possible for the first few days.

The Rev. Robert Graetz, a white minister who has supported the Negroes, said that precaution was taken on the theory that the danger is greater at night.

Bus company Manager J.H Bagley said no service will be provided after 7 or 7:30 p.m. until the demands justify later runs. Bus schedules have been curtailed since shortly after the mass Negro boycott began more than a year ago.

The report of an attack on a Negro woman came from a Negro spokesman, Rev. M. L. King Jr., and was not made to police.

Suffers Cut Lip

King identified the woman as Mrs. Janie Ruth Wilson, a servant in the home of a white family. He said she suffered a cut lip but was not seriously hurt.

The minister said Mrs. Wilson telephoned him that a young white man slapped her and shoved her to the ground and then sped away in a waiting automobile bearing an out-of-state tag.

The white man was riding the same bus and got off when Mrs. Wilson and a woman companion debarked, King said.

Times New York Sat. 12-22-56

Associated Press Wirephoto

ON A BUS IN ALABAMA: Negroes in Montgomery were free yesterday to sit where they chose as Supreme Court order banning racial segregation became effective. Among the first riders were the Rev. Ralph D. Abernathy, left, and the Rev. Martin Luther King Jr., who had been active in boycott of buses. At right is the Rev. Glenn Smiley of New York.

60 Per Cent Loss

P. 1

"Walkers" Urged To Hold Out In Protest

Daily World

Atlanta, Ga. Tues. 2-28-56

BY PAT J. McDONNELL

MONTGOMERY, Ala. — (INS) — Negro ministers in Montgomery, backed by a mounting support from throughout the nation, urged their people to hold out in a long bus boycott which was termed "a great moral and religious crusade against racial discrimination."

"Segregation can't survive because God is against it," the Rev. M. L. King told his congregation at Sunday services.

When Christians, Negro and white seek out the gospel of God, the Rev. Ralph D. Abernathy said in another church across town:

"It will no longer be the white race this, the Negro race that, but it will be the human race—the christian race."

The Montgomery boycott began Dec. 5 when a Negro woman was arrested for refusing to give her seat on a city bus to a white passenger. Since then, home of two boycott leaders were bombed, and 89 Negroes were arrested, charged with conspiring to create an illegal boycott.

The Montgomery "passive resistance" movement drew support from leading Negro church groups in the nation. New York City ministers set March 28 as a "National Deliverance Day" in a sympathy protest, and there were demands the the U. S. Justice Department move to 'protect' arrested leaders of the boycott.

LOSES BIG

Montgomery mayor, W. A. Gayle said that the city would continue to operate its busses although the transit system is losing 60 per cent of its normal income. He said 'fear' was keeping most of the Negroes off the buses, and added that city officials "have done all we can within the law which we have taken an oath to uphold."

"We have no desire to harm the Bus Company," the Rev. Abernathy said, adding:

"They can run those buses as long as they want to—but they won't run them with Negroes on them until they give us justice."

Referring to stacks of letters and telegrams, many containing contributions and pledging future support he said:

"You are not standing in this thing alone. We'll fight until the walls of segregation crumble."

"God rules the world, and evil will not survive," the Rev. King preached. He urged his congregation:

"Dont get weary. Don't lose foith in me. My faith in man is, at bottom, a faith in good. Believe that the most prejudiced mind in Montgomery, in America, can become a living mind—a mind of good will."

In an obvious reference to another Alabama segregation fight—the attempt of Autherine Lucy to go to school at the University of Alabama, the Rev. King said:

"Thank God, there are some people who can rise above the old and broken down thoughts of their parents, who can rise above their background and their heredity."

Daily World

Miss Lucy, admitted to the University by court order and then excluded after three days of riotous demonstrations, maintained silence on report that her aged farmer-parents had urged her to give up her efforts and attend instead a school where Negroes are "acceptable."

P. 4

The Rev. King told his congregation:

"It is all around us. You hear 'my parents don't agree with me,' 'my community don't agree with me,' but thank God there are people who can rise above superstitution and fear of their background.'

He, like other Montgomery ministers, urged "love instead of hate" and said:

"Don't get discouraged. Don't get mad at man. Man, for all his prejudices, is still young. Give him a chance."

Despite 62 Arrests

Herald

Negroes Continue To Boycott Buses

Thurs. 2-23-56 P. 2-A

Miami, Fla.

MONTGOMERY, Ala. —(INS)— Negro ministers, political leaders, volunteer car-pool operators and the woman whose arrest touched off a mass boycott against Montgomery's City Bus Lines were arrested Wednesday.

By mid-afternoon, 62 Negroes, including 14 ministers, had been taken into custody or had surrendered on grand jury indictments charging violation of an anti-boycott law. In the indictments issued Tuesday the grand jury branded the boycott illegal and an incitement to "racial tension and violence."

Among those picked up were P. M. Blair, unofficial mayor of the city's Negro population; Jammie Parks, head of a Negro high school, and Dr. M. C. Cleveland, of Day Street Baptist Church.

Dr. Cleveland is also chairman of the Foreign Mission Board of Convention.

Rosa Parks, whose arrest last Dec. 1 over her refusal to change seats in a city bus at the driver's request touched off the 12-week-old boycott, was among those taken into custody.

The woman was arrested after her appearance Wednesday before Circuit Judge Eugene Carter who upheld her original fine of $10 plus $4 costs.

Meanwhile, the boycott, which began Dec. 5, continued in full force.

Hundreds of Negroes and whites lined the driveway leading to the jail in a segregated pattern as the accused were arrested or surrendered. They included:

Rev. Ralph D. Abernathy, pastor of the First Baptist Church, the first man to be apprehended.

E. D. Nixon, president of the county Negro Democratic Association, whose home was bombed during the boycott.

Rev. J. W. Hayes and **Dr. S. S. Seay,** respectively presiding elder and executive secretary of the home missions board of the A. M. E. Zion Churches.

R. James Glasco, secretary of the Negro Ministerial Alliance, where the grand jury charged the boycott originated.

Rev. Leroy Bennett and **Rev.**

BENNETT

ABERNATHY

A. W. Wilson, of the Holt St. Baptist Church, where the first boycott meeting was held.

Rev. Aaron Hoffman, a Baptist minister.

W. J. Powell, pastor of the Old Ship Methodist Church.

Joe Anne Robinson, president of the Womens Political Action Council of Montgomery.

The Montgomery police carried out the arrests under a 1929 labor law banning boycotts. The law carries jail sentences of six months and fines of $1,000.

Police announced Tuesday night that 115 persons had been indicted by the grand jury but it was not yet certain whether all of them will be arrested in connection with the boycott. Under Alabama law names are kept secret until arrests are made.

Negro Pastor Vows Boycott Will Go On

Wall-Telegram

Tues. 2-28-56

By the Associated Press

MONTGOMERY, Ala., Feb. 28.—A Negro minister indicted in Montgomery's bus boycott told a cheering throng at a mass meeting last night that "no city in the world can afford to make criminals out of 4 of its preachers."

P. 6

New York, N.Y.

This declaration by the Rev L. R. Bennett came after church groups in other sections of the nation took stands over the arrest of 24 Negro ministers here for leading the protest against segregation on city buses.

Mr. Bennett, pastor of the Mount Zion African Methodist Episcopal Church, together with other indicted Negro clergymen spoke at a meeting marking the end of the boycott's 12th week.

Negro Boycott Leader Vows 'Finish' Fight

Inquirer Mon. 2-27-56

Philadelphia, Pa. P. 4

MONTGOMERY, Ala., Feb. 26 (UP).—A leader in the Negro boycott of Montgomery buses said from the pulpit today that his people would see the boycott "to the finish."

The Rev. Martin Luther King asked the members of his Baptist church not to get weary of the hardships brought about by the 12-week boycott of Montgomery city buses, and told them, "No goal was ever attained without sacrifice."

'WE WILL NOT STOP'

The 27-year-old minister, who is president of the Montgomery Improvement Association which has backed the boycott, said, "Even if the boycott ended now, the Negro in Montgomery has achieved a new dignity. But we will not stop now, we will see it to a finish."

Nearly 500 Negroes who jammed into the small Dexter Avenue Baptist Church heard the minister promise that "the prejudiced mind in Montgomery and America can become a kind and loving mind."

'DELIVERANCE DAY'

Meanwhile, in New York the first steps were taken toward the organization of an hour-long nation-wide work stoppage in sympathy with the Montgomery Negroes.

Rep. Adam Clayton Powell, Jr., Democratic member of Congress and a minister, met one hour at his Harlem church with Negro union officials to plan a March 28 "Deliverance Day" demonstration that will call for a one-hour work stoppage by both whites and Negroes across the nation.

Powell said he hoped to win the cooperation of employers, employes and other citizens as well in halting all but vital services from 2 to 3 P. M. on the Wednesday before Easter. He said the hour would be used as an hour of prayer for the Montgomery Negroes.

Citizens Continue To Walk Rather Than Ride Buses

World 2-28-56
Birmingham, Ala.

BY PAT J. McDONNELL

MONTGOMERY, Ala. — (INS) — Montgomery Negroes doggedly continued to walk rather than ride segregated buses Saturday while the U. S. Justice Department studied the mass arrest of 89 boycott leaders with an eye to possible federal intervention.

There was no sign of any compromise in the dispute that has gripped the Alabama Capital since Dec. 5, and one churchman described the city's 50,000 Negro residents as "closer together than ever before."

The White House disclosed that Attorney General Herbert Brownell, Jr. ,has been asked to determine whether the Federal government can or should intervene in the Montgomery case.

NEW LOW

Rep. Adam Clayton Powell, (D) N. Y., who asked for federal intervention, arrest of boycott leaders—many of them church or political figures—"a new low in American barbarism."

There was some hesitation among Montgomery Negroes about endorsing Rep. Powell's call for a nationwide one-hour work-stoppage of Negroes on March 28, as a "passive resistance" demonstration of support for the boycott.

HESITANT ON APPROVAL

The Montgomery leaders described as "encouraging" the messages of moral support from national Negro leaders, but were hesitant to lend approval to the spread of their own movement.

"We have not given this too much study," said the Rev. A. W. Wilson of the national movement, adding that "personally I don't know whether it would be wise" to endorse a national Negro crusade.

He explained:

"The inclination here has been to say that Montgomery Negroes have been 'stirred up by outside agitators.'

"This is not so at all.

This has been a local movement and our people will continue to seek ways of working out our problem. I believe our people will remain united and carry on. But I think we need to wait a while, until things get normal again, before considering any new moves."

89 LEADERS

The Rev. Wilson said that the long bus boycott, marked by bombing of two homes of Negroes and by the arrest this week of 89 leaders on a misdemeanor charge of illegal boycott, "has united our people in a common cause under the banner of the church." He added:

"The future is too uncertain. I would hesitate to say what might happen. But I believe the Negro population today has been brought closer together than ever before.

"I think it has all had a very wholesome effect on the community. Regular church service attendance has increased. Some people who had not been as regular as they should have been, now have come back to seek guidance of the almighty in a time of trouble."

Negro leaders appeared ready to sit tight for the moment. Spokesmen and the executive committee of the Montgomery improvement association, formed to guide the boycott, probably would take no additional action until those arrested on boycott charges this week stand trial the week of March 12.

Nor did city officials have any announced plans of action to settle the dispute pending the trials.

WELL PUBLICIZED

White citizens questioned at random on the streets about the dispute shrugged their shoulders, and generally gave the impression of trying to ignore the wel-publicized "day of walking and praying."

Editors of leading Alabama newspapers viewed the boycott as part of the southwide problem evoked by attempts to end the region's traditional racial segregation. On the suggestion of Gov. James E. Folsom ,the editors decided to have a bi-racial committee study possible ways of easing "tensions."

While the Montgomery boycott wore on, another aspect of the segregation question was to be unfolded Wednesday in Birmingham. A federal court will decide there whether University of Alabama officials should be held guilty of contempt of court for barring a Birmingham Negro, Autherine Lucy, from the Tuscaloosa campus.

Miss Lucy, the first Negro student in the school's 125-year history, was admitted to classes on a federal court order earlier this month, but "excluded" by the school trustees after three days of demonstrations and riots by students and townsfolk.

Editor Expresses Caution For Rep. Powell Movement

Atlanta, Georgia. —(SNS)

In a night letter to Congressman Adam Clayton Powell, C. A. Scott, editor and general manager of the Atlanta Daily World said:

"I appreciate your concern about the Montgomery, Alabama situation but think plan for work stoppage would be unfair to innocent persons. Reports are that Governor Folsom and the U. S. Department of Justice are intervening in Montgomery problem and we believe this will result in a satisfactory solution."

Attorney A. T. Walden, local leader has also expressed a similar interest, stating that such a move as advocated by the famous Congressman, would cause Negroes to lose more friendly support to their cause in Montgomery and hurt the program generally.

Walking And Praying

World 2-28

The protest in Montgomery by a certain segment against what they believe and alleged to be unfair treatment of some patrons riding city buses has now spread over 86 days. This protest which grew out of the arrest and fining of a passenger who refused to give her seat to another rider and push back into the crowded vehicle where she would have to stand up did not originally start out to challenge the bus seating laws in this state. From what we understand it was never planned as a boycott but merely as a protest aimed at conference table adjustment of alleged grievance.

Birmingham, Ala.

Since that time there has been the labeling of the protest as a "boycott" to make the action take on the coloration of violation of Alabama's anti-labor laws which is the real historical foundation of the 35-year old boycott laws. In the earlier stages of the protest, there were conference in which bus company officials, city officials, protest leaders and a special committee appointed by the city's mayor met and tried to find a formula for settling the differences. This failed, partly because of the cloud of emotion, hysteria, and confusion which had been created. The White Citizens Council had started a propaganda campaign which, we think, added only in a negative way.

Ledger 2-28-56

Resistance began to harden on both sides. The issue of the constitutionality of the seating laws was injected by those whose actions and utterances reflected the impression that they were unwilling to improve seating and passenger treatment within the patterns of the versatility of the existing law. Finally the seating issue went to federal court. The protest group was indicted. World attention has now been focused on the protest.

Pressure, persuasion, intimidation, threats and other powers, have been employed to overcome the protest, but without success. Underneath all of this seems to be a moral and spiritual issue. Moral issues sink deeper than social and racial issues.

Alabama boycott laws have legal vitality only when the facts show the actions charged are "without just or legal excuse."

The protest group has alleged numerous grievance in support of the course taken. Simply their stated position has been to seek more courteous treatment for bus riders, seating on a first-come, first served basis and the employment of Negro drivers on buses operating into predominantly Negro residential areas.

Yet involved is still another significant issue. The citizenship issue here is vaster than anything else, it seems. Does one man's citizenship rights count as much as another's? How far will those sworn to uphold the law go toward defending such rights? When such rights are challenged, what is the duty of responsible men? The mutual protection and equal defense of the citizenship rights of all is the cornerstone of an enduring democracy. Citizenship rights can never be defined properly on the basis of section, status, race, or religion. This is where understanding is needed. This is where leadership is needed.

In Montgomery, the segment which feels mistreated is walking and praying that a day of freedom will come. They are calling upon a Power higher than man's authority to help them. This group expouses the teachings of Christ which seem to be at war with the teachings of the WCC.

In time, when all of this is settled, Montgomery is bound to return to its high place among American cities, and with a determination to let good citizenship and goodwill have their way.

Bus Boycott On Till Jim Crow Ends, 4,000 Vow at Montgomery Rally

Special to the New York Post

Montgomery, Ala., April 27.—The five-month bus boycott by Montgomery's Negroes will continue because "we'll never go back to Jim Crowism," 4,000 Negroes voted unanimously at a mass meeting last night.

The voice vote was enthusiastically taken after city and state officials warned that local segregation laws must be observed. If necessary, drivers permitting integrated seating would be arrested, officials said.

The meeting bust into cheers when a resolution calling for continuance of the boycott was seconded by the Rev. B. D. Lambert.

"We have walked for almost 20 weeks and it's only a few days more until May 11," he said.

REV. M. L. KING

He was referring to the date for hearing of a Federal Court suit challenging the segregation laws of the state and city. The suit was a direct result of the boycott begun Dec. 5.

There was another burst of cheering when the Rev. Lambert told the crowd:

"We'll never go back to Jim Crowism."

The resolution stressed that conflict between the city and the bus company—which has ordered mixed seating—has prevented a solution of the bus segregation issue and "we will continue to carry out our mass protests until such a time as these matters are clarified."

It was introduced by the Rev. Martin Luther King Jr., boycott leader, who told the rally:

"Don't abuse your rights and privileges. A great adjustment needs to be made among our race."

He urged the crowd to pray for recovery of J. H. Bagley, superintendent of Montgomery City Lines, who had a heart attack Wednesday.

King likewise asked for prayers for the three-man City Commission "to lift them from the darkness of injustice."

Before the rally, bus company officials and the City Commission met for 2½ hours but "reached no conclusions." Another meeting will be held today or tomorrow.

Mayor Gayle, a commission member, has indicated that the city may attempt to revoke the bus company's franchise if the company fails to observe city segregation laws.

The rally resolution pointed out that Richmond, Va., Little Rock, Ark.; Dallas, Texas, and other Southern cities had ended bus segregation following the Supreme Court decision last Monday.

"White and Negro passengers rode together on front seats without incidents, mishaps or disturbance in these cities," it read.

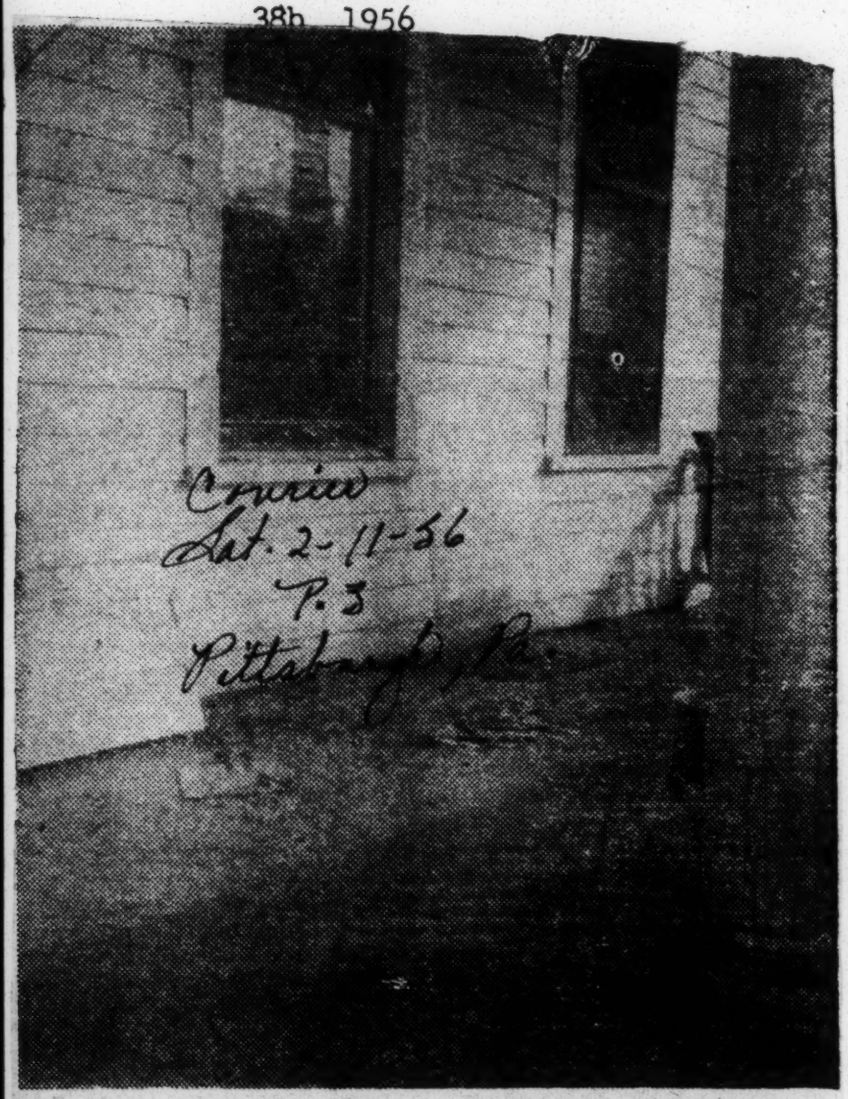
The resolution began by citing early reports that the Supreme Court ruling "held the city ordinances and state statutes requiring segregation on public conveyances for hire intrastate are unconstitutional."

Since the decision legal experts have said that the court did not actually so rule, but simply declined to hear a Columbia, S. C., suit involving bus segregation until a lower court had issued a final decision.

The City Commission was quick to seize upon this interpretation, contending that the Supreme Court order in no way affected state or city segregation laws in Alabama.

Associated Press Wirephoto

This driver is all alone as bus moves through Montgomery, Ala., where Negroes have voted to continue boycott. "Ease That Squeeze" refers to traffic problems, but Negroes, using car pools, ignore it as well as "Ride the Bus" appeals. The boycott is now in the fifth month.



Courier
Sat. 2-11-56
P. 3
Pittsburgh, Pa.

Bomb Target—Broken window panes and spilters litter the porch of the Rev. M. L. King in the wake of the bombing which rocked the pastor's Montgomery (Ala.) home. The Rev. Mr. King is one of the key leaders in the boycott against the Montgomery bus lines.

* * *

Minister Denied Gun Permit

MONTGOMERY, Ala.—Sheriff Mac (Slim) Butler said a request for a pistol permit made Feb. 1 by the Rev. M. L. King Jr. for a night watchman at the latter's home has been denied. The home of the Rev. Mr. King, a leader in the bus boycott, was bombed last week.

* * *

MONTGOMERY, Ala.—Trav.l segregation laws here are under legal attack in a suit filed in Federal Court Feb. 2.

One of the plaintiffs, however, has announced that because of threats she is withdrawing from the case.

Courier P. 3
Sat. 2-11-56
Pittsburgh, Pa.

Second Bombing In Montgomery

Courier P. 3
Sat. 2-11-56

MONTGOMERY, Ala.—Admitting that although they don't agree with the thinking of Negroes boycotting Montgomery bus lines, the pro-segregationist City Commission posted a $500 reward for information leading to those responsible for the bombing of the home of the Rev. M. L. King, a leader in the bus protest.

Another bombing occurred two nights later in the front yard of E. D. Nixon who made national news last summer when he protested the exclusion of Negro Democrats from a Jefferson-Jackson Day dinner in Birmingham.

Both men were away from home at the time of the bombings.

* * *

AT HOME at the King residence was his wife, their seven-month-old baby and the wife of a friend. No one was hurt.

The blast, said to have been caused by a stick of dynamite, or less, ripped the windows of the Kings' den and shattered window panes in the living room.

After the explosion, 300 irate Negroes gathered in front of the King's home, but were told by the young minister, "Don't get panicky . . . we are not advocating violence."

Police Commissioner Clyde C. Sellers also spoke to the group, telling them that he did not condone such acts of violence and "I will certainly do everything in my power to bring the guilty parties to court and put them in prison.

Ernest Walters, the Kings' neighbor, reported he saw a car, driven by a man, stop and speed away at the same time the blast went off.

—BIGGEST and the BEST—

Call
Fri. 2-10-56
P. 1
Kansas City, Mo.

Leader Refuses To 'Run' Despite New Threats Of Death After Bombing

Former NAACP Head Says He's 'Staying Here'

MONTGOMERY, Ala. — (ANP) — A Negro leader whose home was bombed last week said he and his wife "are staying right here," despite new threats of death unless he "gets out of town quick."

"I've been threatened before," said E. D. Nixon, former state president of the NAACP, "and I haven't left yet.

Nixon, a Pullman porter, was on his Montgomery-Chicago run when a bomb was tossed in his front yard. His wife, Mary, and a neighbor's child were alone in the house. Neither was injured.

A few hours after his return Friday, he received threats over the telephone.

Don't Like Fresh "N " . . .

He was warned in the first: "If you don't get out of town quick we'll get you out of action with a gun or another bomb."

The second call, by another persons, said:

"We don't like fresh n - - - s. Get out or we'll fix you."

Nixon, one of the leaders in the two-month-old Negro boycott of Montgomery busses, said he also was threatened last summer after he protested the exclusion of Negro Democrats from a Jefferson-Jackson day dinner in Birmingham.

He was refused an invitation and Gov. G. Mennen Williams of Michigan, the principal speaker, cancelled his engagement because of the segregation issue.

Bombing of the Nixon home came hours after another blast shattered windows and damaged the front porch of the home of Rev. Martin Luther King, 27, who has acted as spokesman for Negroes since the bus boycott began Dec. 5.

Police Chief G. J. Ruppenthal said there have been no new leads in the bombings.

Call

Meanwhile, NAACP Executive Secretary Roy Wilkins called upon James E. Folsom of Alabama to halt the violence against Montgomery Negroes.

P. 4

In a wire to Folsom, Wilkins specifically asked that state officials 'take appropriate investigative and police action to restore law and order in Montgomery, to protect Negro citizens there from further intimidation and violence and to see that those responsible for the bombings are brought to justice."

Wilkins pointed out that "these bombings follow a 'get tough' policy announced by Mayor Gale (of Montgomery) last week as a means of ending the protest movement against city bus segregation."

Mayor Gale, Wilkins noted, "is reported to be a member of the notorious Citizens Councils."

Those Spunky Alabamans

Call P. 18

The Negro people of Montgomery, Ala., are giving members of their race all over the country a lesson in perseverance, courage and determination. Whoever would have thought that a boycott begun early in December would still be almost 100 per cent effective two months later.

Fri. 2-10-56

While the boycott may be frowned upon in some areas, the folks down in Alabama are proving it to be an effective weapon in the fight against segregation. They are proving beyond a shadow of a doubt that "money talks."

Kansas City, Mo.

Irked all along because of the way the "sliding" segregation sign was handled on the city busses and fired into action by the arrest of a woman bus passenger who refused to move behind the sign, the Negroes of Montgomery simply decided to stop riding the busses until they could get fairer treatment. They did not hope for the complete removal of segregation on the busses. They merely wanted their fair share of the seats.

P. 18

The bus company has been made to feel the economic pinch during the last two months. The White Citizens' Council of Montgomery, to which, by the way, belong the mayor and other officials of the town, resent the display of bravery by the Negro citizens and somebody is trying to break the spirit of the colored folk by throwing bombs on their homes, by placing them under arrest for no reason and by other acts of intimidation. But the Negroes are sticking it out, threats or no threats, and are ready, more than likely, to face death for their cause. We didn't know such spunk existed in 'Bama.

The really significant thing in the bus boycott is the way that the Negro people have stuck together for a common cause. The bus company has lost about 75 per cent of its patronage. Ninety per cent of the Negro riders are finding other ways to go to work.

If the Negro people of some northern cities we could name had the "stick-to-itiveness" of the people of Montgomery, Ala., they long since would have had Negro bus drivers on their own transit lines, Negro girls operating telephone switchboards and Negroes employed in other strategic positions.

It looks as if a southern city is going to show us how to fight for our rights. More power to the people of Montgomery! We glory in their spunk.

Fired Minister Offers Apology

Post-Herald Tues. 6-19-56

P. 1

Can't Substantiate Exploitation Talk

B'ham, Ala.

MONTGOMERY, June 18 (AP)—A young Negro minister ousted from his church said tonight he has "no evidence" to substantiate the charges of misconduct he made a week ago against leaders of Montgomery's Negro bus boycott.

385

The Rev. U. J. Fields offered his apology to boycott leaders in a statement prepared for tonight's regular bi-weekly mass meeting to support the six-month-old protest against bus segregation.

Ala.

Last Monday the 25-year-old Baptist minister resigned as recording secretary of the Montgomery Improvement Assn., the coordinating organization for the boycott.

He charged that a few leaders were exploiting the city's 50,000 boycotting Negroes and that funds contributed across the nation to sustain the boycott were being "misappropriated" for "selfish purposes."

The charges were quickly denied by MIA leaders. Fields said a few days later that he would substantiate them "at the proper time."

The minister had no comment today on a 40-0 vote in his Bell St. Baptist Church congregation last night to remove him from the pulpit. A church leader said the action was touched off, after long dissatisfaction, by the charges against the MIA.

Fields' statement tonight declared: "I said what I did about the 'few exploiting the many' and about money being misplaced (not misused) in anger and passion.

"Certainly, there is no evidence available to me to indicate that money has been misplaced and there is no proof that money has been misused by the MIA. . . ."

MIA funds are being used to operate a car pool as a substitute for the city buses that carried 30,000 to 40,000 Negro passengers a day before the boycott began Dec. 5, 1955.

Montgomery Leaders Hail Court Action

World P. 1 Fri. 4-27-56

B'ham, Ala.

MONTGOMERY, Ala. — (INS) — The leader of Montgomery's highly-publicized Negro boycott of city buses hailed the U. S. Supreme Court decision banning segregation on intra-state conveyances.

"We certainly welcome the decision, and all people of good will welcome it, also," the Rev. M. L. King said.

The Rev. King, who is awaiting appeal on his conviction of violating Alabama's anti-boycott law because of his part in the long Negro protest against the Montgomery transportation system, declared:

"It (the Supreme Court ruling) is a reaffirmation that the principle of segregation in all forms is evil and must be eradicated before our Democratic society will come to full maturity."

"This decision is not a victory for the Negro," the Rev. King said, "but justice and Democracy, and all lovers of Democracy will seek to comply in all good faith with this decision.

In addition to the long bus boycott, which has caused the transit system at Montgomery to reduce its service and raise fares, a Federal Court suit is pending attacking Alabama's State law requiring segregation on intra-state common carriers. This is the same type of law which the Supreme Court said was unconstitutional in South Carolina.

Bus Bias Ordered Replaced

World P. 8 Fri. 4-27-56

B'ham, Ala.

Alabama Orders Bus Company To Replace Color Bars Or "Suffer"

MONTGOMERY, Ala. --(INS)-- Montgomery City Bus Lines, Inc., was ordered by the State of Alabama Tuesday to replace the color bars it dropped Tuesday morning, or "suffer the consequences."

The demand came from the president of Alabama's Public Service Commission, as the Capital City's buses began rolling under a new policy of no segregated seating.

It was a paper policy, because the few Negroes riding today moved to the rear of the vehicles of their own accord. City officials vowed to arrest anyone attempting to integrate the races on buses, including drivers.

Most Negroes in the Alabama city stayed off the vehicles as they have done since their boycott began on Dec. 5, but their leaders were meeting to consider their next steps in the long protest.

The bus company adopted its new policy after the Supreme Court held Monday that segregation on Columbia, S. C., buses is unlawful.

Tuesday, C. C. (Jack) Owen, president of the Alabama Public Service Commission, filed a telegram to the bus company ownership, with copies to all other transit firms in the state, saying:

DEFIANT STAND

"All public carriers are hereby directed to strictly adhere to all present existing segregation laws in our state or suffer the consequences."

Owen would not elaborate on the consequences. His telegram was addressed to Roy Fitzgerald, president of National City Lines of Chicago which owns the Montgomery firm. It declared:

"As president of the Alabama Public Service Commission, elected by the people of Alabama, sworn to uphold the segregation laws of this state which include all forms of public transportation, I hereby defy a ruling handed down by the U. S. Supreme Court ordering desegregation on public carriers. Alabama State law requiring segregation of races on buses still stands.

HALT ORDERED

"I demand that you withdraw your order, approving integration on buses in Montgomery."

Mayor W. A. Gayle released a statement after a City Commission meeting Tuesday morning, saying "The City Commission does not consider that the (Supreme Court) decision did construe the Alabama laws or city ordinances by which we are governed. We therefore expect the bus company and all other persons to abide by all existing laws and ordinances."

Police Commissioner Clyde Sellers said, "Anybody trying to race-mix will be arrested, including bus drivers who permit it." Sellers said the court suit attacking Alabama's transportation - segregation laws will be heard in Montgomery on May 11.

Meanwhile, the 25-man executive committee of the Montgomery Improvement Association, which has led the bus boycott, met to draw recommendations. The Rev. M. L. King, Jr., Association president said the recommendations will be put before a mass meeting of Negroes Thursday night. He said:

"There is still the question of Negro bus drivers. There will have to be some solution to that before we end this. The protest is still continuing about 95 per cent effective."

Bus Segregation Was Not Outlawed Monday

Advertiser P. 4-A Mon. 4-30-56

The press in general slipped badly in reporting the action of the Supreme Court in the South Carolina bus case. The Court's terse dismissal of an appeal in this case was widely interpreted by newspapers, including this one, as ending segregation in intrastate transportation. Some reporters eloquently portrayed the Court as embalming the last remains of the separate-but-equal doctrine of *Plessy vs. Ferguson*. Misled by these sweeping statements, many editors played the story on their front pages as one of the most significant news events of the day. *Actually, the Supreme Court had done nothing more than to dismiss an appeal which had been improperly brought.*

Montgomery, Ala.

Thus *The Washington Post* confirms, as we suggested earlier in the week, that the nation's press was guilty of conclusion-jumping and National City Lines of unseemly haste in assuming the Supreme Court had outlawed segregation in intrastate transportation. *The Post*, in thorough fashion, describes how the error was perpetrated.

The court's *per curiam* order said only: "The appeal is dismissed. *Slaker vs. O'Conner*, 278 U.S. 188."

Looking up the 1929 decision cited, reporters picked out such words as "frivolous" and "needlessly consumed our time" and jumped to the conclusion that the court was saying the present appeal was frivolous, thus confirming the Court of Appeals' findings, including the opinion that the doctrine of separate-but-equal is no longer valid.

The significant holding in *Slaker vs. O'Connor* was dismissal of an appeal because the decree of the lower court was not final. In the South Carolina bus case, the question of damages was still to be decided. Thus the dismissal, *The Post* now concludes, was "entirely procedural" and not, as is sometimes the case, an affirmation of the lower court's decree.

There are many reasons why the court may refuse to review a case and seasoned reporters should have known this. But *The Post* concludes, as *The Advertiser* said Thursday, that the Supreme Court is partly to blame for the national confusion and excitement at such a critical time:

> . . . The court might well ask itself if it is doing all it can to prevent misunderstanding of its decisions. The court has an interest in having its rulings properly understood. A few clarifying words in its order in the South Carolina bus case would have saved the press from its error. Without minimizing the responsibility of the press for accurate reporting, the court might well remember the speed with which news stories are customarily written and give some brief warning of pitfalls into which laymen trying to understand its work may otherwise fall.

We trust National City Lines, which is now very far out on a sagging limb, will remember this lesson.

38b 1956

Alabama justice blind to spirit of the law

Afro-American p. 1 Sat. 3-31-56

Baltimore, Md.

By CHARLES H. LOEB

MONTGOMERY, Ala. (NNPA) —Motion denied!

Here in terse legal language, was Alabama's answer to the Rev. Martin Luther King and to 50,000 of his followers on whether they have the right to petition, assemble, and peacefully protest their grievances.

It was a justice indeed blind. Blind both to the spirit and to the letter of constitutional law.

In fining the militant young Montgomery minister $500, and hearing the defense notice of appeal, Judge Eugene Carter, (with the air of a good Southern gentleman dispensing charity to his faithful retainers), approved a mutual agreement between state and defense lawyers that 91 other defendants arrested with Rev. King remain free on their original bails until such time as the remedies in appeal sought in the King case have been exhausted.

CONTRARY TO expectations, this trial was no farcial performance—no arrogant show of Dixie justice at is worst.

It was not dispensed by a tobacco-chewing, backwoods judge addressing his petitioners of color as "boy," or Rufus, or Mandy.

It was prosecuted by able solicitors; the best the City of Montgomery and the Montgomery City Bus Lines could obtain.

They knew well the law under which they had elected to try as conspirators, Rev. King and those associated with him in operating the activities of the Montgomery Improvement Association.

* * *

THE OLD statute they had dug up in their effort to "put an end to this foolishness" had been tailored to their specifications by another generation of Alabamians who were desperately trying to increase union memberships. Sat. 3-31-56

Its original target was against white workers.

Now, in Alabama's great hour of need it was lying there, rusty, unused, never repealed, to be used against this unprecedented show of racial solidarity.

Among the brilliant staff of defense lawyers there was never any doubt about the outcome, though each of the eight scrupulously refrained from such predicting. Baltimore, Md.

Charles Langford, Arthur Shores, Fred D. Gray, Robert Carter, Orzell Billingsley, Peter Hall, Dr. C. Eubanks Tucker and Edmund Ragan, huddled together over the counsel table, exchanging notes, ferreting out witnesses from the tips handed them by Montgomery leaders, were not simply trying a simple misdeameanor in a small-town Circuit Court.

THEY KNEW what they were doing and they knew that they, or a hundred different combination of their counterparts will have to be doing the same thing all over the stubborn Southland before the fine-sounding pronouncements of the United States Supreme Court can have real meaning for colored people in Montgomery, who must either walk or ride the city buses and hear, over and over again . . "to the rear you n—rs."

Judge Eugene Carter knew that they were not really trying the case before his court.

They were trying it before the Supreme Court of the United States.

To their everlasting credit, legal experts who watched their thoroughness, nodded their approval of their efforts.

OBJECTION. Overruled. Objection. Overruled. Until one lost count after it became apparant that the ratio would run something like 20 overruled to 1 sustained.

But the counsel for the Rev. Mr. King and his associates well knew that some nine millions of colored Americans in 17 states of the South were their real clients.

So they refused to be ruffled by the special inflections state prosecutor Thetford gave to his precise "Nigra" when referring to colored people. The two other solicitors found it quite easy to pronounce the acceptable 'Negro.'

Judge Carter, too was a "Negra" pronouncer, as he sat calm, detached, radiating keen enjoyment of his role—holding the ramparts for the segregationists—holding the fort for the Griffins, Eastlands, Ellenders and Talmadges of the defiant South . . . buying time for a crumbling Confederacy that feels its birth pains again, but is afraid to conceive.

* * *

APPEALS ARE long, drawn-out affairs, and costly, too.

So, the South, Alabama, Montgomery, Judge Carter are making it as expensive as possible and as long delayed as trick laws, manifestos, Citizens Councils, economic squeezes, and police state justice can make it.

The result is inevitable, but though Alabama bought time at Montgomery, they have done little to ease the plight of Northern investors, who have their money sunk into the Montgomery City Lines.

Will colored passengers now board the buses?

Some 500 colored persons outside the courthouse, minutes from the finale, told this reporter "No."

Some added, "Never."

They waited outside to cheer, to hug, and to kiss the little leader they have come to trust and adore, and to crowd around him and his attractive and loyal wife with cries, "Hail the King," "Don't worry, we're still walking."

* * *

AND THE City of Montgomery, too, is paying a dear price for this show of Dixie legal strongarm. It has been pretty expensive, this putting "those n—rs in their places."

Montgomery City Lines has lost more than $300,000 in revenue they once collected from passengers who no longer use their buses.

Before the boycott, (as one witness, Mrs. Georgia Theresa Gilmore declared on the witness stand) bus officials couldn't tell white money from colored money.

Now they can.

The white money is far from enough to support the operation. Testimony revealed that colored riders are 70 percent of the company's customers.

Pardon. Ex-customers.

The City of Montgomery loses too. Its interest was a lush two percent of the gross income, but that's only money.

* * *

FAR MORE important though is the fact that observers with eyes to see and ears to hear concede that it has forever lost its power to divide, disrupt, intimidate, and consequently to exploit its colored citizens.

Its stubbornness against yielding to a limited, almost innocuous request that colored citizens, resigned to live with jimcrow for some time to come, be decently treated, be given a fair transportation bargain for the money they spend and be considered for employment by the firm which, without their patronage cannot operate, has lost them much of the time Judge Carter bought for them in Montgomery Circuit Court.

So, as predicted, the "record" has been written, carefully, painstakingly, by brilliant defense lawyers, acting for a calm, non-violent, but nonetheless determined band of 50,000 Montgomery citizens of color.

The Montgomery "Manifesto," the plea of its colored people for the right to peacefully petition, to peaceably assembly, to due process of law, denied Thursday in Montgomery Circuit Court, is on its way to nine men in the judicial robes of the U.S. Supreme Court.

Time, and timid colored southerners are both running out.

Negroes Continue Mass Boycott Of Alabama Buses

Advocate Sat. 3-31-56

MONTGOMERY, Ala., March 26 —Negroes continued a mass boycott of segregated buses, a New Jersey newspaper launched a fund drive to pay the fine and court costs of a Negro clergyman convicted of leading the boycott.

The Asbury Park Press started its campaign with a page 1 story and editorial by Editor Wayne D. McMurray. Jackson, Miss.

The Rev. Martin Luther King, Jr., pastor of the Dexter Avenue Baptist Church at Montgomery, was fined $500 Thursday after a four-day trial on charges of conspiring to boycott city buses.

A spokesman for Montgomery City Lines, Inc., said Sunday that "there might have been a few more Negroes patronizing the bus line than there have been in the days preceding King's trial.

The Asbury Park editor Sunday, sent this telegram to King:

"We of the Asbury Park Press, outraged at the conviction of a fellow American for asserting a right our Constitution guarantees to all, want to help you in your fight for justice. We are starting a fund drive among our readers for money to pay your fine and court costs.

"The Press itself is contributing $50. Checks will be drawn in your name and forwarded to you, or to your attorneys if you prefer."

McMurray said the goal of the Press drive is $1,000, and any money collected above that will go to the pastor to help him pay legal costs. Advocate

McMurray said if eventually the clergyman should be acquited and the fine and costs revoked, King will have the use of the money to pay his legal fees. P. 7

The Press editorial said segregation was "un-American and undemocratic," and declared that Negroes in Montgomery argued "justifiably that they should be allowed to sit where they chose on city buses. . . ."

Empty Buses Still Roll In Montgomery

New Orleans La. Sat. 3-31-56

Montgomery, Ala. (A N P) — Whatever the State of Alabama hoped to accomplish in convicting Rev. Martin L. King for leading a boycott against city buses, one thing is certain—the buses are still empty.

As the boycott entered its 17th week and Rev. King prepared to appeal his conviction, Montgomery's Negroes stood fast by their oath not to ride the buses unless they could be treated like human beings.

If the intent of the King trial was to break the back of the protest, it failed miserably.

Not only did it fail, it also caused widespread criticism of Montgomery authorities. Most positive reaction came from Asbury Park, N. J., where the Press, the city's only daily newspaper started a fund drive to pay Rev. King's fine. P. 1

Elsewhere, editorial comment was almost unanimous against the trials. Perhaps most representatives of what the papers said is the Chicago Tribune's statement:

"The people of this country are accustomed to strikes. They do not ordinarily regard as criminal the efforts of employees to wring concessions from their employer by joint action directed at ruining him if he does not yield . . .

"In face of that familiar fact, the ordinary man is going to find it hard to understand why some of the customers of a bus company may not do in defense of their human dignity, what all the

employees of the same company may do with impunity to gain 50 cents a week. 3-31-56

"In convicting Rev. Mr. King they (city authorities) have managed to provide their opponents with a certified martyr. At the same time they have given the Negroes of Alabama an opportunity to prove that they understand Christian precepts.

"It will be harder from now on o pretend that all the Negroes of labama are so deficient or backard in moral standards that they ust be segregated."

Buses Are Still Empty

Pittsburgh Courier 3-31-56

MONTGOMERY, Ala. (ANP)—Whatever the state of Alabama hoped to accomplish in convicting the Rev. Martin L. King for leading a boycott against city buses, one thing is certain — the buses are still empty.

As the boycott entered its seventeenth week and the Rev. Mr. King prepared to appeal his conviction, Montgomery's Negroes stood fast by their oath not to ride the buses unless they could be treated like human beings.

Negroes Stand Pat in Boycott

Times-Picayune

Undismayed Despite Onset of Legal Reprisals

Sun. 2-26-56

By REX THOMAS

MONTGOMERY, Ala., Feb. 25 (AP)—A historic week of racial unrest in the cradle of the Confederacy found bus-boycotting Negroes undismayed today despite the onset of legal reprisals. P. 20

But there was still an atmosphere of tension which led an investigating grand jury to warn of violence unless race relations in Montgomery take a more favorable course. New Orleans, La.

White and Negro leaders alike have appealed to both races to scorn the use of force and seek instead a law-abiding, peaceful settlement of their differences.

Negro ministers, 24 of their own number charged with violating the state's antiboycott law, answered the mass of grand jury indictments with prayers for "Those who hate us" and with urgent pleas for a continuing campaign of "passive resistance" without violence.

The protest brought promise of support from Negro leaders elsewhere in the United States. A group of clergymen in New York called for a nationwide one-hour work stoppage of all Negroes March 28.

Other Stoppages Hunted

A spokesman said there might be other, prolonged work stoppages and mass fasting by the nation's Negroes unless the crisis in Alabama is ended.

Rep. Adam Clayton Powell (D-NY), a Negro congressman, asked for "White House" protection for the Montgomery Negroes and denounced the grand jury prosecution as a "new low in American barbarism."

The grand jury, which called the 11-week-old protest against segregated facilities on Montgomery City Lines buses an illegal boycott, returned indictments against 100 Negroes last Tuesday.

In each indictment, the bus boycott leaders and participants were charged with violating a 35-year-old law originally enacted as a brake on labor disturbances and rarely if ever used before.

The maximum penalty for each defendant is six months in jail and a $1,000 fine. The trials will start March 19.

'Actions Not Held Illegal'

Until then, Negro leaders have vowed to carry on the bus protest as though no legal action had been taken, because, as Rev. Ralph D. Abernathy said, "Our actions have not been found to be illegal as of this day. The courts will decide that." Abernathy is one of the 24 Negro clergymen indicted.

"Nothing has changed" in the boycott, Abernathy declared meaning the Negroes will continue to find other means of transportation and motor pools will operate as they have since the protest began last Dec. 5. Some of the car pool drivers were among those indicted.

But for 24 hours Friday, to demonstrate their determination to go on foot if need be, the Negroes in uncounted numbers joined in a walk-to-work pilgrimage.

Although City Police Commissioner Cloyde Sellers said it didn't appear that many more Negroes walked than usual, Abernathy said at the close of the day that "We are very much pleased. It was quite successful."

Gratifying, Minister Says

The Baptist minister wouldn't estimate the number who traveled on foot, part of the time in a drizzling rain, but he said reports from "all the various Negro communities were gratifying."

Negroes have refused to ride the buses since one of their race, Mrs. Rosa Parks, was convicted of violating the city segregation laws by refusing to move to the Negro section of a bus. She has appealed to higher courts.

At the outset, the protesting Negroes demanded only a "first come, first served" seating arrangement on the buses, but as the boycott continued, a suit was filed in U.S. District Court challenging constitutionality of state as well as city laws requiring segregation on buses and railroads.

No hearing has been set on the complaint.

The boycott here and the recent rioting against the enrollment of a Negro coed, Autherine Lucy, at the University of Alabama, caused Gov. James E. Folsom this week to recommend creation of a biracial commission to seek settlement of segregation problems.

Editors Endorse Plan

Folsom made the suggestion to a group of newspaper editors and publishers invited by him to a race relations conference. The editors endorsed that plan.

The governor, who is expected to call another in a series of special sessions of the Legislature next week, said he might ask the lawmakers to give official status to the commission and appropriate funds for its work.

In the past, Folsom has refused to put his approval on segregation bills passed by the Legislature. The recently enacted school placement measure and the nullification resolution aimed at preventing classroom integration both went into effect without the governor's signature.

More recently, he has blamed what he called "agitators" in both races for much of the tension.

Since the bus boycott started, an estimated 75 to 95 per cent of the Negroes who normally ride buses have stopped using them. Because of the loss of business, the company won permission from the City Commission to raise bus fares to 15 cents from 10 cents.

Segregationists Backed

All three members of the City Commission have aligned themselves with the segregationist Central Alabama Citizens Council and have abandoned their previous efforts to settle the bus dispute.

A newly organized civic group, the Men of Montgomery, sought thereafter to mediate the boycott, but without success. The bus company agreed to one compromise plan, but the Negroes rejected it on the eve of the grand jury report.

Even before the boycott indictments were returned, however, one of the central figures in the protest, Negro attorney Fred D. Gray, was accused by the grand jury of unlawful practice growing out of the boycott.

Gray, who filed the antisegregation suit in federal court, was charged with acting without the consent of one of the five Negro women whose names were signed to the petition.

Deferment Taken Away

Earlier in the boycott, a local draft board in Montgomery took away the 25-year-old bachelor Gray's deferment as a minister and reclassified him 1A. He was listed as assistant pastor of a church.

The attorney appealed the board's action but was turned down by the Central Alabama Appeals Board. He hasn't said whether he will appeal higher.

Two of the boycott defendants have been the targets of violence but no one was injured. Dynamite bombs exploded at the homes of the Rev. Martin Luther King Jr., and E. D. Nixon, former state president of the National Assn. for the Advancement of Colored People.

Several buses were fired on earlier while making their rounds in Negro sections of the city. The drivers and passengers all escaped injury.

BUS BOYCOTTING NEGROES WALK TO WORK IN RAIN

Daily Tribune

Sat. 2-25-56

Chicago, Ill.

'Thousands' Respond in Renewed Protest

P. 3

Montgomery, Ala., Feb. 24 (AP)—Thru an early morning rain, thousands of bus boycotting Negroes walke to work today in a mass demonstration of what their leaders called "passive resistance" to racial "oppression."

In groups of two and three and more, they trudged as many as two miles from their homes, some carrying umbrellas, some bareheaded.

Meanwhile, the 89 Negroes arrested thus far on mass antiboycott indictments returned by a grand jury appeared in court and pleaded innocent to the charges. Their trials were set to start March 19. All were released on bond.

Walk to Courthouse

Most if not all the defendants arraigned today walked to the Montgomery county courthouse. One of their attorneys, Fred D. Gray, said he walked two miles to his office altho he had left his raincoat downtown yesterday.

Police Commissioner Clyde Sellers questioned the effectiveness of the nonriding campaign, however. He said he saw "a good many cars with Negro drivers" and that "there doesn't seem to be many more walking than usual." Sellers is a member of the pro-white Central Alabama Citizens council.

The 24 hour walk-to-work pilgrimage came in response to appeals from Negro ministers at a hymn-signing prayer meeting last night. All "race loving Negroes" were urged to shun even their private cars to show their determination to carry on the protest against segregated facilities on Montgomery City Lines buses.

Says "Thousands Respond"

Some Negroes rode in cars, but the Rev. Martin Luther King Jr., and the Rev. Ralph D. Abernathy, both Baptist ministers under indictment, said "only a few" failed to join the pilgrimage on foot.

They said "thousands" responded to the walk-to-work appeal.

As the arraignments got under way, charges were dismissed against one Negro minister, the Rev. A. W. Wilson, because he testified before the grand jury which returned the indictments.

After the 89 were arraigned before Circuit Judge Eugene Carter, another defendant, Jackson Knox, surrendered and was added to the list of those in custody, bringing the total to 90.

Attend Prayer Meeting

Circuit Clerk John Mathews said indictments are outstanding against 10 more who haven't been arrested.

All the defendants gathered later at the Rev. Mr. King's church for a mass prayer meeting.

One by one they intoned voluntary prayers after King urged them to "stand up and pray as the spirit moves you . . . pray for God's guidance."

The minister also asked them to ask divine help to "strengthen our walkers today" and to "bless those who are too weak to open their mouths."

Negroes Walk

Herald Tribune

New York

Sunday 2-26-56

It was raining in Montgomery, Ala., on Friday morning, but the sidewalks seemed more crowded than usual while buses were half empty and the private car traffic was light. Vast majority of the pedestrians were Negroes. They were making a "pilgrimage" of protest against indictment and arrest of their leaders by white authorities trying to break up their boycott of the city bus lines.

The boycott began on Dec. 5, when the Negroes organized to seek modification of the segregation rules which now apply on the buses. Under these rules, they are restricted to certain seats in the rear and are frequently forced to stand when seats reserved for white passengers are empty. What they seek is a flexible rule under which Negroes would fill seats from the rear and whites from the front, but there would be no rigid line of demarcation.

From the day it went into effect the boycott has been observed scrupulously. Many Negroes organized car pools. Others walked to work or to stores. Since Montgomery has 42,000 Negroes in a population of 107,000, city-owned bus lines felt the financial pinch immediately, and some routes were discontinued while the fare was raised on others.

When compromise efforts failed, city officials invoked a state law which makes "conspiracy, combination or agreement to interfere with or hinder business, unlawful." They presented the case to a grand jury and that jury returned indictments against 115 Negroes identified as leaders of the movement. Conviction can lead to a maximum fine of $1,000 and a jail sentence up to six months.

The Negroes refused to give in. On the same day as the "pilgrimage" to demonstrate their solidarity, ninety of those indicted appeared in court and pleaded innocent. Their trials have been set

or March 19.

Since this was the largest organized mass defiance of segregation rules ever known, it was followed closely by most of the South as well as other parts of the country. There was real fear of violence, but so far the Negroes have been pursuing what their leaders call "passive resistance."

In Louisiana, Roman Catholic Archbishop Joseph Francis Rummel denounced segregation as "morally wrong and sinful." He indicated that he intends to integrate the races in the parochial schools of New Orleans. A few days later "Catholic Action of the South," official newspaper of his archdiocese, announced that any Catholic lawmakers who support legislation to enforce segregation in private schools will be subject to automatic excommunication if such laws are passed.

NOT GUILTY PLEA IN BUS BOYCOTT

Times-Picayune

Negroes Walk to Work in Segregation Protest

Sat. 2-25-56

By REX THOMAS

MONTGOMERY, Ala., Feb. 24 (AP)—Shunning rides, Negroes in uncounted numbers walked the streets of Montgomery today to demonstrate their continued protest against segregation on city buses.

New Orleans, La.

They trudged to work through a drizzling rain in response to an appeal from their leaders for a mass 24-hour pilgrimage on foot to prove their willingness to walk if necessary to carry on their 11-week-old bus boycott.

P. 4

Ninety of them walked to the courthouse for arraignment on antiboycott indictments returned by a grand jury Tuesday. They all pleaded innocent and their trials were set to start March 19.

A court officer said 10 or more warrants are outstanding, bringing the total number of defendants to 100.

Demurrers Filed

Defense attorneys at the same time filed demurrers contesting the indictments which charged violation of Alabama's law against "illegal" boycotting. Maximum penalty under the law is six months in jail and a $1,000 fine.

Circuit Judge Eugene Carter withheld a ruling on the demurrers which said, in effect, that the state has failed to make out a case even if the facts alleged in the indictments are true.

Meanwhile, at the Alabama Capitol, Gov. James E. Folsom won support from a group of newspaper editors and publishers and radio and television broadcasters for a proposed biracial commission to settle differences between the white and Negro races.

Folsom called the conference to seek a program of resolving racial disputes without violence. Approximately 75 newspapermen and radio and TV broadcasters attended the meeting.

Negroes Walk to Work

Two of the boycott leaders estimated meanwhile that "thousands" of Negroes walked to work this morning, refusing even to drive their own cars. The Rev. Ralph D. Abernathy and the Rev. Martin Luther King Jr., both Baptist ministers under indictment, said "only a few" of their race rode in cars.

But Police Commissioner Clyde Sellers, a member of the pro-white Central Alabama Citizens Council, questioned the effectiveness of the pilgrimage. He said he saw "a good many cars with Negro drivers" and that "there doesn't seem to be many more walking than usual."

A Negro taxicab owner, Felix Thomas, said his business was "excellent" but that "a whole lot of Negroes" were walking, some refusing offers of rides.

"It looked like school turning out when they walked down the street," Thomas added.

89 Up for Arraignment

Eighty-nine Negroes were called up for arraignment before Judge Carter and another, Jackson Knox, appeared in the courtroom a short time later. He had just been arrested.

Arraigned separately, he pleaded innocent like all the rest.

An indictment against one Negro minister, the Rev. A. W. Wilson, was dismissed at the request of Circuit Solicitor William F. Thetford because Wilson testified before the grand jury which returned the indictments. Judge Carter said that made him immune from prosecution.

Ten other charges were dropped against Negroes who had already been arraigned on other indictments. Some defendants had two or three charges against them. Thetford reduced them to one apiece.

Pray for Guidance

From the courthouse, the defendants walked four blocks to the Rev. King's Dexter Avenue Baptist Church for another mass prayer meeting. One by one they lifted their voices in prayer as King invited them to "stand up and pray as the spirit moves you . . . pray for God's guidance."

In Birmingham, Negro Methodist ministers appealed to both races there to fast and pray for the people to be "moved more by reason than by emotion." They urged that next Tuesday be observed as a day of fasting and prayer throughout that city.

Northern control of boycotted Alabama bus line, revealed

Inclusive 13

Los Angeles Calif.

CHICAGO—National City Lines, which operates the jim crow bus lines in Montgomery, Alabama, which Negro citizens are boycotting, is a nationwide transit trust controlled by northern financial interests, the Chicago branch of the Naacp disclosed today

The trust, with headquarters at 616 S. Michigan, Chicago, is a holding company with more than 40 subsidiary transit systems in cities from coast to coast.

Representatives of the National City Lines were interviewed last week by Willoughby Abner, president of the Chicago branch Naacp, and the Rev. A. Lincoln James, pastor of Greater Bethesda Baptist church, and Charles Hayes, director of Dist. 1, United Packinghouse Workers.

Representing National City Lines at the conference were K. E. Tottem, manager and B. W. Franklin, vice-president.

Company officials promised to have a statement on the position of National City Lines within a few days.

P.M. 3-9-56

In a statement after the conference, Abner said, "Of course, the company will claim that they are only running the bus lines in Montgomery in accordance with the laws and customs of Alabama, but this by no means relieves them of responsibility for working out an honorable settlement in the Montgomery situation.

Spokesman for millions of outraged Negro citizens and liberal whites are letting the directors of National City Lines and its subsidiaries know of the nationwide solidarity with and support for, the bus boycotters."

Gerald D. Bullock, president of the Naacp, asked branches of the association in the 10 Illinois cities where National City Lines operate to send protest delegations to the local officials of the company.

The subsidiary companies of National City Lines, which are wholly owned by it, operate the bus lines in more than 40 cities serving more than four and a quarter million people and have a large interest in transit systems serving millions more.

In 1954, National City Lines paid a dividend of $1.60 per share. Gross revenue of National City in 1954 was $27,162,137.

Of the directors of National City Lines, there is Laurence M. Marks, of New York City, an investment banker who heads his own financial house and a former governor of the New York Stock Exchange. He is also a trustee of the quarter billion dollar Brooklyn Savings Bank, and a director of Shamrock Oil and Gas Co. of Amarilo, Tex. which is controlled by the Mellon family, of Pittsburgh.

Another is C. Frank Reavis, New York, who is on the board of the Baltimore and Philadelphia Transit companies, in which National City Lines has big investments. He also serves on the boards of Northwest Airlines and the Bohack grocery chain.

Still another director of National City Lines is D. H. Pratt, president of Philadelphia Transit and a director of the Baltimore Transit.

The Philadelphia company is in bad with Philadelphia citizens for its service and efforts to break the CIO Transport Union some years ago. Employees of the Baltimore company have been on strike for more than four weeks, demanding a wage increase and better pension plan.

CONTROLS L. A. TRANSIT LINES

On the west coast, where National City Lines operate the transit systems in moref than a dozen California cities, the director is E. C. Houghton, of Los Angeles, president of Los Angeles Transit Lines, in which National City Lines has a controlling interest. President of National City Lines also holds a directorship of L. A. Transit Lines.

R. Stewart Moore, another National City director, is an official of the Key Spstem Transit Lines, which operates between San Francisco and Berkeley, Oakland and other East Bay cities.

The transit union struck for weeks against this line several years ago.

Two directors of National City Lines live in St. Louis where both are directors of the St. Louis Public Service Co., whose chairman is E. Roy Fitzgerald, of Chicago, president of the National City Lines.

Director John L. Wilson is also a director of the Anheuser-Busch brewery and of the half billion dollar First National bank of St. Louis.

David R. Calhoun, president of the St. Louis Public Service Co. and National City Lines director, also has interest in Budweiser beer, and is connected with 18 companies, among them the Pullman Co.

California cities which National City Lines wholly owns or has large investments in the transit system, are: Los Angeles, Glendale, Long Beach, Pasadena Sacramento, San Jose, Stockton, Oakland, Berkeley, Alameda and other East Bay cities.

CITY BUS PROTEST TRIALS START IN MONTGOMERY

Daily World P. 1 Tues. 3-20-56 Atlanta, Ga.

Boycott Trials Starting In Montgomery Today

Constitution P. 2 Mon. 3-19-56 Atlanta, Ga.

MONTGOMERY, Ala., March 18 (AP)—The opening trials for 93 Negro leaders accused of directing Montgomery's bus boycott will start tomorrow.

Circuit Judge Eugene Carter is first expected to rule on defense demurrers which challenge constitutionality of the state's anti-boycott law under which the indictments were returned.

Carter, who directed the grand jury to investigate the 16-week-old boycott, also will decide on the guilt or innocence of the 93 defendants. They have waived the right to jury trials.

Defense attorneys declined to say if they will ask for separate trials.

SEATING PROTEST

Twenty-five ministers were among those indicted by the grand jury as leaders or active participants in the bus boycott which has continued since Dec. 5 in protest to segregated seating required by city and state law.

After the indictments were returned Feb. 21, Negro attorneys filed the demurrers to lay the groundwork for an appeal to federal courts if the defendants are convicted.

Alabama's 1921 anti-boycott law was primarily aimed at labor disputes. Its constitutionality was upheld by the State Supreme Court in 1943. The U.S. Supreme Court twice refused to review the case on grounds that no federal rights had been violated.

The law makes boycotting "without just cause or legal excuse" a misdemeanor punishable by a maximum of six months in prison and a fine of $1,000.

CHARGE RIGHTS VIOLATED

It was attacked in the defense demurrers as violating such constitutional rights as free speech, freedom of worship and peaceful assembly, and equal protection under the law.

Summoned to appear along with 74 other witnesses are Mayor W. A. Gayle and the other two members of the City Commission, Police Chief G. J. Ruppenthal and J. H. Bagley, manager of the Montgomery City Lines, Inc., the bus company whose operations have been crippled by the boycott.

The reluctant admission was drawn from the Rev. A. W. Wilson, a prosecution witness in the trial of Rev. King who is the first of 93 leaders to go on trial in connection with the Alabama capital's 16-week-old bus boycott.

To question after question Wilson replied: "I don't recollect."

Finally Assistant Prosecutor Robert Stewart, discussing a meeting of Negro leaders with city officials, asked: "Do you recall whether or not the Rev. King stated in substance that he or his organization was out to change the segregation laws?"

Wilson replied: "Yes, I guess he did."

King is president of the Montgomery Improvement Association which the state attempted to show was created solely to instigate the bus boycott which began last Dec. 5.

The first state witness, J. H. Bagley, manager of the Montgomery City Lines, testified that "five or six per cent" of the company's one-time Negro riders are still riding the buses. The testimony Bagley was to give bogged down in a rash of objections from eight defense attorneys and he was released to be called later in the trial.

One of the prosecution staff explained it had been the strategy to have Bagley give an overall picture of the bus boycott. However, repeated rulings by Circuit Judge Eugene Carter barred Bagley's replies because they were not directly connected to the defendant, Rev. King.

Rev. King and the other defendants are accused of violating the Anti-Boycott Law. The statute, under which they are accused, provides upon conviction fines ranging up to $1,000 and jail sentences up to six months.

Another state witness, Mrs. E. A. Dungee, said a $5,017 check drawn on funds contributed to support the lengthy boycott was made out to cash, endorsed by the Rev. King and deposited in an Atlanta, Ga. bank.

Mrs. Dungee, a Negro, who is financial secretary of the M.I.A., said the purpose of the $5,017 check was "transfering money from the National Bank of Alabama to another bank."

Asked if the bank was in Atlanta, the Rev. King's hometown, she replied, "Yes."

The Reverend King later told newsmen:

"That money was transferred for a definite purpose. I cannot divulge what it was for because I think the reason will be used as part of the case. I have heard a rumor about me using it to buy a Cadillac automobile, which is absurd."

Mrs. Dungee said the M.I.A. had collected approximately $30,713 in contributions for support of its work. She identified large stacks of checks after carefully thumbing through them, as payments made to service stations for gasoline or to individuals for "driving."

Daily World P. 1 Tues. 3-20-56 Atlanta, Ga.

PROTEST FIGURES SHOWN left to right are: Mrs. Rosa Parks, whose arrest set off the boycott; the Rev. M. L. King, Jr., president of Montgomery's Improvement Association; the Rev. R. D. Abernathy, key protest figure and Atty. Fred G. Gray, legal counsel.

Ninety Separate Trials Ordered For City's Negro Leaders

BY ROBERT H. DENLEY

MONTGOMERY, Ala. — (INS) — A Negro minister testified Monday that he had heard a colleague, the Rev. M. L. King, Jr., state in substance that he or his organization was out to change the segregation laws in Montgomery, Ala.

Boycott Trials Set Monday in Montgomery

Journal & Constitution Atlanta, Ga.

By REX THOMAS

MONTGOMERY, March 17 (AP). Raising the issue of free speech, 93 Negroes, including 25 clergymen, face trial here Monday for the mass refusal of their race to ride segregated city buses.

They have waived the right of jury trial, choosing instead to let Circuit Judge Eugene Carter decide their guilt or innocence. That is permissible under Alabama law in a misdemeanor.

Defense attorneys declined to disclose the reasons for that decision.

Aug. 3-18-56

The Negroes were indicted by a predominantly white grand jury Feb. 21 as leaders and active participants in the 16-week-old boycott of Montgomery City Lines buses which has continued without pause since last Dec. 5.

* * * 8-19-A

SOME OF the defendants, particularly the ministers, were charged with lending vocal encouragement and leadership to the protest which has cost the bus line 75 to 95 per cent of its normal Negro business.

Others were indicted for using their automobiles in organized car pools which has enabled thousands of workers to get to and from their jobs.

In periodic mass meetings in their churches, Negroes have heard dramatic appeals from the ministers for "passive resistance to oppression" without violence. With their financial contributions, they have kept the motor pool rolling at a cost of $200 a day.

The indictments were returned under a rarely used state law originally aimed at labor strife and never before used except in union-management disputes. The law prohibits organized boycotting "without just cause or legal excuse."

Maximum penalty for each defendant is six months in jail and a $1,000 fine.

NEGRO DEFENSE attorneys, attacking constitutionality of the statute, have raised the issue of free speech, freedom of worship and peaceful assembly, and equal protection under the law.

Contending that the indictments violate their rights guaranteed under the U.S. Constitution, they laid the groundwork for an appeal to the federal courts if convicted. The state supreme court upheld the validity of the anti-boycott law in 1943.

Judge Carter must rule on defense demurrers before the trials begin.

The demurrers, which say in effect that the boycotters have committed no unlawful act, were filed after the Negroes were arraigned on the indictments and pleaded innocent.

Since each defendant can demand a separate trial, the proceedings could stretch out for weeks, perhaps months. Or, if some are convicted and it appears likely they will appeal to the U.S. Supreme Court, the remaining trials may be postponed pending the outcome of those appeals.

* * *

NEGROES elsewhere have pledged their support to the boycotters, hinting even at similar protest demonstrations against other Southern subsidiaries of National City Lines of Chicago, parent company of the Montgomery bus line.

There have been relatively few acts of violence in the lengthening dispute, although the grand jury warned that trouble is "inevitable" unless race relations take a new course.

A dynamite explosion the night of Jan. 30 damaged the home of the Rev. Martin Luther King Jr., one of the boycott spokesmen later indicted. Two nights later, a bomb went off in front of the home of E. D. Nixon, another of the defendants. No one was injured in either incident.

The economic cost of the boycott hasn't been counted, but the bus company has raised its fare from 10 to 15 cents and eliminated some routes through Negro areas.

BUS BOYCOTT TRIAL TO OPEN TOMORROW

Commercial Appeal P. 6

More Than 90 Defendants Will Face Charges

Memphis Press

DEFENSE IS STUDIED

Sun 3-18-56

By GLENN ANTHONY
United Press Staff Correspondent

MONTGOMERY, March 17.—More than 90 leaders of the local Negro community will file into Montgomery's century-old courthouse Monday as the legal curtain rises on perhaps the most dramatic act yet in this city's celebrated bus boycott.

The Negro leaders, men and women and including 24 ministers, are defendants named in 11 indictments returned by a grand jury Feb. 21.

The state charges them all with entering into a conspiracy to boycott the segregated city buses.

Penalties Are Cited

They are indicted under a little-used 1921 law aimed at a labor crisis which makes it a misdemeanor punishable by six months in jail and/or a fine of $1000 for two or more persons "who, without a just cause or legal excuse for so doing, enter into any combination, conspiracy, agreement or arrangement, or understanding for the purpose of hindering, delaying or preventing any other persons, firms, corporations from carrying on any lawful business."

A battery of five Negro lawyers will defend the Negroes against the prosecution led by Solicitor William Thetford.

Trial procedures were not to be set until court convenes. Mr. Thetford, who says the defendants "have a right at any time to demand a severance" (that is, to be tried separately), adds that he "has the right to say which case comes up when."

Negro attorney Fred Gray, heading the defense lawyers, declined to say if his clients would ask for separate trials.

The exact number of defendants who will face trial in the coming weeks has not been determined. Deputy sheriffs arrested 90 Negroes immediately after the indictments were returned, and they were arraigned and pled "not guilty."

But a few arrests are reported to have been made since then and Mr. Thetford said, "I really do not know how many defendants there are."

Boycott Continues

The trials will be played out against a background of an unprecedented race boycott that has not faltered since it began Dec. 5—not even when racial tension reached its highest peak at the time of the grand jury report.

Tension between negroes and whites has eased since then, but city buses still are practically devoid of Negro passengers and the bus company recently announced further cutbacks in service.

The boycott was touched off by the arrest of a Negro steamstress, Rosa Parks, who is also a defendant in the boycott cases. She was convicted of failing to observe the "jim crow" laws on the buses, and Negro leaders called a "one-day protest" that has stretched into 14 weeks and shows no signs of ending.

Negro leaders formed the Montgomery Improvement Association, composed primarily of ministers, that has given the boycott leadership.

The association organized car pools to get Negroes to work and school and holds two mass meetings a week at which Negroes pray and sing together and discuss their "protest."

Changes Demanded

The boycotters have steadfastly stuck to their demand for a "first come, first served" seating policy on the buses in the face of rejections by city officials and the bus lines. They said the new policy would prevent Negroes from having to stand on buses when there were empty seats in the white sections and would put an end to Negroes having to vacate their seats and stand so that whites might sit.

Efforts of the city commission and bus lines officials to negotiate a settlement ended in failure with one side maintaining that the "first come, first served" policy would not fit under city and state segregation laws and the others claiming it would.

Gray, representing four negro women, filed a federal court suit in February asking that state and city segregation laws be declared unconstitutional. The case has not been set for trial.

The bus company, badly hurt by the loss of revenue from Negro passengers who once made up 75 per cent of the busloads, has hiked fares by 50 per cent and reduced its routes, drivers and equipment.

BOYCOTT TRIALS SLATED MONDAY

Times-Picayune

93 Accused Raise Issue of Free Speech

Sun. 3-18-56

By REX THOMAS

MONTGOMERY, Ala., March 17 (AP) — Raising the issue of free speech, 93 Negroes including 25 clergymen face trial here Monday for the mass refusal of their race to ride segregated city buses.

They have waived the right of jury trial, choosing instead to let Circuit Judge Eugene Carter decide their guilt or innocence. That is permissible under Alabama law in a misdemeanor. P. 16

Defense attorneys declined to disclose the reasons for that decision. New Orleans,

The Negroes were indicted by a predominantly white grand jury Feb. 21 as leaders and active participants in the 16-week-old boycott of Montgomery City Lines buses which has continued without pause since last Dec. 5. La.

Car Pool Continues

Some of the defendants, particularly the ministers, were charged with lending vocal encouragement and leadership to the protest which has cost the bus line 75 to 95 per cent of its normal Negro business.

Others were indicted for using their automobiles in a precisely organized car pool which has enabled thousands of workers to get to and from their jobs.

In periodic mass meetings in their churches, Negroes have heard dramatic appeals from the ministers for "passive resistance to oppression" without violence. With their financial contributions, they have kept the motor pool rolling at a cost of $200 a day.

The indictments were returned under a rarely used state law originally aimed at labor strife and never before used except in union-management disputes. The law prohibits organized boycotting "without just cause or legal excuse."

Raise Free Speech Issue

Maximum penalty for each defendant is six months in jail and a $1,000 fine.

Negro defense attorneys, attacking constitutionality of the statute, have raised the issue of free speech, freedom of worship and peaceful assembly, and equal protection under the law.

Contending that the indictments violate their rights guaranteed under the U.S. Constitution, they laid the groundwork for an appeal to the federal courts if convicted. The state Supreme Court upheld validity of the antiboycott law in 1943.

Carter must rule on defense demurrers before the trials begin.

Carter is the judge who directed the grand jury to investigate the bus boycott.

The demurrers, which say in effect that the boycotters have committed no unlawful act, were filed after the Negroes were arraigned on the indictments and pleaded innocent.

Each Can Ask Separate Trial

Since each defendant can demand a separate trial, the proceedings could stretch out for weeks, perhaps months. Or, if some are convicted and it appears likely they will appeal to the U.S. Supreme Court, the remaining trials may be postponed pending the outcome of those appeals.

Fred D. Gray, one of the defense lawyers, declined to say what course he and his colleagues will pursue. Likewise, circuit solicitor William F. Thetford said he wasn't in a position to tell which defendant he will call to trial first.

The bus boycott began with the arrest and conviction of a Negro seamstress, Mrs. Rosa Parks, for refusing to move to the colored section of a bus. City and state laws require separate seating facilities.

Challenge Segregation

At the outset, Negroes demanded only a better seating arrangement, a "first come, first served" plan where Negro riders would be seated from the rear and white passengers from the front until all places were taken.

Later, as the boycott continued, the Negroes challenged the segregation pattern itself with a suit in U.S. District Court attacking the city and state laws as unconstitutional. No hearing has been scheduled on that complaint.

There have been relatively few acts of violence in the lengthening dispute although the grand jury warned that trouble is "inevitable" unless race relations take a new course.

38b 1956

ALABAMA

BUS BOYCOTT

BAGLEY STRICKEN

Confusion Clouds Bus Line Dispute

Advertiser Thurs. 4-26-56 P.1

Montgomery,

By STEVE LESHER

Conflict raged yesterday among all elements concerened in the 20-week-old Montgomery bus boycott and the sudden decision to desegregate the local buses.

All parties operated with apparent confusion as to their next move as each struggled to arrange meetings with the other. There is even confusion on exactly what the Supreme Court intended to do in its ruling. Its meaning, therefore, is clouded in doubt.

The obvious tension was unhappily dramatized through a severe heart attack suffered by J. H. Bagley, superintendent of Montgomery City Lines Inc.

Besides Bagley, other prominent figures in the Montgomery dilemma are Benjamin W. Franklin, vice president of National City Lines, parent company of the local company; Robert Thrun, attorney for the national company; the Rev. M. L. King, president of the Montgomery Improvement Assn., the group directing the boycott; Mayor W. A. Gayle and City Commissioners Clyde C. Sellers and Frank W. Parks and C. C. (Jack) Owen, president of the Alabama Public Service Commission.

A brief resume of the situation:

1. The city has promised to arrest any persons who violate segregation statutes and any bus driver who does not enforce segregation on the buses.

2. The bus coopany has issued orders to its drivers not to enforce segregation and not to enforce integration.

3. The Negroes are continuing to boycott the buses apparently because their demand for Negro drivers for predominantly Negro routes has not been met.

4. The bus company stated that due to contracts with the union, the hiring of any new drivers, white or Negro, virtually would be impossible.

5. The Alabama PSC has stated that the Supreme Court ruling applies only to South Carolina.

6. Attorneys for the bus company have stated that the ruling appears to be applicable in Alabama.

Officials of National City Lines Inc., revealed yesterday that compliance with demands for Negro bus drivers for predominantly Negro routes would be difficult at this time.

Vice President Franklin of the parent company located in Chicago and National City Lines Atty. Thrun told The Advertiser that "due to company contracts with the bus drivers' union, circumstances would virtually prevent us from hiring anyone, be he white or Negro."

Franklin explained that contracts with the union specify that no new driver may be hired until all furloughed drivers are recalled to their jobs. He said at least 36 men had been placed on furlough, apparently due to the boycott.

Another section of the contract, he said, prevents placing new men on any specified routes. Men with highest seniority, he said, get preference on routes. New men "have to take what they can get." He explained that would open the possibility of having Negro drivers on predominantly white routes. No Negro has ever applied for position of bus driver with Montgomery City Lines.

King, spokesman for the Negroes who have boycotted the city buses for the past 20 weeks, said earlier that if applications from Negroes for the position of bus driver were examined "with the same equanimity as. . .an application from a white person. . .that might satisfy our people."

INJUNCTION EYED

Meanwhile, city officials told reporters that the bus company would have to abide by city and state ordinances concerning segre- "if they are to continue their operations here."

Mayor Gayle and Commissioners Sellers and Parks indicated yesterday they might seek a court injunction against the company if "they violate local segregation statues."

City officials and representatives from National City Lines were trying to arrange a meeting late yesterday. A mass meeting of Negroes will be held tonight at the Day Street Baptist Church. King said earlier that "decisions of the Montgomery Improvement Assn. will be announced at that time. At present our position is not changed." King added the boycott would continue.

King was not available for comment concerning union contracts with the bus company.

INTERVIEW GRANTED

Franklin granted an interview to The Advertiser yesterday morning following a brief conference with television photographers. Following is the text of the interview:

Q. Was the order for desegregation on buses a "snap judgment" order following the Supreme Court decision on South Carolina?

A. No, the order was a matter of considered judgment following several months of study by our legal department. They began to investigate the matter after the lower court in South Carolina had made its ruling.

Q. Why was the company willing to renew its franchise in Montgomery?

A. We've operated here for 20 years and we've always had good relations here. In the new contract, which is for 10 years, there was no mention of segregation.

Q. From your standpoint, is there a possibility of operating separate buses for white and Negroes?

A. From an economical standpoint that would be impractical. From a standpoint of segregation, we have not yet considered that possibility.

Q. Did the order to desegregate buses in the Southern cities emanate from Chicago?

A. The order emanated from the legal branch of the company.

Q. In view of the position taken by the city and state, how do you plan to enforce a first come, first served policy of seating?

A. We are not a police body. We will not attempt to enforce segregation and we will not attempt to enforce integration.

Q. If a driver is arrested for not enforcing segregation as the city has threatened, what will your stand be?

A. If a driver is arrested for obeying our instructions, certainly we'll help the man.

It was apparent that King and other members of the Montgomery Improvement Assn. were pleased with the ruling made late last Monday night by J. H. Bagley, superintendent of the local bus line.

EQUALLY APPARENT

It was equally apparent from King's early statements that one barrier to ending the boycott was the agreement to hire Negro bus drivers

Observing the paradox of Negro demands and company-union contracts, the outcome is a matter of hign specualtion.

In another unexpected development early yesterday, Bagley was stricken with a heart attack only a short time after he had concluded a conference with Franklin, Thrun and Jack Crenshaw, attorney for the local ine.

Bagley was hospitalized here at 12:15 a.m. and was placed in an oxygen tent. He was still in the tent late afternoon. His condition was reported as "serious."

The company's decision followed a U.S. Supreme Court ruling Monday holding bus segregation unconstitutional.

President Owen of the PSC sent a telegram to President Roy Fitzgerald of National City Lines demanding withdrawal of the integration order. Franklin yesterday indicated that the order would not be withdrawn.

Negroes Vote To Continue

Advertiser Fri. 4-27-56

Bus Boycott

Montgomery,

Resolution Asks City To Withdraw Threat To Drivers

Ad. Sp.

By STEVE LESHER

More than 3,000 cheering Negroes unanimously approved a resolution to continue the five-month-old boycott of city buses until the city withdraws its threats to arrest passengers and drivers who violate existing segregation laws.

Rev. M. L. King, president of the Montgomery Improvement Assn., read the resolution proposed by the executive committee of the MIA. The resolution praised the Supreme Court and National City Lines Inc. and its local subsidiary for their stands for desegregation.

The resolution began by reviewing the Negroes' reasons for beginning the boycott and continued by reporting the Supreme Court's decision made last Monday and the orders issued by the bus company.

SEVERAL CITIES

After stating reliable sources reported white and Negro passengers ride integrated buses in "several Southern cities, including Richmond, Va.; Little Rock Ark.; Dallas, Tex., and others," King continued:

"Whereas the public officials of . . . Montgomery and . . . Alabama have indicated . . . that they intend to . use all means available, including the arrest of bus drivers and passengers who refuse to abide by and obey the segregation laws . . it is . . . agreed that the conditions heretofore existing remains the same because of the position taken by our public officials.

"Be it therefore resolved that we, the Negro citizens of Montgomery, Ala. . . . will continue to carry on our mass protest . . ."

The resolution was greeted with a thunderous ovation from the Negroes who massed in Day Street Baptist Church.

King urged that Negroes "not abuse" their "new rights and privileges." He added "a great adjustment needs to be made" among the Negroes.

PRAYERS FOR BAGLEY

He urged the throng to pray for the recovery of J. H. Bagley, superintendent of Montgomery City Lines, Inc., who suffered a heart attack early Wednesday.

He also urged prayer for the City Commission "to lift them from the darkness of injustice . . ."

Meanwhile, no solutions to the conflicts in their stands were forthcoming from a lengthy meeting yesterday afternoon between officials of National City Lines Inc. of Chicago, Montgomery City Lines Inc. and Montgomery city commissioners.

REVOKE CHARTER

In a statement issued earlier by Mayor W. A. Gayle and City Commissioner Frank W. Parks and Clyde C. Sellers it was indicated the city would seek to revoke the bus company's franchise if the company failed to uphold segregation laws.

Vice President Benjamin W. Franklin of National City Lines, parent company of the local firm, has taken a stand that the company "is not a police body. We will not enforce segregation and we will not enforce integration." Franklin said the company would "certainly help" a bus driver "if he was arrested for obeying our instructions."

Advertiser

After the two and one-half hour meeting in the offices of City Atty. Walter Knabe, Mayor Gayle issued the following brief statement:

P.2-A

"The City Commission has. . . taken the position that the . . . decision of the . . . Supreme Court did not pass on the statutes of Alabama and the . . . City of Montgomery. We are now advised that there is a question as to whether the Supreme Court passed . . . on the statutes of South Carolina.

NO CONCLUSIONS

"We have conferred with representatives of the City Lines but have reached no conclusions. Our conferences will be resumed on . . . Friday or Saturday.

"The City Commisison adheres to the position it has originally expressed that it will enforce all applicable Alabama statutes and city ordinances."

Montgomery City Lines representatives had "no comment" to reporter's questions. At the meeting besides the city commissioners, Knabe and Franklin were City Clerk Silas Cater, City Atty

Miles S. Hall, National City Lines Atty. Robert Thrun and Montgomery City Lines Atty. Jack Crenshaw.

Franklin said later that no meeting with Negro leaders had been planned.

Capital Bus Boycott Still Stalemated

Post-Herald Sat. 4-28-56 B'ham, Ala.

Bus, City Official Talk Things Over

MONTGOMERY, April 27 (AP)—Bus company and city officials tried again in vain today to break a stalemate in their talks about bus segregation.

Mayor W. A. Gayle issued a statement saying Montgomery City Lines "will be required" to obey city and state segregation laws although the company has announced it will no longer enforce segregation.

Negroes meanwhile continued their five-month-old boycott of the buses despite the integration order issued Monday night. They agreed at a mass meeting last night to refrain from riding until public officials agree to accept desegregation.

Gayle's statement following the second bus company-city commission conference in two days:

"No agreement has been reached. The City Commission has advised the company that all laws and ordinances will be enforced and that the commission will require the company to follow to the letter all laws and ordinances."

The commission earlier had threatened to seek revocation of the bus franchise unless the company rescinded its integration policy.

B. W. Franklin, vice president of National City Lines, Inc., of Chicago which owns the Montgomery company, declined to comment after today's meeting.

Police Commissioner Clyde Sellers has ordered the arrest of any passenger who mixes with the opposite race and any bus driver who permits it.

City and state laws require segregation on all public transportation and the commission here insists the statutes are still valid.

Sellers' threat and a similar promise of reprisals from President Jack Owen of the Alabama Public Service Commission prompted Negroes meanwhile to continue the bus boycott.

A suit specifically challenging constitutionality of Montgomery city and Alabama state segregation laws is on file in Federal Court and a hearing has been set for May 11 before a three-judge panel.

South's Negroes wholeheartedly for integration, Naacp says

Tribune Los Angeles, Calif. Fri. 3-16-56 p. 13

MONTGOMERY, Ala. — The Naacp has opened its annual membership drive here, seeking 5000 members in this city and 15,000 in the entire state.

Pledging support and legal assistance to the bus boycott initiated by the Montgomery Protective ass'n. here, Gloster B. Current, Naacp director of branches, spoke Sunday, praising the "non-violent passive resistence" of the campaign as "unprecedented." (Tribune note: Except for the preceding example — the most conspicuous since Christ, of one Mahatma Ghandi, of India.)

Fri. 3-16-56

Passive resistence is "in keeping with the best traditions of Christianity and democracy", Current said.

The Naacp leader was preoccupied with answering the claims of southern whites that northerners only are pushing desegregation.

Sixty-eight percent of Naacp branches are in the South, Current said. "Of the total Naacp membership of 300,000, 45 percent lives in the 17 southern states and the District of Columbia.

"The southern Negro is whole-heartedly in accord with the policy and program which seek to rid the South of segregation."

With reference to the expulsion of Autherine Lucy, Naacp-sponsored litigant in the suit to compel admission of Negroes to the University of Alabama, Current 'wondered', "now that the trustees have (expelled) Miss Lucy on the rather tenuous grounds that she made an injudicious statement against them, will they act to expel Leonard Wilson, pre-law student who is the darling of the Alabama White Citizens' Councils?" (Tribune note: Wilson was expelled Monday on same grounds.)

Wilson has challenged the authority of president O. C. Carmichael, of the University of Alabama, and publicly abused him for admitting Miss Lucy originally, Current said, adding: "His leadership points up the shallowness of the White Citizens' cause. When 'children' can sound the keynote for bigotry, to what depth have the intelligent citizens of Alabama descended?"

Rabbis pledge support to Alabama protest

Tribune Los Angeles, Calif. Sat. 3-17

Wholehearted cooperation of Jewish rabbis of the city, was pledged this week to the Alabama Rally and Protest meeting, slated for the Olympic auditorium Mar. 27, which will have the Rev. Ralph D. Abernathy, second in command of the Montgomery bus boycott and one of 24 ministers of that city indicted for inciting the boycott, as speaker.

Fri. 3-16-56

Rabbi Aaron Wise has pledged the Jewish rabbis' support, the Rev. Maurice A. Dawkins, one of the recently organized Southwest Pacific Ministers' association, which is sponsoring the rally in collaboration with civil rights organizations, reported.

Directly concerned, since the law under which the 89 Negro leaders were indicted was passed in 921 to restrict union activities of coal miners, is organized labor; and labor, too, has pledged support to the protest, the sponsors said.

Alabama petitions Supreme Court—

News Mon. 8-23-56

Clear-cut bus segregation ruling asked

B'ham, Ala. P. 1

WASHINGTON, D. C., Aug. 23—The State of Alabama called on the U. S. Supreme Court today to "face squarely the truth and reality" that peace and order cannot be maintained in Montgomery, Ala., "if, by court decree, a Negro man is permitted to sit by a white woman" on public buses.

The demand was made in a jurisdictional statement filed by Alabama Attorney General John Patterson in appealing from the June 5 decision of a 3-judge Middle Alabama Federal District Court that Alabama's state laws and municipal ordinances requiring racial segregation on municipal transportation systems were unconstitutional.

The three-judge court permanently enjoined enforcement of the statutes and ordinances, but suspended the injunction when an appeal was filed.

In commenting on the appeal, Patterson said: "The decision in this case will affect every city in the United States which operates a privately owned municipal bus system similar to that of Montgomery."

He conceded the Supreme Court had rejected its century-old "separate but equal" doctrin as it had applied to schools, public parks, and interstate transportation. He added: "We are making a last stand."

THE JURISDICTIONAL statement declared:

"Both races have the same bus drivers, ride the same bus, see the same sights when riding, look out of identical windows, pay the same fare and sit in identical seats."

"The accomodations are identical in every respect. The right of the passenger is only that of being carried safely, and with a due regard to his personal comfort and convenience."

"This canont be done and peace and order maintained in Montgomery, Ala., and other similar places if, by court decree, a Negro man is permitted to sit by a white woman. The Supreme Court of the United States should face squarely the truth and reality of that fact."

News

Urging that the case be set down for oral argument in the 1956 Fall session of the Supreme Court, the jurisdictional statement said: "The lower courts and the people should be given a clear cut, and duly considered written opinion disposing of these questions one way or the other."

PATTERSON and Asst. Atty. Gen. Gordon Madison were in Washington to file the case with the Supreme Court, acting for the Alabama Public Service Commission. An appeal also was to be filed by the Board of Commissioners of the City of Montgomery, with Walter Kabe and Roland Nachman as attorneys.

Appeal is being made directly to the Supreme Court because the PSC, a state body, was enjoined along with the Montgomery commissioners, the Montgomery police chief, the Montgomery City Lines and two of its bus drivers, from enforcing the segregation laws.

Patterson said the PSC should not have been named as defendant in the case as it lacks authority, under the Alabama Motor Carrier Act of 1930, over motor vehicles for hire operating within city or incorporated town limits and their police jurisdictions.

38b 1956

ALABAMA

MONTGOMERY CITY BUS LINES

BUS BOYCOTT

Bus Segregation To End Today In Montgomery, Company Says

Constitution Atlanta, Ga p.1

Tues. 4-24-56

MONTGOMERY, Ala., April 23 (AP)—A notice was posted on the bulletin board at the Montgomery City Bus Lines tonight ordering an end to segregated seating on Montgomery buses at 5 a.m. tomorrow.

The notice said the desegregation order was the result of the U.S. Supreme Courts' ruling today holding segregated seating unconstitutional.

The bulletin board notice was signed by bus company manager J. H. Bagley. Bagley's family said he was not available to confirm the desegregation decree.

The letter "to all employes" on the subject of "seating on buses" said:

"We have been advised that today the Supreme Court of the United States rendered a decision the effect of which is to hold unconstitutional segregation of the races on buses.

"Under the circumstances, the company has no choice except to discontinue the practice of segregation on passengers on account of races and drivers will no longer assign seats to passengers by reason of their race."

Copies of the order were sent to K. E. Totten and B. W. Franklin, officials of the National City Lines in Chicago.

A suit attacking constitutionality of city and state segregation laws had been scheduled to be heard by a three-judge panel here on May 11. The suit already is on file in U.S. district court.

Jack Crenshaw, attorney for the Montgomery city bus lines, said "offhand it sounds like the Supreme Court said Alabama's statutes are unconstitutional."

"It indicates the court has adopted the same rule as that for schools," he said. "And if so, I would anticipate that a court order will be entered here (May 11) along the same line."

Alabama was not directly affected by the court ruling, but an order from the three-judge panel next month could apply the decision to the state.

Postal Employees Aid In Montgomery Case

Daily World Atlanta, Ga.

Tues. 3-27-56

It was revealed here this week that the Atlanta Branch of the National Alliance of Postal Employees, John M. Thomas, president, recently made a cash contribution to the Montgomery Improvement Association to help in the fight for democracy in the Alabama city. At the same time it was also noted that the national president of the postal organization, Atty. James B. Cobb of Washington, D. C., has issued an appeal to all branches to send financial aid to the Montgomery citizens.

During the recent NAACP campaign, the Atlanta Branch also made a $100 payment on a life membership in that dynamic organization as further evidence of its interest in the overall fight against discrimination.

Although the National Alliance of Postal Employees is primarily interested in the eradication of discrimination in the postal service, it is constantly aware that this evil must be met and defeated in all areas of our life. This accounts for its active interest in these two leading exponents of true American democracy.

The NAPE is an organization open to all employees of the Post Office Department, and is largely responsible for seeing that there approximately 112,000 Negroes listed among the more than a half million postal workers throughout the

'Too quiet' in Boycott City, Ala.

Afro-American Sat. 4-21-56 Baltimore, Md.

MONTGOMERY, Ala. — "Everything is quiet down here. Too quiet." p.3

So said Fred Gray, 25-year-old legal adviser to the Montgomery Improvement Association, sponsors of the widely known bus boycott now in its 22nd week.

Mr. Gray refused to confirm or deny the report that the Rev. Martin L. King, leader of the passive resistance movement, was on a trip to buy several station wagons.

* * *

IT IS REPORTED that the Rev. Mr. King, who left Montgomery two weeks ago with his wife and 18-month-old daughter, has purchased 20 station wagons to initiate a "free transportation service" in Montgomery.

"That situation is too complicated," said Mr. Gray, "I would prefer that you talk to the Rev. Mr. King."

The celebrated leader of the protest movement was slated to return to Montgomery Monday.

* * *

THE NEXT PUBLIC hearing involving the bus situation is scheduled for May 11 before a three-judge Federal Court panel.

The jurists will hear a suit filed by four residents of Montgomery attacking the constitutionality of the state and city laws requiring segregation on the buses.

Meanwhile, the 200-car pool is transporting the boycotters daily. The twice-a-week mass meetings are still filled to capacity.

"The enthusiasm remains intense and the morale of the people is high," Mr. Gray reported.

Bus Segregation Is Still The Law

Advertiser p.4-A

THE effect of Judge Jones' decision Wednesday, ordering Montgomery City Lines to abide by city and state segregation ordinances as they have always done, is to reaffirm segregation on transportation as the law in Montgomery.

Fri. 5-11-56

The U.S. Supreme Court did not, as it was first reported, outlaw bus segregation April 23, but merely refused to review the South Carolina case because the question of damages had not been settled in the lower court.

Unless and until Judge Jones' order is set aside by a higher state court, or superseded by some federal court order, segregation is still the law on Montgomery buses and the bus company must, under threat of citation for contempt, enforce it. Judge Jones' injunction order said:

Ordered, adjudged and decreed by the court that the respondent company do withdraw the order it has issued to its employes, same being contained in the bulletin No. 5-56 [which the company hastily issued on the day of the Supreme Court's misinterpreted order, apparently without bothering to ascertain whether the Supreme Court had actually invalidated bus segregation] dated April 23, 1956, with reference to seating of passengers on buses, and the said respondent, its agents, servants and employes, be, and each is hereby required to comply with and abide by all the provisions of the ordinances of the city of Montgomery and the statutes of Alabama relating to the seating of white and Negro passengers in separate portions of the conveyances of the respondent operated within the city of Montgomery and its police jurisdiction.

That means the bus company and its drivers must enforce segregated seating or risk going to jail for contempt. Nor can the bus company argue that it recognizes the higher authority of the U.S. Supreme Court, because the Supreme Court hasn't ruled, not even on South Carolina's laws, certainly not Alabama's.

Today, of course, an entirely new and separate phase of the dispute will begin in U.S. District Court with the hearing of a suit challenging the constitutionality of city and state laws requiring segregation on transportation. The court might hand down any number of decisions, but if it declares bus segregation invalid and this view is upheld on appeal, this could have the ultimate effect of dissolving Judge Jones' order.

BOYCOTT STILL HITS MONTGOMERY BUSES

Commercial Appeal p.7

It's Been Six Months Since Rosa Parks Was Arrested

Fri. 6-1-56

CAR POLL ORGANIZED

Memphis, Tenn.

By The Associated Press

MONTGOMERY, Ala., May 31.—Six months ago Friday a Negro seamstress was arrested and taken to jail for refusing to give up her seat in the white section of a Montgomery City Lines bus.

Other Montgomery Negroes resented it, and on the day Rosa Parks was fined $14 for violating a city segregation ordinance, they joined in a mass protest demonstration by refusing to ride the buses.

That was last Dec. 5, and the boycott is still in effect with unabated determination to win equal rights for the estimated 50,000 Negroes in Montgomery.

Well-Organized System

The continuing protest against segregated seating facilities on the buses has resulted in the development of a well-organized transportation system to get Negroes to and from work.

A smoothly functioning car pool which includes 14 church-operated station wagons runs on a rigid schedule without charge to the riders. Churches have played a vital part in the boycott from the outset, and funds to support the car pool have been collected twice weekly at church mass meetings.

Only privately owned cars were used at first under supervision of the transportation committee of the Montgomery Improvement Association, an organization formed to support the boycott.

In recent weeks, however, new

model station wagons bearing the names of 14 churches have made their appearance at the boycott dispatch and pickup stations. Each one is registered in the Montgomery County Probate Office in the name of a Negro church.

Private automobiles are still used, too, said Rufus Lewis, chairman of the MIA's transportation committee. Drivers are paid $4 a day plus gasoline and, in some instances, garage repairs.

Costs $3,000 A Week

The MIA treasurer testified in the trial of one of the boycott leaders that transportation was costing $3,000 a week.

Negroes assemble at dispatch stations scattered throughout the city each morning and cars take them to work along fixed routes. At the end of the day, they gather at pickup stations for the return trip.

Some Negroes have continued to use bus transportation, but not many. Assistant manager R. C. Mills of City Lines says the daily Negro passenger load has dropped from 30,000 or 40,000 to only 300 or 400.

Meanwhile, as an outgrowth of the boycott, a suit is pending in Federal court challenging constitutionality of city and state laws whih reqcuire segregation of white and Negro passengers in all public transportation. A three-judge panel is expected to announce its ruling next month.

State authorities are prosecuting the boycott leaders and one defendant, Rev. Martin Luther King Jr., a Baptist minister, has been fined $500 and costs for violating Alabama's anti-boycott law.

King has appealed his conviction to higher courts and trials of the other 89 defendants under indictment have been postponed pending the outcome. Twenty-four of those indicted are Negro clergymen.

IT STARTED WITH HER—Rosa Parks, whose arrest for violating segregation laws at Montgomery, Ala., started the bus boycott, is now under indictment for taking part in the boycott. With her is her attorney, Charles D. Langford. Montgomery Negroes last night planned a mass protest over the indictments. *(Story on Page One)*

BAGLEY STRICKEN

Confusion Clouds Bus Line Dispute

By STEVE LESHER

Conflict raged yesterday among all elements concerned in the 20-week-old Montgomery bus boycott and the sudden decision to desegregate the local buses.

All parties operated with apparent confusion as to their next move as each struggled to arrange meetings with the other. There is even confusion on exactly what the Supreme Court intended to do in its ruling. Its meaning, therefore, is clouded in doubt.

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Vice President Franklin of the parent company located in Chicago and National City Lines Atty. Thrun told The Advertiser that "due to company contracts with the bus drivers' union, circumstances would virtually prevent us from hiring anyone, be he white or Negro."

Franklin explained that contracts with the union specify that no new driver may be hired until all furloughed drivers are recalled to their jobs. He said at least 36 men had been placed on furlough, apparently due to the boycott.

Another section of the contract, he said, prevents placing new men on any specified routes. Men with highest seniority, he said, get preference on routes. New men "have to take what they can get." He explained that would open the possibility of having Negro drivers on predominantly white routes. No Negro has ever applied for position of bus driver with Montgomery City Lines.

King, spokesman for the Negroes who have boycotted the city buses for the past 20 weeks, said earlier that if applications from Negroes for the position of bus driver were examined "with the same equanimity as. . .an application from a white person. . . that might satisfy our people."

INJUNCTION EYED

Meanwhile, city officials told reporters that the bus company would have to abide by city and state ordinances concerning segre- "if they are to continue their operations here."

Mayor Gayle and Commissioners Sellers and Parks indicated yesterday they might seek a court injunction against the company if "they violate local segregation statues."

City officials and representatives from National City Lines were trying to arrange a meeting late yesterday. A mass meeting of Negroes will be held tonight at the Day Street Baptist Church. King said earlier that "decisions of the Montgomery Improvement Assn. will be announced at that time. At present our position is not changed." King added the boycott would continue.

King was not available for comment concerning union contracts with the bus company.

INTERVIEW GRANTED

Franklin granted an interview to The Advertiser yesterday morning following a brief conference with television photographers. Following is the text of the interview:

Q. Was the order for desegregation on buses a "snap judgment" order following the Supreme Court decision on South Carolina?

A. No, the order was a matter of considered judgment following several months of study by our legal department. They began to investigate the matter after the lower court in South Carolina had made its ruling.

Q. Why was the company willing to renew its franchise in Montgomery?

A. We've operated here for 20 years and we've always had good relations here. In the new contract, which is for 10 years, there was no mention of segregation.

Q. From your standpoint, is there a possibility of operating separate buses for white and Negroes?

A. From an economical standpoint that would be impractical. From a standpoint of segregation, we have not yet considered that

possibility.

Q. Did the order to desegregate buses in the Southern cities emanate from Chicago?

A. The order emanated from the legal branch of the company.

Q. In view of the position taken by the city and state, how do you plan to enforce a first come, first served policy of seating?

A. We are not a police body. We will not attempt to enforce segregation and we will not attempt to enforce integration.

Q. If a driver is arrested for not enforcing segregation as the city has threatened, what will your stand be?

A. If a driver is arrested for obeying our instructions, certainly we'll help the man.

It was apparent that King and other members of the Montgomery Improvement Assn. were pleased with the ruling made late last Monday night by J. H. Bagley, superintendent of the local bus line.

EQUALLY APPARENT

It was equally apparent from King's early statements that one barrier to ending the boycott was the agreement to hire Negro bus drivers

Observing the paradox of Negro demands and company-union contracts, the outcome is a matter of high specualtion.

In another unexpected development early yesterday, Bagley was stricken with a heart attack only a short time after he had concluded a conference with Franklin, Thrun and Jack Crenshaw, attorney for the local ine.

Bagley was hospitalized here at 12:15 a.m. and was placed in an oxygen tent. He was still in the tent late afternoon. His condition was reported as "serious."

The company's decision followed a U.S. Supreme Court ruling Monday holding bus segregation unconstitutional.

President Owen of the PSC sent a telegram to President Roy Fitzgerald of National City Lines demanding withdrawal of the integration order. Franklin yesterday indicated that the order would not be withdrawn.

WAY OPEN FOR APPEAL

Bulky Transcript Finished On Boycott Trial Of King

Advertiser June 8-3-56

Completion of a bulky transcript of court records in the trial of the Rev. M. L. King, Negro minister convicted of illegal boycotting last March, has cleared the way for an appeal of the circuit court decision.

Montgomery

King, president of the Montgomery Improvement Assn., was found guilty of fostering an illegal boycott against Montgomery City he heads has sponsored and promoted the Negro bus boycott since the beginning of the mass protest last December.

The vast record of testimony and evidence in the King trial, prepared by court reporter Hallowell Lewis, will be the largest ever presented in circuit court for a single criminal case.

560 PAGES LONG

More than 560 pages are included in the report requested by attorneys of the Negro minister for an appeal of his conviction to the State Court of Appeals.

The awesome document, prepared at a cost of between $1,400 and $1,500, reflects the intensity and vastness of the proceedings in the King trial, which has become a test case for indictment of more than 90 Montgomery Negroes for promoting or participating in the boycott.

However, by arranging for the King case to serve as a case history for all the Negroes indicted in the boycott, the Negro legal counsel saved hundreds of dollars in court and other legal costs which would have resulted had all the defendants been tried individually.

MAZE OF RECORDS

The maze of court records, which are so voluminous that a medium-size suit case is required to deliver them, includes a separate file of the testimony by King.

Copies of King's testimony were requested by State Atty. Gen. John Patterson, Circuit Solicitor W. F. Thetford and Negro attorneys who represented the Baptist minister at the trial.

Besides the thick stacks of transcript sheets covering the court testimony, the mass of exhibits introduced as evidence adds to the collection of court material to be used in the appeal.

Most of the exhibits include business records of the Montgomery Improvement Assn. Photostatic copies of bank deposit slips used by the association represent a sizable portion of the transcript material.

Mass Protest Called Over Boycott Arrests

Inquirer

MONTGOMERY, Ala., Feb. 23 (AP).—Negroes stung by the mass arrests of the leaders of their boycott of city buses gathered for a huge mass meeting of protest tonight. Fri. 2-24-56

The Rev. R. D. Abernathy, one of those indicted and the pastor of the Negro First Baptist Church where the rally was scheduled, said he expected 10,000 persons to come to the meeting "to sing and pray to Almighty God and get into the hearts of Montgomery people so that justice may be done."

ROUNDUP PRESSED P. 48

Deputies meanwhile were completing the job of taking into custody the scores of boycott leaders indicted by a grand jury under a 1921 State law making it a misdemeanor to conspire to prevent others from carrying on their business. The law was passed as a weapon against violence in coal mine strikes.

Philadelphia, Pa.

A Negro Congressman in Washington, Rep. Adam Clayton Powell, Jr., (D., N. Y.), called on President Eisenhower to take immediate steps to safeguard the persons and civil rights of those arrested. He called the inclusion of 26 ministers in the roundup "a new low in American barbarism."

In Pittsburgh, the North American Area Council of the World Presbyterian Alliance released a resolution warning that "intolerable situations have developed and are developing" in the South's fight against the U. S. Supreme Court ruling on racial segregation.

These situations, the council said, "involve the denials of basic human rights, attempts to deny the law of the land, and a direct action on the modern foundation of American democracy: the public school system."

NUMBER REDUCED

By afternoon, 88 Negroes in Montgomery had been booked and then released on $300 bond each, deputies said. Sheriff MacButler said he expected his office would not take in more than about 90 defendants.

An official source said the number of defendants was less than the 113 to 115 announced earlier because the grand jury had made some duplication of names and the whereabouts of some of the persons indicted was not known.

Arrests Hit As Red Methods

Bulletin P. 1

Birmingham, Ala.

World

CHARLESTON, S. C. — (Special to the Atlanta Daily World) — The mass arrests of 115 Negroes in Montgomery, Ala., was described here as "Soviet Communism method," during a heated declaration that Southern whites, not the NAACP are creating additional tension between Negroes and whites.

Roy Wilkins, Excutive Secretary of the National Association for the Advancement of Colored People, made the charge Friday in Charleston o ly hours after Montgomery's colored citizens held a mass "Walking Day" in protest over the segregated bus situation.

PROBLEM OF SOUTH

"Probably noth ng illustrates the problem of the South so well as the Montgomery bus protest." Mr. Wilkins declared. "And Montgomery city officials, all of whom belong to the White Citizens Councils have met the situation in the customary Southern manner.

"The police state has come out in the open at Montgomery. The grand jury has ind cted 115 persons under a state anti-boycott law."

Mr. Wilkins held that "This is the Soviet communism method. Here we have the police knocking on doors and taking men away. Here we have mass arrests. Here we have a grand jury delivering a general lecture on observance of the segregation line. Prec sely like the Communists."

QUOTED REPORT

The speaker, who was addressing the Southeast Regional Convention of the NAACP, quoted the Montgomery Grand Jury's report which is based as reason for the 115 arrests.

Interpreting the statement, Mr. Wilkins declared:

"What the grand jury said is: Here in Montgomery we don't care a hoot about any law except our law; don't get any notions about the Supreme Court or the Constitution, or the United States; this is Montgomery, Alabama, and this is what we say black people must do—or else."

POWER STRUGGLE

Mr. Wilkins termed attacks on Negroes cowardly, and added "to appreciate the scope of the cowardice, one must remember that none of the victims threatens the power structure of the South. Negroes own no great industries, publ sh no daily papers, sit in no legislatures have only a fingernail hold in financial circles, are not sheriffs, sit on no court benches, and hold only a few scattered and minor polit cal offices. Their industrial employment is limited to unskiled categories.

"What threat do they pose? Are these Citizens Council members these industrial executives, bankers, educators, ministers of the gospel and other respectable white community leaders any safer or happier because some Negro family is made to face sudden disaster?

"Does it make a textile executive more secure to know that a Negro widow with four children over in Clarendon County is thrown off the land and has to beg bread and milk for the "sin" of assuming she is a human being?"

Mr. Wilkins declared the school desegregation problem can be solved if the "South will begin by recognizing Negro citizenship, unreserved citizenship."

"The time has come for freedom," Mr. Wilkins declared. "We have been patient—God knows!—but the time is here. Who can say with truth that we want to go too fast? Ninety years is a long time to wait no man who waits that long is going to fast."

Montgomery Negroes Walking to Work Today

Star P. 10-A

Fri. 2-24-56

MONTGOMERY, Ala., Feb. 24 (AP).—Pledged to a massive campaign of firm but peaceful resistance, Montgomery Negroes planned a 24-hour walk-to-work pilgrimage today in renewed protest against segregation on city buses.

The 100 or so among them who were indicted by a grand jury on anti-boycott charges were called into court to face arraignment today. A date will be fixed for their trials, perhaps starting the week of March 19. viction was upheld Wednesday by Circuit Judge Eugene Carter, who also dismissed a protest against the constitutionality of the segregation laws.

Eighty-nine defendants have been arrested and other arrests are still to come. The total number indicted was first announced as the warrants were checked out Washington,

Shouts of "Amen" greeted a minister's suggestion at a mass prayer meeting last night that "not a race-loving Negro" would use any form of transportation throughout today. D. C.

It was the Negroes' way of demonstrating that they can walk if necessary to carry on their 11 - week - old boycott against Montgomery City lines buses and the segregation required by city and State law.

Chanting hymns, the throng cheered wildly when their leaders pledged an unrelenting fight against what they called "oppression." They chorused agreement when one clergyman spoke of "compassion for those who hate us."

The Rev. Ralph D. Abernathy, pastor of the Negro First Baptist Church where the meeting was held, estimated the crowd at "around 5,000."

Rousing Reception

A rousing demonstration greeted Mr. Abernathy and other defendants in the boycott prosecutions as they pushed their way through the crowd to enter the church. Mr. Abernathy and 23 other ministers were among those indicted by the grand jury Tuesday.

Mr. Abernathy told the crowd, "We have kept the struggle Christian and non-violent. We have stressed non-violence. We do not participate and will have no part in violence."

The bus boycott began December 5 after a Negro woman, Mrs. Rosa Parks, was fined $14 for refusing to move to the colored section of a bus as required by city and State law. Her con-

Mrs. Parks was on the pulpit at the church last night.

More Arrests In Negro Boycott Of Buses Waited

Star P. 2-A

Thurs. 2-23-56

Washington, D.C.

MONTGOMERY, Ala., Feb. 23 (AP).—Dozens of new arrests in Montgomery's bus boycott were expected today while preparations were made for a mass meeting tonight of 10,000 Negroes praying for "justice to prevail."

And to emphasize their determination boycott leaders proclaimed tomorrow "Prayer-Pilgrimage Day." They said every "race-loving" Negro will shun all motor vehicles and walk wherever they go on that day.

Scores of Negroes crowded outside the Montgomery County Jail yesterday and watched quietly as 73 of 115 persons indicted for boycotting were brought in.

The 73 taken into custody, all Negroes, included several political leaders and 23 ministers. All were released in $300 bond after being fingerprinted and booked.

Grand Jury Named 115

The wholesale arrests followed a report by the Montgomery County Grand Jury which named 115 persons as active participants in the boycott, now in its 12th week in protest to racial segregation.

The mass meeting tonight and the no-ride "pilgrimage" tomorrow were announced by the Rev. Ralph D. Abernathy, one of those indicted for boycotting and pastor of the First Baptist Church, where the "prayer for justice" meeting will be held.

The Negro minister, chairman of the negotiating committee of boycott leaders, said in a statement that "Negroes are not on trial here. But Montgomery is on trial."

"The eyes of the world are focused here waiting to see Southern justice in action," he said. "It is an American's right to protest against undemocratic and inhuman practices, yet, because we are Negroes, the grand jury has indicted us."

Expects 10,000 to Attend

NEGROES CALL MASS MEETING IN BUS BOYCOTT

Daily Tribune
Fri. 2-24-56
Chicago, Ill.

Montgomery, Ala., Feb. 23 [Special]—Mass meetings of Negroes and a complete boycott tomorrow of all means of motor transportation were planned by Negro leaders today as sheriff's deputies rounded up the last of about 95 persons indicted for participation in the boycott aimed at ending racial segregation on city buses here.

A prayer meeting expected to attract 10,000 Negroes was scheduled at one church. The all-out boycott was called by the Rev. R. D. Abernathy, head of a negotiating committee that met with city and bus company officials in an unsuccessful effort to end the dispute, now in its 12th week.

Abernathy and other Negro leaders proclaimed tomorrow as "prayer pilgrimage day" and called upon all "race loving" Negroes to shun all motor vehicles and walk wherever they go tomorrow.

Expect Crowd at Court

It was expected that crowds of Negroes may converge tomorrow on the Circuit courtroom of Judge Eugene Carter where the indicted boycotters will be arraigned and their cases scheduled for trial. However, it was not deemed likely there will be any serious trouble.

Of 89 indicted Negroes arrested, 24 are ministers. The total number of indictments returned Tuesday, originally announced as 115, was scaled down to about 95—the exact number apparently had not been determined—because of duplications thru listing the same persons by both their first names and their initials.

Among those arrested today was the Rev. Martin Luther King Jr., one of the principal spokesmen for the boycotters. His home was the target of a small bomb the night of Jan. 30 while he was leading a boycott meeting. He surrendered voluntarily today upon his return from a speaking engagement in Tennessee.

Freed on $300 Bond

All of those charged with violating an Alabama law prohibiting conspiracy to interfere with lawful business were released in $300 bond each after being finger printed and booked. Most of the bonds were posted by Negro property owners.

Meanwhile, in Washington, Rep. Powell [D., N. Y.] asked "White House" protection for the Montgomery boycotters. In a telegram to the President, Powell, a Negro, termed the matter "another ghastly victory for communism."

He predicted that at least 10,000 Negroes will attend the meeting tonight "and pray to Almighty God to enter the hearts of Montgomery people so that justice will prevail at the arraignment trials Monday." He added:

"We are expecting these cases to be dismissed. But if they are not, we will take them to the United States Supreme Court."

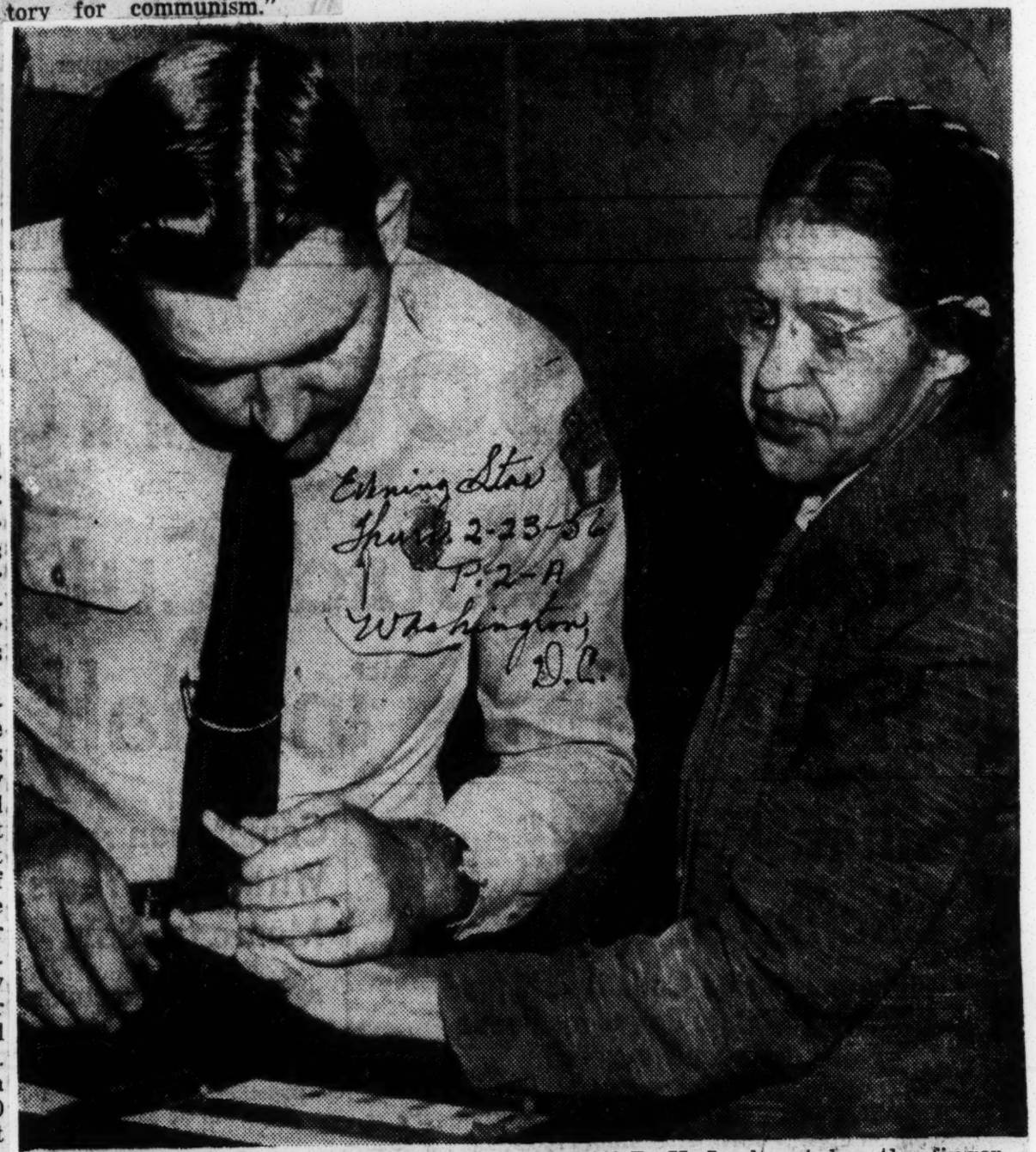
Those arrested included Mrs. Rosa Parks, who was taken into custody on the boycott indictment soon after leaving Circuit Court, where she had been sentenced to 14 days in jail for refusing to pay a fine in the case which touched off the racial protest movement.

Mrs. Parks, a seamstress, appealed a $14 fine levied in City Court December 5 for refusing to move to the back of a bus. That appeal was turned down yesterday by Circuit Judge Eugene Carter and she was sentenced to 14 days in jail.

Files Appeal

She then appealed to the Alabama Supreme Court and was released in $100 bond, only to be picked up immediately on the boycotting charge and freed again in $300 bond.

Other prominent Negroes arrested included E. D. Nixon, former State president of the National Association for the Advancement of Colored People and president of the Montgomery Progressive Democratic Association; Mrs. Jo Ann Robinson, teacher at Alabama State College for Negroes and head of the Women's Political Council, and P. M. Blair, known as the "unofficial Negro mayor" of Montgomery.



Evening Star
Sun. 2-23-56
P. 2-A
Washington, D.C.

PRINTED—Montgomery, Ala.—Deputy Sheriff D. H. Lackey takes the fingerprints of Mrs. Rosa Parks, seamstress whose refusal to move to the back of a bus touched off the bus boycott last December. In addition to the boycott arrest, Mrs. Parks' appeal on a $14 fine for violating segregation laws was turned down yesterday.—AP Wirephoto.

Circuit Judge Cites Possible Penalty For Conviction On Anti-Boycott Laws

Advertiser 2-8-4

Montgomery Ala.

Organized boycotting of lawful businesses is against the law and punishable by heavy fines or stiff sentences, Circuit Judge Eugene B. Carter advised, following his charge to the grand jury this week.

Wed. 2-15-56

Persons convicted for unlawful boycotting are jubject to a sentence of not more than six months in the county jail and fines of not more than $1,000 or not less than $100.

MAY BE DIFFICULT

Judge Carter, observing that Montgomery County has seldom been confronted with boycotts of any kind in the past and never with a boycott of city buses, said enforcement of the law may be difficult. He pointed out that the law applies to situations where persons are forced to boycott business organizations "involuntarily" through leadership or conspiracy. Simple failure to patronize a firm, even among a group, does not constitute boycotting, he said. However, persons responsible for inciting or organizing resistance to a business operation may be prosecuted, the judge added.

Judge Carter, who directed the jury to investigate acts of boycotting—emphasizing the current bus boycott—and determine violations of the law, cited Title 14, Chapter 20 of Alabama Code of 1940 which reads in part as follows:

"Two or more persons who, without a just cause or legal excuse for doing so, enter into any combination, conspiracy, agreement, arrangement or understanding for the purpose of hindering, delaying, or preventing any other persons, firms, corporation, or association of persons from carrying on any lawful business, shall be guilty of a misdemeanor."

OTHER PROVISIONS

Other provisions of the code relative to boycotting make unlawful the following: "loitering or picketing, printing or circulating notice of boycott, using force or threats against persons engaging in lawful occupation, maintaining blacklists, attempt or threat to injure or destroy property of another, teaching, printing books or papers, or organizing persons to boycott . . ."

Penalties for violations of the boycotting statute are set forth in Title 14, Sect. 62 which reads as follows:

"Any persons, firm, corporation, or association of persons violating any of the sections, shall, on conviction, be punished by a fine of not less than one hundred dollars, nor more than one thousand dollars and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than six months for the first conviction, at the discretion of the court or judge trying the case; and on the second and every subsequent conviction, at the discretion of the court or judge trying the case; and on the second and every subsequent conviction, in addition to the fine which may be imposed, the convicted party must be sentenced to hard labor for not less than three months nor more than six months, to be fixed by the judge or court trying the case."

Supreme Court Ruling Seen on Bus Race Bars

Sunday Star Washington D.C. Sun 2-26-56

By ROBERT K. WALSH

Racial segregation on buses within States and Federal laws aimed at subversive activities or balky witnesses may figure in big decisions when the Supreme Court returns to the bench tomorrow.

P 2-4

During a recess since January 30 the court prepared opinions on some of the 35 cases already argued. It considered requests for review of scores of others. For two weeks beginning tomorrow it will hear arguments on many previously granted review. Those include a challenge to loyalty program dismissals of Federal employes from non-sensitive jobs.

An order on public transportation segregation could be especially far-reaching. The high court in 1946 invalidated a Virginia law that required racial segregation of passengers on buses crossing the State line. It has never ruled on intrastate bus segregation, as in the pending case from South Carolina.

Several matters awaiting decision, possibly tomorrow, affect the Communist Party or witnesses who refused to answer questions about Communist affiliations and acquaintances.

Reds Hit Registration

The Communist Party is attacking constitutionality of requirements for registering of organizations found by the Subversive Activities Control Board to be dominated by foreign totalitarian governments such as Russia.

Key sections of the Federal Immunity Act, at least as they relate to testimony before a Federal grand jury in Federal court, are attacked in another major case up for decision. That recently enacted law authorizes the granting of immunity to otherwise reluctant witnesses if they agree to answer questions. If they refuse, they can be punished for contempt.

The appeal of William Ludwig Ullmann dealt with his refusal to answer Federal grand jury questions in New York. A Supreme Court decision on that point conceivably could apply to witnesses who balk at answering congressional investigating committee questions.

The National Lawyers Guild has asked the Supreme Court to uphold the guild's contention that it can bypass a Justice Department administrative hearing and go directly into court in its fight against Attorney General Brownell's listing of the guild as a subversive organization.

Red Conviction Questioned

Another question awaiting a final judicial answer in this category is whether a Communist regional leader in Pennsylvania could legally be convicted under a State sedition law, or whether sedition is solely a Federal crime.

There also is the contention of a New York college instructor that State authorities violated his constitutional rights for firing him after he invoked the Fifth Amendment before a congressional committee.

Labor and industry are prominently represented in legal problems the Supreme Court may untangle in decisions tomorrow The tribunal may say whether the duPont Co.'s reported control of 75 per cent of the cellophane market amounts to unlawful monopoly.

One of the many labor relations cases deals with efforts of union organizers to distribute union literature on a company's property.

D. C. Dailies Hit Bus Indictments

Defender Sat. 3-10-56 P. 8

Chicago Ill.

On successive days last week, The Washington Evening Star and The Washington Post roundly panked Montgomery, Ala., authorities for invoking an anti-union law to set up indictments of 115 Negro leaders of the celebrated Montgomery bus boycott.

The Post refers to the indictments as "a monumental display of folly." The Star sees the strategy adopted by Montgomery city fathers as "almost beyond belief."

These editorial expressions are remarkable because Washington, the nation's capital, only a few short months ago segregated Negroes on street cars and buses and in every other conceivable way.

The editorials suggest that integration in Washington is working well. The strong language indicates that the capital's editorial writers, at least, are indignant that the rest of the nation hasn't followed Washington's road to desegregation.

THE STAR'S EDITORIAL

Here's what The Star had to say on the indictments:

"It is hard to believe that this is happening in 1956, and we suppose that the indictments, if the Negroes should be convicted, will ultimately be thrown out by the courts. Meanwhile, however, the spectacle remains — the spectacle of white people, who are staunchly opposed to integrated schools, attempting to compel Negroes to patronize segregated buses. . .

"The implication (of the grand jury) is, or seems to be, that reason and a sense of fair play are being destroyed in Montgomery by rising racial feeling. If this is correct, it is indeed time for the leaders of both races, and in this instance, especially for the leaders of the white race, to take a long and thoughtful look into the future."

THE POST SPEAKS OUT

The Washington Post:

"The municipal authorities of Montgomery, Ala, chose Washington's birthday — they might even more appropriately have chosen Lincoln's birthday — to ease their sense of frustration with a momumental display of folly. . .

"The frustrating thing about this Negro protest from the white point of view in Montgomery is that it is impeccably lawful, orderly, dignified and effective. It strikes at an important pocketbook nerve of the community. . .

"Negroes, like white persons, have an indubitable right to travel as they please — afoot or by bicycle or by car or by bus. There is really no way to force them to patronize a bus line; and there appears to be no way, at least in Montgomery, to operate a bus line profitably without their patronage. Coercion in this situation can produce only 'distrust, dislike and hatred' at home while making Montgomery look ludicrous if not worse abroad."

History Of The Boycott Law

Advertiser Montgomery, Ala.

IT IS now apparent that the present Montgomery County grand jury will consider indictment of the bus boycott leaders. If indictments are returned, presumably the defendants will be tried under the state law governing "Boycotting & Blacklisting" (Title 14, Chapter 20, Sections 54-62, Code of 1940).

This law, part of which has been held unconstitutional by the U.S. Supreme Court (the section forbidding picketing), was passed in October, 1921, to meet a labor crisis in Birmingham. Coal mine disturbances—including boycotts, dynamitings and murders—had moved Gov. Kilby to take firm measures. Troops had been on duty in Jefferson County, but, the governor said in his address to the special session of the legislature which convened Oct. 4, state criminal law was inadequate to cope with the situation.

Wed. 2-15-56

GOV. KILBY'S proposal to strengthen the boycott law, as embodied in the criminal code of 1907, was not the chief reason for his calling the special session. In fact, the boycott amendment was No. 13 in a list of 18 measures he wanted passed. Of the boycott proposal, Kilby told the legislature:

P. 4-A

> The recent coal strikes in this state developed the fact that our civil and criminal laws were inadequate to promptly and properly deal with the conditions which existed just prior to and after the strike was declared. It was then discovered that by reason of the inadequacy of the statutes of this state relating to strikes, boycotts and blacklisting, etc., that the civil authorities were unable to prevent or even check many wrongful acts which inevitably led to the calling of the strike and to the perpetration of many heinous crimes which attended and followed the strike.

★

BECAUSE local authorities were powerless to act with no laws to back them up, it was necessary to call out the militia, Kilby told the legislature. He continued:

> While martial law was not absolutely declared, nor the civil law actually suspended, the condition of affairs was so critical, so serious, that at times it appeared almost imperative that martial law should be declared in the coal mining districts of the state . . . If the statutes of the state had been adequate, and the civil authorities had been able to . . . deal with the . . . labor trouble, much if not all of the great loss of life, property and enormous expenses of the state would have been avoided.

Gov. Kilby spelled out his labor philosophy, which sounds primitive in these Taft-Hartley times. Basically, it was a recognition of the worker's "inalienable right" to work or not to work; the employer's inalienable right to hire and fire as he sees fit.

★

KILBY said the trouble in the coal mines was the work of "foreign agitators" attempting to promote socialism, "which often results in anarchy." Then he got to the point:

> A conspiracy to starve or freeze . . . or even an agreement to do acts, the natural and probable result of which is to cause great suffering or inconvenience to the public, is little less than treason against the government . . .

★

THE get-tough-with-labor amendment, substantially the same law under which bus boycott leaders may be indicted, was passed. But, recalls Kilby's house floor leader at the time, Dothan Atty. Oscar L. Thompkins, not without a fight. "I was almost lynched in the process," Thompkins said in a telephone interview yesterday.

A few legislators denounced Kilby's proposal as "part of a nationwide program to destroy organized labor." Charged Rep. Harrison of Jefferson: "The Governor used every means in his power to crush the miners' strike in Jefferson County, then when he was called on to arbitrate, decided every point in favor of the coal operators."

Rep. Partridge of Franklin spoke against the bill, declaring that its effect would be to "bring the laboring man to the chopping block and lay his head on it."

★

REP. BENNERS of Jefferson spoke for the bill. He said the bill was aimed at labor agitators, and offered this terse, if drastic, advice to labor unions: "Hang your orators."

Yesterday, former floor leader Thomkins said that he hadn't reread the law he helped pass in many years. In fact, he thought it had been declared unconstitutional. (Only parts have been.) However, he confirmed that it was intended for use against labor. Situations like the Montgomery bus boycott were not foreseen.

★

THE law, originally aimed at miners and now brought to bear against nonriders of city buses, says in part:

> Two or more persons who, without a just cause or legal excuse for so doing, enter into any combination, conspiracy, agreement, arrangement, or understanding for the purpose of hindering, delaying, or preventing any other persons, firms, corporations . . . from carrying on any lawful business shall be guilty of a misdemeanor.

Violation is declared a misdemeanor, with maximum punishment fixed at 6 months in jail or $1,000 fine, or both.

REPORT ON ALABAMA

The Bus Boycott In Montgomery May Become Tactical Pattern In Fight Against Segregation

Courier-Journal Thurs. 3-8-56 P.1 Louisville, Ky.

By SAM ADKINS
Courier-Journal Staff Writer

Montgomery, Ala., March 7.—I have just spent the better part of a day riding buses and seeing Montgomery, capital of Alabama, cradle of the Confederacy, a city of some 175,000.

Right now, seeing Montgomery by bus is just about the simplest way to do it. You're not likely to be crowded.

For this is the 14th week of the boycott by the city's 45,000 to 50,000 Negroes of the Montgomery transit system's buses. The

First of A Series

service has been cut drastically; still the buses are little more than half full most of the time, almost empty a good part of the time.

Here is a social phenomenon new to the South.

Apparently by accident, one group of Southern Negroes may have stumbled upon a stratagem that will become a pattern in the race's struggle against segregation.

In the past—and in nearby Tuscaloosa, at the University of Alabama, even now—the Negro has relied mainly upon court action to try to win advances toward integration.

In the bus boycott, however, the Negro seems to have taken a leaf from Gandhi's book. He is practicing a sort of passive resistance—and so far making it stick.

To Deep South Boycott Is Act of Defiance

To an outsider, the boycott may not sound like much. After all, what if a group of people does decide not to ride the buses?

There isn't any law that says they've got to ride the buses. But to the Deep South, the boycott is not a group refusal to ride public buses—it is a well-executed, brainily planned act of defiance against "the Southern way of life."

Just what does it mean?

I came to Montgomery with what I assume was an impression held generally outside this immediate region: that the Negroes were demanding an end to segregation on the buses.

This is not correct.

They are asking that segregation be altered and eased somewhat. Here is how it works:

Alabama has a State law (and Montgomery has a City ordinance like it) that requires that drivers of public buses maintain segregation of the races. The law also gives the driver considerable discretion as to how segregation is to be maintained.

Negroes Oppose Relinquishing Seats to Whites

Negroes and whites agree that the system usually is that Negroes start filling the seats from the back of the bus forward, white from the front toward the rear.

It is against the law for a Negro to sit down beside a white person, or equally so for a white person to sit down beside a Negro.

The law is not explicit on the subject, but when a white person enters a bus on which there are no more empty seats, the driver has authority (and in the past has used it) to require Negroes to vacate the seat nearest the front of the bus and give it to the white passenger or passengers.

The Negroes are asking that they continue to start seating from the rear, but that the entire bus be put on a first-come-first-served basis.

In oher words, if the bus filled up entirely with Negroes before a single white passenger entered, the white passenger would have to stand. They want the driver to be relieved of his authority and/or duty to force Negroes (seated properly from back to front) to give up seats to white people.

So, it doesn't add up to a demand for desegregation at all.

In addition, the Negroes have asked the City Administration and Montgomery City Lines, Inc., operator of the buses, to instruct bus drivers to be "more courteous" to Negroes and to hire Negro bus drivers for lines serving predominantly Negro residential sections.

The more-courtesy request was accepted. The proposal that Negro drivers be hired was turned down cold. And negotiations on the seating regulations have got nowhere at all in three months of baffling pulling and tugging. Louisville, Ky.

N.A.A.C.P. Believed Behind Boycott Plan

So, today, the situation is just about a standoff. Neither side has won. Neither side shows the slightest indication it may weaken.

And the "yellow ghosts," as some Montgomeryites call the buses, are still running lightly loaded, in reduced numbers, on fewer lines.

Earlier, I used the term "apparently by accident" in describing the way the bus boycott came about. The "apparently" should be underlined.

Just about every white person in Montgomery suspects that there was nothing accidental about it—but nobody has been able to come up with any evidence.

"Nobody" includes the staffs of The Montgomery Advertiser and The Alabama Journal, more than 250 correspondents from newspapers and magazines throughout the world, the local law-enforcement officers, the burgeoning White Citizens Councils, and me.

The widely held belief is that the National Association for the Advancement of Colored People planned the boycott. The N.A.A.C.P. says it didn't. It admits that it is helping out now with legal advice and in other ways but insists the boycott iself sarted as a purely spontaneous local affair.

Many Believe Police Made Mistake

Anyway, here is what happened, so far as the public knows:

Last December 1, Mrs. Rosa Parks, employed by a Montgomery department store, was ordered by a bus driver to vacate a seat in favor of a white passenger and refused to do so. She admitted the refusal in court later.

The State law gives the driver special powers to make arrests when violation of the segregation rule is involved. So Mrs. Parks was arrested and fined $14—a fine she appealed and lost.

Three days later circulars were scattered among Montgomery's Negro residents, asking them to stay off of city buses December 5 in protest.

Using hindsight, many Montgomery citizens today believe the protest might have been a rather ineffectual one-day affair, and by now would have been forgotten, except for one thing.

On December 5, the Montgomery police force made quite a show of having policemen at principal bus stops, avowedly to see to it that there was no disorder and that Negroes wishing to ride the buses should not be coerced into staying off them.

That, so the story goes, made the Negro leaders angry—mainly pastors of Montgomery's many Negro churches. They set out to make the protest (or boycott) continue to a showdown.

State Senator Says Arrest No Accident

The belief that, except for police action, the protest would have died after a day or so is not universally held. State Senator Sam Engelhardt, gentlemanly, mild-mannered, college-bred executive director of the mushrooming Association of Citizens Councils of Alabama, told me:

"This thing was not spontaneous. It was planned by the N.A.A.C.P. and has been executed by the N.A.A.C.P. The arrest of that Parks woman was no accident. I happen to know she made a nuisance of herself on four other buses before the driver of the fifth one had her arrested. This is just all part of the Negro strategy to force mixing of the races down our throats. And it isn't going to work."

(In the Deep South, you don't hear "integration" and "segregation" much. It's usually "mixing" or "mongrelization of the races" and "separation" or "maintaining the purity of the races."

It may be that the truth of who started the protest never will be known. It is known that part of the planning was done at the Holt Street Baptist Church (one of the city's largest) in an enormous, hymn-singing mass meeting.

Who called the meeting? The Rev. A. W. Wilson, pastor, said he will never tell "under any circumstances" who asked and was given permission to hold the meeting.

First Talks End In Complete Deadlock

By December 8, according to J. H. Bagley, manager of Montgomery City Lines, Inc., the firm's business was off about 75 per cent.

It was on December 8 that the first settlement effort was made. Negro leaders headed by the Rev. M. L. King, 27-year-old pastor of another large church here, made the three—well, Mr. King calld them requests, and the white officials called them demands—referred to above. The discussion lasted 4 hours, ending in complete deadlock.

Intricate car pools were set up to get Negroes to distant jobs. Others rode taxis. And in literally hundreds — perhaps even thousands—of cases, white employers transported their Negro servants to and from work.

Various negotiations for peace fell through.

On January 30, an explosion—a bomb or dynamite sticks—damaged Mr. King's parsonage.

On February 1, a bomb went off in the yard of E. D. Nixon, Pullman porter and former president of the N.A.A.C.P. chapter here. There was little damage, no injury.

Suit Attacks Transportation Segregation

Five Negro women filed a sweeping suit in Federal Court to have segregation on public transportation throughout Alabama declared unconstitutional.

Attorney in this action was Fred Gray, 25, Montgomery Negro lawyer who also is a minister.

Almost immediately, he was reclassified 1-A in the draft. And on February 18 he was indicted on a charge he illegally represented one of the women who filed the suit. The indictment since has been tossed out, but he still is subject to the draft.

It was during this period, too, that City police began to crack down on the Negro car pools. Scores of arrests for traffic violations, operating with faulty equipment, and the like were made.

On February 13, Circuit Judge Eugene Carter charged the County grand jury to determine whether the boycott is in violation of the law.

Ten days later more than 100 indictments were returned, and more than 90 Negro leaders (including the pastors of 20 churches) were arrested. They are all out on bond, with trials scheduled to begin before Judge Carter on March 19.

(Tomorrow: What is the bus boycott doing to Montgomery and its citizens?)

No Winner Likely In Bus Boycott

A Report On Alabama

Courier-Journal Louisville

By SAM ADKINS
Courier-Journal Staff Writer

Montgomery, Ala., March 8. —Regardless of the legal and moral issues, the Negro bus boycott here—now in its 14th week—is doing weird and ugly things to this beautiful, friendly, leisurely old city.

It is difficult to see how the end result can be good, no matter which side wins—the Negroes, who want to break the rigid mold of segregation, or the city's 125,000 white people, who have and display an iron determination to preserve it.

Second of A Series

The boycott is costing parts of the population a great deal of money, although so far it doesn't seem to have reduced Montgomery's over-all economy, since the "lost" money has been turned into other channels.

Can't Measure Loss

You can't measure what is happening here in terms of dollars and cents. Nevertheless, I set out to try to learn the monetary effect of the bus boycott.

My picture is incomplete, but here it is:

If ever a business firm was caught and ground between powerful sociological forces, it's the Montgomery City Lines, Inc., a subsidiary of National City Lines.

For almost 14 weeks, it has been losing revenue, laying off cherished employees, being called names, serving as the goat in the struggle between whites and Negroes.

Not A Southern Firm

It isn't really a Southern firm. In other cities, its buses are not segregated. It has made no such statement, but the obvious inference is that it doesn't care whether Negroes ride on the front seats or the rear seats.

The bus firm is in a delicate position — and therefore extremely reticent. Getting figures from it is difficult. On Monday of this week, I spent an hour or so in the office of Jack Crenshaw, leading Montgomery attorney and lawyer for the bus firm. Also present were K. E. Totten, vice-president of National City Lines, Chicago, and J. H. Bagley, manager of Montgomery City Lines, Inc.

Couldn't Get Quotation

I couldnt get a single direct quotation from any of them. But they did verify this information, which I had obtained from other sources:

In the three months since the boycott began, the gross income of Montgomery City Lines has decreased about $100,000.

This is a reduction at a rate of close to $500,000 a year.

It is believed, moreover, that this figure is decidedly low—that the reduction is probably larger.

On December 8, Bagley, the manager, said the company's business was down about 75 per cent.

Some Lines Dropped

Since then, the company has dropped several predominantly Negro lines entirely, has reduced the number of buses on others, and has had the fare increased from 10 cents to 15 cents—and its revenues are still off by at least $100,000 in three months.

It isn't the bus company alone that has lost. The reduction of service has caused the company to lay off 37 employees (32 drivers and five shop workers).

These men averaged about $80 a week (a 52-hour week at $1.55 an hour). If they have been idle 12 weeks (believed the average), they have lost some $35,000 already. They are losing $140,000 to $150,000 a year.

Plan To Keep Going

Will the bus company consider stopping operations altogether?

Again, none of the three officials would be quoted directly, but together they said the company will continue operations, no matter how much business it has.

What about the Negroes? Is the boycott proving costly to them? Have any of them lost their jobs because they refused to ride buses and could not get to work any other way? Has the necessity for using taxicabs eaten into their incomes?

In General Agreement

As nearly as I could learn, the answer to all these questions is a qualified "No."

I checked with the newspapers, the Chamber of Commerce, and the White Citizens Councils, as well as with numerous Negroes. They were in general agreement that:

A very few Negro servants have lost their jobs, but "have been taken care of."

Hundreds of Negroes are riding taxicabs; but their fare in most cases is being paid, surprisingly, by their solidly anti-boycott white employers.

Otherwise, there seem to be funds available for any Negro who can reach his work only by taxi.

Books Were Subpoenaed

When more than 90 Negro leaders of the boycott were indicted recently under a 35-year-old, untested law, the books of the Montgomery Improvement Association (made up of leaders of the boycott) were subpoenaed by Circuit Court.

They showed that up to that time contributions to the Negro cause (origin not disclosed) officially had totaled $18,000. White leaders insist the total, which they say is largely from the North and East through the National Association for the Advancement of Colored People, is far greater.

Housewives Turn Chauffeurs

"I have no figures, but I believe business in general is up here," I was told by State Senator Sam Engelhardt, executive director of the Association of Citizens Councils of Alabama. "Outside money for the Negroes is coming in, and they are spending it."

While they bitterly oppose the boycott, literally hundreds of Montgomery housewives are driving their maids, cooks, even yard men and houseboys, to and from work.

"Why do you do it?" I asked one Southern aristocrat. "You say the boycott is caused by a 'bunch of uppity Nigras from up North, and they're ruining our darkies down here.' Aren't you helping them by transporting your servants?"

"But heavens, man, I can't do the housework," she replied.

But every morning and every afternoon, you can see scores of smart-looking Montgomery women driving handsome cars into the Negro communities—or out of them—with Negro women (sometimes boys and men) riding in the back seat. Always the back seat, of course.

Elevators Nonsegregated

Here enters another paradox that makes the Negro-white relationship the amazing thing that it is:

There is no such thing as segregation on the elevators of Montgomery, and most if not all other Southern cities.

One day this week, I rode up to the seventh floor of the First National Bank Building here in Montgomery. The elevator was old, small, and slow. On it were three Negroes and five white persons—which made it rather full.

The Negroes stood in the front of the car, and the white passengers were pressed against them. Obviously, nobody thought it in the least strange.

So, it wasn't strange—just incomprehensible to outsiders.

(Tomorrow: What next in the boycott?)

SEGREGATION ON PUBLIC CARRIERS IN MONTGOMERY WAS DECLARED UNCONSTITUTIONAL BY THE U.S. COURT- TUESDAY, JUNE 5, 1956

38b 1956 ALABAMA

PSC Will Appeal Segregation Rule On State Carriers

~~Hotel~~ Advertiser P.1

Montgomery, Ala.

City Officials Remain Silent On Court Edict

Wed. 6-6-56

By STEVE LESHER

Segregation on public carriers in Montgomery was declared unconstitutional by the U.S. Court yesterday, but the president of the Alabama Public Service Commission said that state body would "immediately appeal."

City officials, meanwhile, were reluctant to answer questions posed by newsmen. They said they would determine their course of action after formal judgment is rendered.

The Montgomery City Commission, composed of Mayor W. A. Gayle and Commissioners Clyde C. Sellers and Frank W. Parks, commented that "it would be improper to determine our course of action until formal judgment is rendered by the court."

C. C. (Jack) Owen, president of the Alabama Public Service Commission said he was "disappointed and shocked at the majority opinion. The basis of the scholarly dissent of Judge Lyne . . . should have controlled this case."

He said the PSC would "immediately appeal the majority opinion and will urge that the effect of the majority opinion be stayed pending appeal."

In a 2-1 decision, a three-judge panel of federal judges declared that "there is now no rational basis upon which the separate but equal doctrine can be validly applied to public carrier transportation" in Montgomery or in Alabama.

Advertiser

The assenting opinions were delivered in U.S. District Court here at 10 a.m. yesterday by Judge Richard T. Rives, Fifth Circuit U.S. Court of Appeals and Judge Frank M. Johnson Jr. of the middle district of Alabama.

2-A

A dissenting opinion was filed by Judge Seyburn H. Lynne, of the northern district of Alabama.

Wed. 6-6-56

VIEWS ASKED

No judgment was handed down in the case. All persons in the action heard here last May 11 were requested by the court to submit their views as to the form of judgment to be entered. A two-week deadline for these views was set by the court. No appeal can be legally entered until formal judgment is handed down.

It is believed that attorneys for the four Negro women who filed the suit against city and state officials last February will ask the court for a permanent injunction enjoining the city of Montgomery from enforcing segregation on city buses.

City and state officials are expected to appeal the decision to the Supreme Court of the U.S.

While the decision applies to the constitutionality of both state and city laws, Judge Johnson explained that an injunction, if and when it is issued, would apply only to Montgomery. To extend the decision to other Alabama cities would require a separate court order based on the decision yesterday.

The momentous opinion came precisely six months to the day after the start of the mass boycott of city buses by the city's 50,000 Negroes. The boycott began last Dec. 5.

CASE OVERRULED

In outlawing segregation on public carriers in Alabama and Montgomery, Johnson and Rives overruled the famous case of Plessy vs. Ferguson decided by the U.S. Supreme Court in 1896. In that case the court ruled that separate but equal facilities were not in conflict with the provisions of the 14th Ammendment to the Constitution.

Johnson and Rives ruled: "We cannot in good conscience perform our duty as judges by blindly following the precedent of Plessy vs. Ferguson when our study leaves us in complete agreement with the Fourth Circuit's opinion . . . that the separate but equal doctrine can no longer be safely followed as a correct statement of the law. In fact, we think that Plessy vs. Ferguson has been impliedly, though not explicitly, overruled."

Lynne, however, in his first judicial dissent, said that he "would dismiss the action (of declaring transportation segregation unconstitutional) on the authority of Plessy vs. Ferguson . . ." He added that "a comparatively new principle of pernicious implications has found its way into our jurisprudence."

LYNNE'S OPINION

Lynne held in his dissent that the Supreme Court, in its historic ruling declaring segregation in schools unconstitutional referred to the "separate but equal" doctrine as "equality of treatment . . when the races are provided substantially equal facilities, even though these facilities be separate." Lyne said it was his opinion that the Supreme Court's ruling on school segregation referred specifically to the field of public education.

Negro Atty. Fred D. Gray, who represented the four Negro women who filed suit against state and city officials, said that in view of the possibility of the court staying its formal judgment pending an appeal, "the mass protest" of city buses by Negroes "will continue at least until formal judgment is handed down by the court." Rev. M. L. King, leader of the boycott, lauded the majority decision as "a victory for justice and democracy."

Both the City Commission and the PSC were named as defendants in the May 11 suit. The state agency sought to be excused on the grounds that it exercises no jurisdiction over city buses. The three-judge panel overruled that motion.

APPEAL DISMISSED

The U.S. Fourth Circuit Court of Appeals at Richmond, Va., previously had ruled against segregation on city buses in Columbia, S.C., and the Supreme Court on April 23 dismissed an appeal from that ruling.

As no financial damages are involved in the Montgomery case, it is generally believed that yesterday's decision may bring the first clear-cut Supreme Court decision on segregation in intrastate public carriers.

In New York, the National Assn. for the Advancement of Colored People issued a statement through Executive Secretary Roy Wilkins that read:

"The NAACP is, of course, gratified to learn of the decision of the three-judge Federal Court in Alabama banning racial segregation on city buses. It is another indication that the judiciary and the American people as a whole recognize that segregation in public facilities and institututions is incompatible with our democratic principles. We hope that this ruling foreshadows the early end of segregation in all forms of public transportation."

High Court Overturns Bus Segregation

Boycotters Lose Legal Ground On Operation Of Car Pool

Injunction Calls Halt To Negro Transit Line

Advertiser Wed. 11-14-56 Montgomery, Ala.

By AL McCONAGHA

Negro bus boycotters were ordered to halt their car pool operations here yesterday on the same day a Supreme Court decision may have made continuance of their transportation system unnecessary.

Circuit Court Judge Eugene Carter granted a temporary injunction enjoining car pool activities after more than seven hours of exhausting legal debate between Negro and city attorneys.

Carter said later that he had advised a Negro attorney in answer to a telephoned question that the ban would take effect at midnight last night.

George Jones Jr., the court's register in chancery, said restraining orders would go out of his office first thing this morning. He said sherif's deputies would serve them to MIA, 14 Negro churches and 27 ndividuals named in the city's petition.

Speaking for a battery of four Negro lawyers, Montgomery attorney Fred Gray said the decision would be appealed. Negroes who had jammed the court room filed silently out as Carter announced his decision.

The Rev. Martin Luther King, Montgomery Improvement Assn. president, told reporters his people would abide by the ruling.

UNCERTAIN COURSE

City officials were uncertain how their newly made gains in the state court would be afected by the Supreme Court ruling declaring Montgomery bus segregation laws unconstitutional.

Saying the question of private enterprise was a "serious" one. Carter added that evidence presented by the city waranted the temporary injunction and ordered the Register in Chancery George H. Jones Jr., to isue retraining orders to the respondents.

City attorneys, led by City Atty. Drayton Hamilton said the car pool was a private enterprise operating without the necesary legal consent of the city. City attorneys also said the operation was inadequately insured and operated by morally unsuitable drivers.

BATTERY OF FIVE

Peter A. Halt of Birmingham led a battery of five Negro lawyers in saying the car pool was a non-profit organization and, if actually illegal, the city had not taken appropriate measures to halt it. In a final statement, Atty Gray said the boycotters were being forced to ride segregated buses through the city's action.

Mayor W. A. Gayle was the only witnes called to testify by the Negro attorneys. Gayle said that had the law been different 'he would have obeyed the law at that time" when the prosecutions starting the boycott were first made.

Gayle said the city sought to halt car pool operations because a desired "comprehensive traffic survey cannot be made with this artificial transportation goin on" and because the Negro transportation system had "destroyed a safe, economical bus system."

Surprise witness for the city was Stuart W. Patton of the Alabama National Bank, who testified that the MIA had deposited a cumulative total of $189,000 in his bank. There is only slightly over $1,000 in the association deposit at the present moment, Patton said.

Advertiser

The city also introduced movies taken by Police Lt. Drue Lackey showing Negro motor pool operations. Atty. Hay entered an objection to the showing as taken by an incompetent operator and a violation of federally guaranteed privacy.

City attorneys frequently made the point that MIA Treasurer E. D. Nixon was out of town and that neither he or his records could be subpoenaed.

Earlier, Carter had overruled a defense plea which challenged his jurisdiction on the grounds that the federal courts rather than the state courts have jurisdiction.

CARTER'S RULING

In holding his court had jurisdiction, Carter said the situation and persons in the two cases were different.

Wed. 11-14-56

The Negroes filed a petition in U.S. District Court Nov. 1 seeking to stop the city of Montgomery from interfering with the car pool according to the terms of a resolution passed by the City Commision last month.

First Negro witness called by the city was King. The Negro leader said he knew very litle of the financial structure of the MIA and of the details of the transportation system. Association secretary Erna Dunge also claimed general ignorance of financial and transportation matters when asked to testify by Knabe.

The Rev. B. J. Sims, Negro pastor of a Tuskegee church, said he had an "expense account" of $29.40 weekly for his services as a member of th MIA transportation committee.

Station wagon driver the Rev. Burl Mack Averhart said he couldn't remember where he got routing instructions but admitted he was given a "donation" of $24 weekly.

A petition asking for a temporary injunction to halt city action against the motor pool filed in U.S. District Court by Montgomery Negroes will be heard at 10 a.m. today.

White Spokesmen Warn Of Possible Violence

Advertiser Wed. 11-14-56 Montgomery, Ala.

By BOB INGRAM

Laws requiring racial segregation on buses in Montgomery and throughout the South were declared unconstitutional yesterday in another historic decision of the U.S. Supreme Court.

The decision brought an immediate prediction from a Negro leader here that a decision to end the 11-month bus boycott would "unquestionably" be made at a mass meeting tonight.

Calling the decision a "glorious daybreak to end a long night of enforced segregation," the Rev. Martin Luther King Jr. declared emphatically that his race would use "every legal means" to see that the court's decision was complied with in Montgomery.

OMINOUS RUMBLINGS

But from white leaders of the city and state came warnings of possible violence and bloodshed if any attempt is made to carry out the decision.

C. C. (Jack) Owen, president of the Alabama Public Service Commission, declared that segregation must be maintained "To keep down violence and bloodshed."

And Luther Ingalls, local leader of the pro-segregation Montgomery Citizens' Council chapter, predicted flatly that "any attempt to enforce this decision will inevitably lead to riot and bloodshed."

BOYCOTT RESULT

The court's decision yesterday stemmed directly from Montgomery's long boycott. The tribunal, in a unanimous decision, upheld a June 19 decision of a special three-member panel of federal judges which had ruled that Montgomery's bus segregation laws were unconstitutional.

Amid all the confusion as to the effect of the decision, one fact

appeared to stand clear — the court's decision had ended with abrupt finality any legal efforts the city or state might initiate in an attempt to preserve segregation on public conveyances. There is no appeal from a U.S. Supreme Court decision.

The court order was not only unanimous, it was also brief. After citing the 1954 school segregation case and also citing subsequent decisions which outlawed segregation in public parks, playgrounds and golf links, the court ruled briefly:

MOTION GRANTED

"The motion to affirm is granted and the judgment is affirmed."

This affirmation left no doubt that the Supreme Court was outlawing segregation on all bus systems. Earlier this year some question had arisen when the court simply dismissed an appeal from another decision overturning a South Carolina segregation law. That left the decision in effect but led to confusion—ended yesterday —as to the Supreme Court's intent.

Meanwhile, what action the National City Lines, Inc., will take locally became an issue of paramount importance. National City operates the local buses.

Officials of the company in Chicago declined comment due to the absence of the firm's president. Locally, no bus line official would comment on what steps might be taken in view of the decision.

Advertiser

Also declining comment were members of the City Commission as well as Gov. James E. Folsom.

Mayor W. A. Gayle, speaking for the commission, said he had not seen a copy of the decision but would make an "appropriate statement" after he has studied the court's ruling. 9-2-A

The court's decision yesterday placed into immediate effect an injuntion ordering the City Commission of Montgomery to cease enforcing its segregation laws. Wed. 11-14-56

3-JUDGE PANEL

This injunction was issued by the three-judge panel, but then held in abeyance pending the outcome of the city's appeal. It was on this appeal that the Supreme Court ruled yesterday.

There had been some question—and hope among white leaders—that the injunction might still be in abeyance, but this was ruled out by U.S. Circuit Judge Richard Rives, one of the panel members.

He said the injunction would go into effect as soon as the court order reaches U.S. District Court in Montgomery. Rives said it customarily takes two to three weeks for an order to reach the local office.

Judge Rives also pointed out that the Supreme Court's decision yesterday applied not only to Montgomery, but that it sets a precedent for all similar cases of the future.

He noted that the City Commission and the Alabama Public Service Commission have the right to petition for a rehearing within 15 days, but he said the possibility of further delay in the effective date of the order was slight.

NEGRO LEADERS LEAVE HEARING

Filing out of the county courthouse here yesterday during a recess in the city's bus boycott hearing, left to right, are Mrs. M. L. King, the Rev. Ralph D. Abernathy and the Rev. Martin Luther King. The latter two are vice president and president respectively of the Montgomery Improvement Association which has spearheaded the Negro bus boycott. Those in background are unidentified.

COURT DECISION- NOV. 13,1956
Montgomery, Ala. (Bus Boycott)

HIGH COURT VOIDS BUS RACIAL LAWS

Times Picayune New Orleans La.

Upholds Lower Decision on Segregation

Wed. 11-14-56

By KARL R. BAUMAN

WASHINGTON, Nov. 13 (AP)—The Supreme Court today wiped out state and local laws requiring segregation on buses. P. 1

It did so by affirming a decision of a special three-judge U. S. district court in Montgomery, Ala. That court ruled that enforced segregation of whites and Negroes on Montgomery buses violated the Federal Constitution's guarantees of due process and equal protection of law.

In a brief unanimous order, the Supreme Court cited its 1954 decision against segregation in public schools. It also cited subsequent decisions outlawing segregation in public parks and playgrounds and on public golf links.

As it has done in several segregation cases since its basic school decision, the high court acted without listening to any argument. Except for citing three segregation-banning decisions, all the court said was:

"The motion to affirm is granted and the judgment is affirmed."

This affirmation left no doubt that the Supreme Court was outlawing segregation on all bus systems. Earlier this year some question had arisen when the court simply dismissed an appeal from another decision overturning a South Carolina segregation law. That left the decision in effect but led to confusion—ended today—as to the Supreme Court's intent.

Long Bus Boycott

Negroes in Montgomery have conducted a long boycott of city buses as a protest against segregation. One of the things they resorted to was operation of a car pool to carry those who used to use the buses.

A state court at Montgomery is now considering the city's attempt to halt the car pool as illegal. The court continued its hearing today after being informed of the Supreme Court ruling.

In neighboring Mississippi, Gov. J. P. Coleman said his state would continue to segregate Negroes and whites on public conveyances, despite the Supreme Court order.

"Our attitude about the decision will be the same as about the school segregation cases," Coleman said. Mississippi's public schools, like many others in the South, are still segregated.

Sheppard Loses Plea

In another action today, the court refused to review the trial and conviction of Dr. Samuel H. Sheppard, Cleveland osteopath, for the bludgeon slaying of his wife.

Dr. Sheppard was convicted of slaying his pregnant wife, Marilyn, 30, in their Bay Village, Ohio, home in July 1954. He received a life sentence. This was affirmed by the Ohio Supreme Court last May. Times Picayune

Dr. Sheppard contended he was denied a fair trial because of adverse publicity. The Ohio Supreme court rejected this claim.

In the bus segregation case, Montgomery's board of commissioners and the Alabama Public Service Commission appealed from the ruling of the three-judge court voiding state and local bus segregation laws. P. 3

The lower court, dividing 2-1, said "there is now no rational basis upon which the separate but equal doctrine can be validly applied to public transportation within the city of Montgomery." And it said "the application of that doctrine cannot be justified as a proper execution of state police power." Wed. 11-14-56

The two judges in the majority said they agreed with a decision of the 4th U. S. Circuit Court of Appeals in Richmond that "the separate but equal doctrine can no longer be safely followed as a correct statement of the law."

The separate but equal doctrine, now dead for all practical purposes, was laid down by the Supreme Court in a transportation case in 1896 known as Plessy vs. Ferguson.

'Impliedly Overruled'

The Montgomery court said the two judges in the majority thought "that Plessy vs. Ferguson had been impliedly, though not explicitly overruled," and that, under the later decisions, there is no rational basis upon which that doctrine can be applied in public transportation.

The city commissioners of Montgomery contended the special court lacked authority to act. They said it should have dismissed the complaint filed on behalf of Negro bus riders, or should at least have stayed action pending disposition of a similar suit filed by Negroes in Alabama state courts.

Atty. Gen. John Patterson of Alabama filed the appeal of the Alabama Public Service Commission, arguing that the right of the passenger "is only that of being carried safely, and with due regard to his personal comfort and convenience." Patterson said this cannot be done and peace and order maintained in Montgomery and other places "if, by court decree, a Negro man is permitted to sit by a white woman."

In other actions today, the court:

1. Denied Gov. J. Bracken Lee of Utah permission to file suit attacking constitutionality of the U.S. foreign aid program.

Lee, a Republican, who was defeated for renomination and failed last week to win re-election as an independent candidate, proposed to file suit to enjoin Secretary of the Treasury Humphrey from using tax funds for foreign assistance.

Lee has been critical of President Eisenhower and wants this country to get out of the United Nations. He refused to pay part of his 1955 income tax which he estimated would go to foreign aid. The government tapped his bank account and got the money.

2. Agreed to rule on an appeal by John Stewart Service contesting his dismissal from the State Department.

Service, a veteran career officer, was fired in 1951 by former Secretary of State Dean Acheson.

The U.S. Court of Appeals here refused to order Service reinstated, but directed that all questions as to his loyalty be stricken from the record.

Labor Union Law

3. Agreed to review a decision upholding validity of an Alabama law prohibiting state employes from joining labor unions. The decision was handed down by a special three-judge U.S. district court in Birmingham. The CIO Government and Civic Employes Organizing Committee brought the appeal.

4. Refused to review a decision by U.S. Dist. Judge Luther W. Youngdahl here limiting Post Office Department bans on firms selling allegedly obscene matter. Youngdahl held such bans must be limited to mail specifically related to the particular items found to be obscene.

The Justice Department, in appealing from the ruling, contended Congress had authorized the postmaster general to return "all mail" sent to alleged vendors of obscenity.

5. Agreed to review a National Labor Relations Board ruling that it lacks authority to act in the case of a labor union charged with unfair labor practices against its own employes. The complaint in the case was filed with the NLRB by the Office Employes International Union, Local 11, AFL-CIO. The complaint named the International Brotherhood of Teamsters and its affiliates in Portland, Ore. The case was the first of its kind to be decided by the board.

Legal battling continues over Negro car pool

News P. 1 Wed. 11-14-56

MONTGOMERY, Ala., Nov. 14—(AP)—City authorities questioned the right of Montgomery Negroes to ask for a federal court order to continue their bus boycott car pool in face of a newly-granted injunction in state court. B'ham, Ala.

The Negroes asked U. S. District Judge Frank M. Johnson for an order to permit them to continue the motor pool operations even though the long boycott appeared near an end with city and state segregation laws knocked out by the U. S. Supreme Court.

THEY ASKED for the right to continue the car lift until the boycott is brought to an end, perhaps at mass meetings in Montgomery tonight.

City Atty. Walter Knabe asked Johnson to dismiss the Negroes' request primarily on the ground that the Supreme Court decision has removed the need for the boycott and the car pool and also that it is purely a state matter outside the jurisdiction of federal court.

Knabe pointed out that the Negroes in their petition said they would ride city lines buses again once they were desegregated.

JOHNSON WITHHELD an immediate ruling on the city's objections. And ordered the hearing to proceed with testimony from witnesses. He also refused a request from the Negroes to make Circuit Judge Eugene Carter a defendant. Carter issued an injunction yesterday against continuing operation of the car pool.

The Rev. Martin Luther King Jr., one of the boycott leaders, testified that "there is no basic need" to continue the car pool in the face of the Supreme Court ruling. But he said the boycott has not formally been abandoned.

Meanwhile, Negroes in uncounted numbers walked to work this morning because of the injunction against use of the motor pool.

A Negro leader, the Rev. Ralph D. Abernathy, said "on the whole" the Negroes "made the sacrifice and walked to work."

THERE WERE INDICATIONS that the 11-month-old protest against segregated city buses—now ordered integrated by the Supreme Court—will end dramatically tonight.

A scheduled mass meeting to announce the decision was broadened to two rallies because, Abernathy explained, no Negro church is large enough to hold the expected crowd. One meeting will start at 7 p.m. (CST) and the second an hour later. ery city lines an estimated $750,000, said no decision has been reached on ending the segregation protest. Times Picayune

He said a mass meeting of Negroes is planned Wednesday night to consider the implications of the supreme court decision. P. 3

The decision, he added, "places a basic responsibility before the Negro and white community of Montgomery. All persons must recognize the difficulty of adjustment and seek through the principles of love and understanding good will to work in harmony with the new system."

King said "all persons of good will" will accept the supreme court ruling and seek to comply with it. Wed. 11-14-56

At Tuskegee, State Sen. Sam Engelhardt of Macon county, executive secretary of the pro-segregation Alabama Association of Citizens Councils, predicted the decision would be the end of public transportation in Montgomery.

"I don't believe the white people of Montgomery are going to accept any such mandate from the supreme court," he said.

"As far as I am concerned," he added, "they can move the Montgomery City Lines Inc. (which holds the Montgomery bus franchise) lock, stock and barrel to Washington, D. C."

Engelhardt, who owns a large plantation in heavily Negro populated Macon county, said it appears that "the supreme court is determined to build a federal oligarchy that will undermine the very foundation of these United States, and spread ill will and discord throughout the nation.

"The supreme court apparently will not be satisfied until government by the people, of the people and for the best interests of the majority of all the people is replaced by a many-headed, bureaucratic monster in Washington," he said.

One of the plaintiffs in the precedent-breaking case, 78-year-old Mrs. Susie McDonald, said "It was not as if we were fighting the city or its officials.

"All we wanted was justice," she said. "We were badly treated on the busses but now they've given us justice.

"I feel that lots of people of the white race and of our race are not fit to sit with decent people, and they should go to the rear of busses," the Negro woman said. The rear portion of segregated

busses has been designated for Negroes up to now.

The only other plaintiff available, 16-year-old Claudette Colvin, had no comment.

During the May 11 hearing on the suit here, the girl testified that the reason no attempt to overthrow the bus segregation laws was made before the boycott solidified the Negro community was that "some of us just didn't have the guts to stand up" earlier.

Robert Cleere, one of the bus drivers named in the federal court suit, said he would have nothing to say about the decision. Cleere is now in a federal civil service job at Maxwell Air Force Base.

The other driver, James F. Blake, was unavailable.

An Alabama Journal reporter stopped people at random in downtown Montgomery asking for their reaction to the supreme court decision and found only one out of the first 11 he approached willing to be quoted by name.

Miss Naomi Pannell, a United States department of agriculture employe, said she does not foresee that desegrated public busses will ever operate in Montgomery. "The courts can't overrule Southern traditions that easily," she said.

A salesman who declined use of his name observed, "the South has no representation anywhere now except in Congress. This would not have happened if we had planned earlier to stop this program of calculated integration."

"I'm surprised they didn't rule on it before the election," said a waitress who did not give her identity but did note that she is a Democrat.

Two Negroes in the group said they did not have anything to say for publication.

brought the suit that broke city and state bus segregation laws.

White officials across the South took a strong stand directly opposed to hers.

Charges of unlawful interference with the states, common since the 1954 Supreme Court ban on public school segregation, echoed again across Dixie.

LEADERS OF THE 11-month-old bus boycott in Montgomery indicated the decision would bring the protest to an end tonight, its purpose now removed, one of the Negro women had testified in the suit that the boycott solidified the 50,000-strong Montgomery Negro community so that the suit was possible.

Calling the decision "a glorious daybreak," the Rev. Martin Luther King Jr., said "everyone was very happy" at a meeting of boycott leaders last night. The executive board of the Montgomery Improvement Assn., the boycott's coordinating group which King heads, met to discuss the decision.

KING SAID the group would meet again today to draw up recommendations to two mass meetings of boycotters tonight. He predicted the boycotters would vote to end their protest and return to city buses.

"All persons of good will" are going to accept the Supreme Court ruling and try to abide by it, King said.

A similar boycott of segregated buses has been conducted by Negroes in Tallahassee, Fla. It began several months after the Montgomery protest started last Dec. 5.

THE GOVERNORS of Mississippi and Georgia, U. S. and State senators, a state attorney general and other officials were among those sharply criticizing the decision.

The Montgomery City Commission, named in the suit, had no immediate comment. Alabama's Atty. Gen. John Patterson, who had filed an appeal to the Supreme Court of a special three-judge federal panel, was not available for comment.

Patterson's appeal was for the Alabama Public Service Commission. Its president, Jack Owen, said yesterday that "to keep down violence and bloodshed, segregation must be maintained."

With no immediate efforts reported of Negroes seeking to ride in the white-designated front parts of buses, there was no sign of violence in Montgomery.

A caravan of about 40 carloads of robed Ku Klux Klan members toured Negro residential areas of Montgomery last night, horns blowing, but police said they had no complaints or reports of violence.

THE MANAGER of the Montgomery bus company, J. H. Bagley, was reported by his family to be out of town. No other local bus official would comment on effects of the decision. Officials of the parent company, National City Lines, Inc., of Chicago, also refused comment.

The city had indicated the company lost about $750,000 in revenue because of the boycott.

Gov. J. P. Coleman of Mississippi said that his state's segregation laws "are not involved" in the decision and would still be enforced.

THE SENIOR JUDGE on the special panel, Richard T. Rives of the Fifth U. S. Circuit in New Orleans, said the Supreme Court's upholding the panel would set a precedent for other cases.

The other member of the 2-1 majority in the June 5 decision upheld yesterday, District Judge Frank M. Johnson Jr. of Montgomery, said the decision applied throughout Alabama. Separate court actions would have to be brought in other states having bus segregation laws similar to Alabama's, Johnson said.

The panel issued an injunction against the Montgomery city and Alabama state laws that was suspended during the appeal. Rives said it would go into effect when Johnson is formally notified on the Supreme Court's action.

That would probably take two or three weeks, Rives said in Fort Worth, Tex.

ALABAMA'S SENIOR SENATOR, Lister Hill, said "every lawful means to set aside the ruling" should be used.

Herman Talmadge, senator-elect of Georgia, called again for congressional limitation of the Supreme Court's power. He said the decision did not surprise him "in view of decisions made recently."

Georgia's Gov. Marvin Griffin said his state would oppose application of the decision by all legal means. His attorney general, Eugene Cook, noted that the decision does not directly affect Georgia now.

Negroes jubilant—

Officials sharply critical of decision

News Wed. 11-14-56

B'ham Ala. P. 1

BY HENRY S. BRADSHER

MONTGOMERY, Ala., Nov. 14 — (AP) — "We were badly treated on the buses but now they've given us justice."

That was the reaction of a 78-year-old Montgomery Negro woman to the U. S. Supreme Court's decision yesterday that bus segregation is unconstitutional. The woman, Susie McDonald, and three other Negro women

Negroes Vote To Abandon Montgomery Bus Boycott

Constitution Thurs. 11-15-56

Atlanta, Ga. P. 2

Will Delay Riding City Vehicles Until Court Ruling Is Effected

MONTGOMERY, Ala., Nov. 14 (AP)—A group of wildly cheering Montgomery Negroes, rejoicing over the U.S. Supreme Court ruling against bus segregation, voted overwhelmingly tonight to end their long boycott of city buses.

The group agreed to start riding city buses again as soon as the Supreme Court's decision is put into effect and the buses are desegregated.

But, one of their leaders explained, it probably will be several days before the formal decision reaches Montgomery. The Negroes shouted wild approval of the Rev. Martin Luther King Jr.'s declaration that until then "we will continue to walk or share rides with friends."

WILD OVATION

The Negroes, who gave King a thunderous ovation when he arrived at the first of two mass meetings, approved the recommendation from him and other boycott leaders that the 11-month-old protest against segregated buses be brought to an end now that the Supreme Court has outlawed separate seating for white and Negro passengers.

King cautioned the crowd, estimated by the Rev. H. H. Johnson at 5,000, that "all of us have a basic responsibility to seek to implement this noble decision."

With that went an appeal to the Negroes to "be calm and reasonable."

STRESSES "GOODWILL"

"With understanding, goodwill and Christian love, we can integrate," he said. "This is Montgomery's sublime opportunity."

The car pool, which has transported the estimated 50,000 Negroes during the boycott that began last Dec. 5, has already ended under a state court injunction.

The Negroes sought an order in federal court today to stop the City of Montgomery from interfering with motor pool operations, but U.S. District Judge Frank M. Johnson Jr. refused to issue an injunction.

DECISION IS JOLT TO MONTGOMERY

Times Picayune New Orleans, La.

Action Leaves Many of Citizens Speechless

West. 11-14-56

MONTGOMERY, Ala., Nov. 13 (AP)—Circuit Judge Eugene Carter Tuesday granted a temporary injunction to stop Montgomery Negroes from using a car pool for transportation during their boycott of city buses.

There were strong indications, however, that the injunction might have little effect in view of Tuesday's supreme court decision outlawing city bus segregation.

A Negro leader, the Rev. Martin Luther King Jr., predicted the 11-month-old boycott of segregated buses will end at a Negro mass meeting Wednesday night.

By LYNNE BRANNEN and HENRY BRADSHER

MONTGOMERY, Ala., Nov. 13 (AP)—A US supreme court decision knocking the props from under city bus segregation laws fell like a bombshell on Montgomery Tuesday.

Although it had been expected the decision left many Montgomerians speechless.

The city commission declined comment as did Negro bus boycott leaders who were busy in court fighting an injunction aimed at putting their bus boycott car pool out of business.

At Biloxi, Miss., where he is attending the annual meeting of the Alabama farm bureau federation, C. C. Owen, president of the Alabama public service commission, issued this statement:

"The people of Alabama are not going to abolish segregation. I'm going to do everything in my power to maintain peace and order in our state.

"To keep down violence and bloodshed, segregation must be maintained. I will urge all public transportation companies to make every effort to keep harmony among passengers by assigning seats in such a manner that the races will be kept separate."

Since Negroes made no attempt immediately to take advantage of the supreme court ruling, there were no indications that it might touch off any violence in this city of 125,000.

During the federal court hearing, all three members of the city commission predicted that if bus segregation were ended in Montgomery it would lead to violence and bloodshed. About 50,000 Negroes live here.

"It won't be safe on the streets" if segregation is done away with, said police commissioner Clyde Sellers.

Negroes Lose Injunction Bid

Federal Judge Denies Petition For Intervention

Advertiser Montgomery, Ala. Thurs. 11-15-56

By JO ANN FLIRT

Negro bus boycott leaders lost their second court battle in tow days yesterday when U.S. District Judge Frank M. Johnson Jr. refused to intervene in their behalf to stop enforcement of a state court injunction halting car pool operations.

The state injunction was granted Tuesday by Montgomery Circuit Judge Eugene W. Carter who ruled that the car pools were an illegally operated enterprise and not a non-profit, share-the-ride arrangement as maintained by the Negro attorneys.

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In refusing to intervene, Judge Johnson ruled that the federal court had jurisdiction to grant the requested injunction but that "he not justify" it.

He cited the long established principle of comity whereby state and federal courts exercise restraint in granting relief which would enjoin state officers except stances where the danger of irreparable injury is great and imminent," Judge Johnson said.

The judge overruled a motion by City Atty. Walter J. Knabe to dismiss the petition on grounds that the federal court did not have jurisdiction. He also denied Negro attorneys an amendment which would have made Judge Carter a party to the complaint.

The ruling followed a four-hour rehash of Tuesday's circuit court hearing which involved practically the same parties and witnesses, and, as both counsels stated, "the same matters."

Appearing for Negro petitioners Attys. Arthur Shores, Peter A. Hall, Orzell Billingsley Jr., all of Birmingham, and Fred Gray and Charles Langford of Montgomery. City Atty. Knabe and his assistant Drayton Hamilton, represented the city.

Although the present status of buses in light of the Supreme Court decision banning segregation was slightly touched upon the issue did not come out in testimony during the hearing. Knabe argued at several points that the decision made the injunction issue "a moot question" since boycott leaders said they would ride buses once they were integrated.

Negro attorneys, however, hinted that the question of transportation in Montgomery had not been settled, and sought by repeated testimony to establish the legality of the car pool operations.

That legality was not ruled on by Judge Johnson in his decision not to grant the injunction.

Another question fringing the hearing was that of possible damages arising out of a three-part complaint filed by the city in circuit court. Netither Knabe nor Hall, who led the Negro counsel, brought up the issue in the hearing.

Advertiser

Principal witnesses called by Negro attorneys were the Rev. M. L. King, president of the Montgomery Improvement Assn. which has directed the car pool, and three women who testified they either rode church owned station wagons or in one case drove their private car and offered free rides.

All testified that transportation was free. Attempts by Negro attorneys to bring out testimony concerning segregation and incidents leading to the boycott last December were repeatedly overruled by Judge Johnson.

P. 4

He ruled as did Judge Carter Tuesday that the issue was that of the car pools themselves and not what led to them.

Knabe' evidence consisted wholly of a reel of black and white film taken by a city police officer of loading and unloading of station wagons and private automoviles at the Normandale parking lot.

Neither side offered a final argument in the hearing which moved swiftly throughout the morning and bogged down only during testimony to establish the police officer as an expert witness.

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City Atty. Knabe was called to the stand by Negro counsel for testimony concerning the city committee resolutions directing him to file court proceedings to halt car pool operations.

Knabe testified the city took the action to determine in court whether or not the car pools were illegal as they suspected. He said he had advised the commission that, although the city had cause to arrest persons suspected of operating without required franchise or licenses, an injunction was the better solution.

Earlier in the hearing, Knabe successfully argued that only individuals and not the MIA or other incorpated bodies possessed civil rights. Judge Johnson struck from the list of petitioners all except the individuals.

"If the petitioners are in good faith they will withdraw this petition," Knabe argued, "since we now have a de-segrated bus." The petition stated Negroes would ride buses once they were integrated.

A motion for continuance of the hearing in light of Tuesday's Supreme Court decision and state court injunction, was denied Negro leaders at the beginning of the court session.

JUDGE REJECTS CAR POOL PLEA

Times-Picayune

Refuses to Stop State Court Injunction

Thurs. 11-15-56

MONTGOMERY, Ala., Nov. 14 (AP)—US District Judge Frank M. Johnson Jr. refused Wednesday to stop enforcement of a state court injunction against continued use of a car pool by Montgomery Negro bus boycotters.

P. 22

New Orleans La.

He denied a request by the Negroes for a temporary restraining order to prevent the city of Montgomery from interfering with car pool operations.

The city obtained an injunction in state court Tuesday against further use of the motor pool even though the US supreme court has outlawed bus segregation and the 11-month-old boycott in Montgomery seemed near an end.

Disagrees with City

Johnson disagreed with the contention of city authorities that the federal court has no jurisdiction to intervene but he said "the circumstances of this case do not justify the court's intervention."

The federal judge said the Negroes have not been threatened with any injury besides that incidental to the enforcement of the now outlawed city bus segregation ordinance. He said they could get no relief from his court that they cannot also get through the state courts and an appeal to the US supreme court.

J. H. Bagley, manager of the Montgomery Bus Company, said his drivers will continue to enforce segregated seating until a state injunction requiring it is dissolved.

Injunction Stands

He said the injunction issued last May by circuit Judge Walter B. Jones still stands despite Tuesday's US supreme court decision.

Bagley's statement that segregation would be enforced came a few hours before two Negro mass meetings that might decide to end the boycott.

The official spokesman of the boycotters, the Rev. Martin Luther King Jr., indicated that voice votes of boycotters would probably favor ending the anti-segregation protest.

Bus Boycott Driver Fined

Post-Herald

Wed. 11-7-56

MONTGOMERY, Nov. 6 (AP)—The driver of a Negro bus boycott station wagon was fined $25 and costs in police court today on a charge of passing another car without seeing his way clear.

Birm., Ala.

The Rev. Bull Mack Averhart, pastor of Peace Baptist Church in Montgomery, pleaded innocent when State Highway Patrolman C. E. Ward testified the Negro pulled into the path of his patrol car during an emergency run.

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Ward said Averhart, meeting the patrol car, pulled around another automobile and crossed the center line, forcing the officer to swerve sharply to avoid a collision.

The Negro minister denied crossing the center line on U. S. Highway 80 at the outskirts of Montgomery.

Averhart was driving one of the church-operated station wagons which provides transportation to Montgomery Negroes who have boycotted segregated city buses for 11 months.

End Of Protest Awaits Formal Notice Of Edict

Advertiser P. 1

Montgomery, Ala.

Montgomery Negroes, rejoicing over the U.S. supreme court ruling against bus segregation, voted overwhelmingly last night to end their long boycott of city buses.

Thurs. 11-15-56

The Negroes agreed to start riding city buses again as soon as the Supreme Court's decision is put into effect and the buses are desegregated.

But, one of their leaders explained, it probably will be several days before the formal decision reaches Montgomery. The Negroes shouted wild approval of the Rev. Martin Luther King Jr.'s declaration that until then "we will continue to walk or share rides with friends.

11-15-56

The Negroes, who gave King a thunderous ovation when he arrived at two mass meetings, approved the recommendation from him and other boycott leaders that the 11-month-old protest against segregated buses be brought to an end now that the Supreme court has outlawed separate seating for white and Negro passengers.

King cautioned the crowd, at Hutchinson street Baptist Church, estimated by the Rev. H. H. Johnson at 5,000, that "all of us have a basic responsibility to seek to implement this noble decision."

With that went an appeal to the Negroes to "be calm and reasonable."

"With understanding, good will and Christian love, we can integrate the buses with no difficulties," he said. "This is Montgomery's sublime opportunity."

The car pool which has transported the estimated 50,000 Negroes during the boycott which began last Dec. 5 has already ended under a state court injunction.

The Negroes sought an order in federal court yesterday to stop the city of Montgomery from interferring with motor pool operations, but U.S. District Judge Frank M. Johnson Jr. refused to issue an injunction.

KING'S STATEMENT

Here is the statement released by the MIA executive board and read to the crowd by the Rev. King:

"After thinking on this question very seriously the executive board recommends that the 11-month-old protest against the city buses will be called off and that the Negro citizens of Montgomery, Alabama, will return to the buses on a non-segregated basis. It is further recommended that this return to buses will not take place until the mandate from the United States Supreme Court is turned over to the Federal District Court.

"It is true that this is purely a procedural matter but is a matter that might be used by reactionary elements to plunge us into needless harassment and meaningless litigation. We have the assurance from authenic sources that this mandate will come to Montgomery in a matter of just a few days. For those three or four days we

will continue to walk and share rides with friends.

All of us have a bisic responsibility to seek to implement this noble decision. Let all of us be calm and reasonable with understanding, good will and Christian love. We can integrate the buses with no difficulties. This is Montgomery's sublime opportunity; we can now transform our jangling discord into meaningful symphonies of spiritual harmony.

The boycott began Dec. 5, 1955, after Rosa Parks, a Negro seamstress who refused to take a seat in the Negro section of a Montgomery City Lines bus, was fined $14 in police court.

At a mass meeting that night, Negro ministers and other Negro leaders urged the city's 42,000 Negroes not to ride the buses, in protest of the woman's conviction.

The Negroes complied at least 99 per cent, as shown later by bus company records, and they either walked or formed the now defunct car pools.

FIRST-COME BASIS

Boycott leaders at first did not demand an end to segregation but insisted that bus seating be on a starting with the back seats for Negroes and front ones for whites.

Company officials refused to drop a requirement that the 10 front seats be reserved for whites. The boycott leaders also demanded Negro drivers for Negro routes.

On Feb. 21, 115 Negroes were indicted by a Montgomery County grand jury (17 white men, one Negro) on charges of instigating the Negro mass boycott. The indictments were based on a 1921 state law, originally intended to curb violence in labor disputes, that outlawed organized boycotts that had no "just cause or legal excuse."

115 INDICTED

Of the 115 indicted, 90 Negro leaders including 24 ministers, were arrested Feb. 22-24. All were released on $300 bond each. They were arraigned Feb. 24 and all pleaded not guilty.

The Rev. Dr. Martin Luther King, 27, pastor of the Negro Dexter Avenue Baptist Church and president of the Montgomery Improvement Assn., was found guilty by Circuit Judge Eugene W. Carter on March 22 of having conspired illegally to boycott the city's segregated buses.

King was fined $500 (or 140 days in jail) and assessed $500 in costs (or 246 days in jail). Sentence was suspended pending King's appeal to the Alabama Circuit Court of Appeals. None of the other Negroes indicted have stood trial.

Judge Carter upheld the state's contention that the MIA, under King's leadership, had conceived and directed the bus boycott and that once the boycott began King found he had "started a fire he couldn't stop." Cases of the 89 other Negroes were continued pending the outcome of King's appeal.

On June 5, a three-judge federal court here ruled by 2-1 that racial segregation on Montgomery city buses was in violation of the Federal Constitution. City and state officials appealed to the U.S. Supreme Court which upheld the lower court's decision Tuesday.

BOYCOTT LEADERS DISCUSS CASE

The Rev. M. L. King and the Rev. Ralph D. Abernathy, left and right front, discuss federal court proceedings with Attys. Peter Hall, center, Fred Gray and Orzell Billingsley Jr., far right, during a morning recess of the court. At the extreme left is the Rev. Harold A. L. Clement of the Mount Zion Church which was a party in the petition.—**Photo by Chief Photographer Joe Holloway**

WEEK-LONG PROGRAM

Negroes Plan Seminar On Non-Violence Move

A week-long Negro "rededication to non-violence" will be conducted Dec. 3 through Dec. 9 by the Montgomery Improvement Assn., it was revealed yesterday.

Termed an "Institute on Non-Violence and Social Change," the seminar was intended by the association to fall during the week of the Montgomery bus boycott's first anniversary.

Educators of both races will attend the seminar, it was announced. The Montgomery Improvement Assn. is the organization which spearheaded the 346-day boycott of Montgomery city buses by the city's 50,000 Negroes.

The Rev. Martin Luther King, MIA president, and the Rev. Ralph D. Abernathy, chairman of the scheduled seminar, said among those persons who will attend the "rededication institute" is Miss Lillian Smith, prominent author from Clayton, Ga.

Miss Smith, co-editor of South Today from 1936 to 1945, is author of "Strange Fruit," "Killers of the Dream," "The Journey" and "Now Is The Time." In 1950 she was recipient of the Southern Author's Award and a special citation for "distinguished contribution to American letters" by the National Book Award Committee.

Other white persons attending are the Rev. Glenn Smiley, field secretary of the Fellowship of Reconciliation, New York City, and the Rev. Homer A. Jack, pastor of the Unitarian Church, Evanston, Ill.

Negro leaders from throughout the South are expected to attend the several workshops planned for the institute. Workshops will be conducted on voting registration, voting, transportation, education, the principles of non-violent action and the problems of survival "in the face of economic pressure and boycott."

White and Negro representatives of the sociological departments of America's leading universities, editors of important newspapers and magazines, leaders of the major religious bodies and delegations from trade unions have also been invited to attend the sessions.

The institute will open Monday, Dec. 3, with King as principal speaker. It will end Sunday, Dec. 9, with what was described as a "mammoth statewide religious service" to which "all religious leaders and laymen in the state, regardless of color or creed" are invited.

At the service, Dr. J. H. Jackson, president of the National Baptist Convention, the largest Negro church body in the world, will be principal speaker.

On Friday, Dec. 7, a statewide ministers' seminar is planned at which Dr. Harry V. Richardson, president of the Gammon Theological Seminary in Atlanta, and the Rev. James H. Robinson of Harlem's Church of the Master will discuss the role of the church in social change and social aspects of the Christian Gospel.

Smiley, white field secretary of Fellowship of Reconciliation, will conduct a Dec. 7 seminar on "non-violence as a technique in social change."

Featured speaker on Dec. 7 will be the Rev. Gardner Taylor, pastor of a new million - dollar Concord Baptist Church (Negro) in New York City.

Abernathy said "we are planning to involve the . . . national community by discussing . . . in interracial groups the major issue that affect Negro-white relations in our nation."

He said the institute plans "banquets, seminars, mass meetings, luncheons, youth oratorical contests, fasting, and a day of prayer to ask for the spiritual strength to remain non-violent . . . during these days of grave danger and great Christian opportunity."

Other Negro leaders who will attend the institute include Dr. Preston Valien, head of the social science department at Fisk University; the Rev. C. K. Steele, leader of the Negro bus boycott at Tallahassee, Fla., and Mahalia Jackson, Chicago gospel singer.

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VARIED REACTION TO RULING

Advertiser 4/1

State Bus Officials Foresee No Change In Seating Riders

Montgomery, Ala.

Thurs. 11-15-56

Officials of bus lines in the major cities of Alabama expressed varied reaction yesterday as to the effect of the U.S. Supreme Court decision Tuesday declaring bus segregation laws unconstitutional. 11-15-56

Most of the local managers passed comment on the question, insisting it was "too early" for a statement. However, two bus officials in North Alabama cities optimistically predicted there would be no changes in ther operations, while the owner of the Dothan Transit Co. declared flatly he would "go out of business" before he would accept integration.

Ben May, owner of the Dothan city bus lines, said the court order had thus far had no effect on his operation.

"Thank God, no damnyankee has a finger in this company. It is all mine," Ray declared. "there will be no race mixing on my buses. I'm in a position where if I have to I can park my buses in the shade and let them sit there, and I'll do just that before I'll permit any mixing of the races."

Tom Bonald, manager of the Shoals Transit Co., which serves the tri-cities—Florence, Sheffield and Tuscumbia—said his company hasn't done anything yet regarding the decision.

"We operate on a first-come, first-served basis up here, with Negroes seating from the rear and whites from the front," Boland explained. "We hope to continue to operate in that same manner."

Boland said that if a situation arose whereby all seats were occupied by Negroes before any whites boarded a bus "I am sure the Negroes would vacate the seats in the front and move to the rear."

"It has always worked that way and I think it will continue to work," Boland said. "we just don't have any trouble up here with colored people." 11-15-56

Similar comments came from Cecil Mitchell, manager of Huntsville Transit Co. His firm has the same seating arrangement as employed in the Tri-Cities, and neither firm has signs or lines on their buses designating white and Negro sections.

"Theoretically, if Negores had filled the bus seats before any whites boarded, then the Negores would be entitled to keep their seats," Mitchell said. "But it doesn't work that way in fact. The Negroes always move to the rear. However, with business being as bad as it has been of late, we haven't had any problems about full buses."

Declining any comment on the issue were D. S. James, president of Birmingham Transit Co., and Joe Hunt, manager of Druid City Transit Co. which serves Tuscaloosa. Both indicated they felt it was "too early" to make any comment. Earlier, officials of the Mobile Transit Co. had expressed identical feelings.

PSC Official Vows State Must Keep Bus Segregation

Advertiser Montgomery, Ala. P. 1

Wed. 11-14-56

Here is what key state and city officials had to say yesterday concerning the U.S. Supreme Court's decision outlawing segregation on public conveyances:

C. C. (Jack) Owen, president, Alabama Public Service Commission, which controls all public transportation in the state:

"The people of Alabama are not going to abolish segregation. I'm going to do everything in my power to maintain peace and order in our state. To keep down violence and bloodsheed, segregation must be maintained. I will urge all public transportation companies to make every effort to keep harmony among passengers by assigning seats in such a manner that the races will be kept sfeparate."

* * *

Luther Ingalls, Montgomery attorney and leader of the pro-segregation Montgomery County White Citizens' Council:

"This decision . . . is just another example of legislating by the Supreme Court, which is supposed to be the judicial arm of our great United States . . . (it) is a further invasion by the court

Gayle

Englehardt

and the federal governmest of the sovereignty of our state and local governments . . . The final decision remains with the voters at the ballot box. For those of you who continue to vote for administrations committed to a policy of integration, I can only say that you will eventually receive your

Ingalls

C. C. Owen

just desserts and that the sins of their fathers will descend upon the heads of your children. To those of you who say that this decision cannot be enforced, I need merely to refer you to the recent use of bayonets and tanks against the unarmed citizens of Clinton, Tenn. If you think for one minute that Gov. Folsom would not try to outdo Gov. Clement in this regard, you are sadly mistaken. On the other hand, attempted enforcement of this decision will inevitably lead to riot and bloodshed. Your Citizens' Council has always insisted that these matters be handled peacefully and legally and I feel sure that this constitutional provision of the Council will remain in force and effect and will be controlling of its membership."

Advertiser

State Sen. Sam Engelhardt Jr. of Macon, executive secretary of the Alabama Assn. of Citizens' Councils:

P. 2-4

"This decision is just another example of the invasion of local self government by the federal government. I don't believe the white people of Montgomery are going to accept any such mandate from the Supreme Court. As far as I am concerned they can move the Montgomery City Lines, Inc., lock, stock and barrel, to Washington, D.C. It appears that the Supreme Court is determined to build a federal oligarachy that will undermine the very foundation of these United States, and spread ill will and discord throughout the nation. The Supreme Court apparently will not be satisfied until government by the people, of the people and for the best interests of the majority of all the people is replaced by a many-headed bureaucratic monster in Washington."

Wed. 11-14-56

The Rev. Martin Luther King Jr., Montgomery Negro pastor and leader of the long boycott:

"The Supreme Court decision places a basic responsibility before the Negro and white community of Montgomery. All persons must recognize the difficulty of adjustment and seek through the principles of love and understanding, good will to work in harmony with the new system. All persons of good will will accept the Sumpreme Court ruling and seek to comply with it."

BUSINESS CONTINUES AS USUAL

Advertiser Montgomery, Ala.

Bombshell Fails To Disrupt City Life

Wed. 11-14-56

By STEVE LESHER

Montgomery continued business as usual yesterday despite a potential bombshell tossed on the Cradle of the Confederacy by the U.S. Supreme Court.

P. 1

The city bus line— Montgomery City Lines Inc. — operated on schedule and the few Negroes who ride the buses walked quietly to the rear and took their seats.

But the inner surging of conflicting emotions could not be restrained. Nearly all of more than two dozen white persons and Negroes interviewed by The Advertiser yesterday afternoon were eager to have their say.

TOWNSEND

POWELL

Asked their reactions to the Supreme Court decision to outlaw segregation on buses in Montgomery, white men and women were unanimously opposed to integration. Curiously, however, they appeared almost resigned rather than resentful. Thise powerfully opposed to bus integration avoided reference to violence unless specifically asked if they believed there might be violence.

T. Sgt. Robert J. Wall, 36, of St. Paul, Minn., said he felt that

KILBERG

WATTS

"the system they've had in the South about bus seating is one they should keep. Most of your Negro population is in the South and I feel that it would be more orderly if you have separate seats."

Rufus Lewis, one of the key leaders of the Negro car pool, said he "expected a favorable decision from the Supreme Court. I think everybody expected it. I don't feel there will be violence, not in Montgomery. The Negro population has not been unduly excited over the decision but there's

WALL

SANDERS

been a lot of talk just as I'm doing now."

Advertiser

At the Montgomery Improvement Assn., the group which has spearhead the 11-month-old bus boycott, the first of what probably will be many congratulatory telegrams arrived. It was from Denver, Colo. The contents of the telegram were not released for publication.

P. 1

Miss Juanita Townsend, 18-year-old student at Massey - Draughon Business College here, said that "if buses are integrated, many people would get upset. As long as you ask, I think it might lead to violence."

Wed. 11-14-56

Mrs. J. D. Powell of Selmer, Tenn., said she didn't think the Negroes are quite ready for integration. Many don't keep themselves clean and I wouldn't like to sit next to them on buses. Up in Memphis they don't have bus integration."

Warrant Officer G. C. Watts, 36, 210B Smith St. and formerly of Maxwell Air Force Base, said he felt "like the rest of Montgomery. I guess I just don't like the thought of Negroes pushing me around."

Carrie McKenzie of 767 Day St., a Negro domestic, said, "I'm 56 years old and that too old to walk. I make $10 a week and that's not enough to pay cab fare every day. So I ride the buses. I don't use the car pool because they tell me I've got to be a member of the NAACP to do that. And I don't make enough money to belong to the NAACP. Anyway, my daddy didn't belong to the NAACP so why should I?"

James E. Sanders of 1530 Winona Ave., said, "I'll tell you how I feel about it. I never wanted to buy a car, but I'm buying one tomorrow. I'm doing that to protect my daughter-in-law — my son's overseas — and my grandchild. I don't expect my grandchild, who's five year's old . . . and I don't think he'll ever ride on a bus next to a Negro."

Jake Kilberg, 714 W. Patton Ave., said, "I'm a Northerner and up there we don't have any segregation on buses. But I believe it's up to the people of the South to decide for themselves whether or

not they want segregation or integration."

All the persons interviewed by The Advertiser, with the exception of Lewis, are regular bus patrons. In earlier interviews, one of the plantiffs in the precedent-breaking Supreme Court case said "it was not as if we were fighting the city or its officials." Susie McDonald, 78, said "all we wanted was justice. We were badly treated on the buses and now they've given us justice.

"I feel that lots of people of the white race and of our race are not fit to sit with decent people and they should go to the rear of buses,' the Negro woman said.

The only other plantiff available, 16-year-old Claudett Colvin, had no comment. Robert Cleere, one of the bus drivers named in the federal court suit, said he would have nothing to say about the decision. Cleere is now in a federal civil service job at Maxwell Air Force Base.

The other driver, James F. Blake, was unavailable.

Reporters of The Advertiser throughout the city noted that all Negroes seen riding buses remained seated in the rear.

Hill Deplores Bus Decision By U.S. Court

Advertiser
Montgomery, Ala.
Wed. 11-14-56

By NELSON COLE

Sen Lister Hill said yesterday he "greatly deplored" the Supreme Court order declaring bus segregation laws illegal and repeated his earlier stand of "using every lawful means to set aside the ruling."

At his Montgomery office until Congress reconvenes in January, the senator called the decision a "continuation of the ruling which declared school segregation unconstitutional."

He added "the Southern vote in Congress, in and of itself, is not a majority which could fight" such decisions. "For this type of action, however we are seeking support from other sections."

HILL

During an interview with Hill, the State's senior senator attributed Eisenhower's recent landslide electi victory to the President's "great personal popularity and the still serious Middle East situation."

KEEP GENERAL

"Secretary of State Dulles once told us we had been on the brink of war three times. I suppose the average person thought 'Well, if we're at another brink, we'd better keep a general in the White House.' "

He said he felt this explanation held true "for all sections of the country, even here in the South where some people voted Republican for the first time in their lives.

"But to realize the true strength and influence of the Democratic Party, one only has to remember that this election was practically unprecedented," h said.

SINCE TAYLOR

"It has been more than a hundred years, in fact, since 1848 when Zachary Taylor was elected, that the party of the President did not gain control of Congress."

He added, "the new Senate, which has a Democratic plurality of two votes, will still probably continue to vote on the same basis of what is in the best interest of the country and support a bipartisian foreign policy."

Commenting on his plans until the Congress reconvenes, Hill said "most of my time will be taken up by a study now under way for our 'senior citizens.'

"In the last 10 years. man's life expectancy has increased by five and a half years.

MONTGOMERY, ALA. BUS BOYCOTT

REV. BOB GRAETZ.(REV. ROBERT S.)
LUTHERAN CHURCH

The Mechanics Of The Bus Boycott

Advertiser

It Costs $200 A Day For A Fleet Of 250 To 350 Cars; Together With The Story Of A Little Known White Pastor Who Has An All-Negro Congregation

Sun. 1-10-56

P. 4-A

Montgomery, Ala.

By Tom Johnson Of The Advertiser Staff

A YOUNG WHITE minister clad in the vestments of the Luthern Church stood in his pulpit on a Sunday last month and calmly urged his congregation to give its fullest support to the Negro boycott of Montgomery buses.

JOHNSON

He told of his plans to make his own car available to a "share the ride" pool, organized to transport Negroes unable to afford taxis, and indicated he was about to assume an active part in the conduct of the boycott. He said:

"Let's try to make this boycott as effective as possible, because it won't be any boycott if half of us ride the buses and half don't ride. So if we're going to do it, let's make a good job of it."

Then he began his prepared sermon, "The Blessings Of God's Covenant," taken from the 31st chapter of *Jeremiah*.

Startling as they seem, Pastor Robert S Graetz' remarks fell on no shocked ears and no one stamped from the room indignantly. On the contrary, there was enthusiastic approval from the 210 members who make up the congregation of the Trinity Lutheran Church on Cleveland Avenue. It is an all-Negro congregation. Graetz is their pastor—one of only two Lutheran ministers so situated in Alabama (the other is in Birmingham).

POOL OF 250 TO 350 AUTOS

In the days following his Dec. 4 sermon, Graetz put in as much as 16 hours a day carrying on his church duties and helping to organize what was to become a crippling boycott of buses by Negroes.

Graetz hauled passengers in his new Chevrolet from 6 a.m. to 9 a.m., pausing only to load or discharge passengers or to gas his car. As a member of a transportation committee, he helped organize a pool of 250 to 350 private cars and establish pickup and dispatch points for transporting Negroes to and from work.

He dashed off a letter to other white ministers on his much-used mimeograph machine, acquainting them with "certain facts" concerning the boycott and concluding: "Please consider this matter prayerfully and carefully, with Christian love. Our Lord said, 'Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me.'" (Some of Graetz' stationery carries the biblical quotation, "And the Angel of the Lord spake unto Phillip saying: 'Arise, go toward the South,' *Acts* 8:26.")

In the evenings, he attended mass meetings where boycott leaders made progress reports and passed the plate to raise money for operational expenses—mostly gasoline. (The meetings are held Tuesdays and Thursdays, rotating from church to church.)

In short, Bob Graetz did as much as any Negro minister or layman to make the boycott effective and to raise some $7,000 to support it.

'SPONTANEOUS DEMAND'

By last week, as the boycott moved into its second month, the young minister had slackened his pace somewhat. He no longer serves on the committee and he attends few meetings—in order, he says, to press his "natural advantage" as a minister. He fears his presence at mass meetings might be a stigma that would lessen his effectiveness in gaining support for the Negroes.

He was still, however, a far from inactive "first lieutenant," working with other ministers and staying in contact with "the general," who seems to be the Rev. M. L. King, pastor of Dexter Avenue Baptist Church and a policy-making leader of the boycott. (Graetz has had "little influence" on the planning, leaving that to others.)

It didn't take Graetz long to get thoroughly wrapped up in the Negro affairs after arriving in Montgomery in late June. By the time the boycott developed, he already was acquainted with most of the principals, including Rosa Parks.

He says: "She must have figured that, if the Lord wanted to make her the goat, she was willing."

Graetz, a boyish-looking 27, of medium build, first heard of the arrest "at about third hand" on Saturday, Dec. 3, a day or two after it happened. At about the same time, he began to get word of an impending protest movement. He thought at first it involved boycotting the buses for just one day and that its purpose was to protest the arrest of Rosa Parks. But he was told later that the principle grievance was over previous "abuses" of Negro bus patrons and that the protest was aimed directly at the bus company.

When the first mass meeting was held at Holt Street Baptist Church on the Monday night following the arrest, Graetz said there was a "spontaneous demand" for a boycott of indefinite duration and Negro leaders, caught unprepared, hastily drafted a resolution to that effect. It urged all citizens "regardless of race" to refrain from riding the buses and called for the cooperation of employers and car owners to help in transporting the protesting bus riders.

$200 A DAY A CAR

It was then that Graetz took the transportation committee assignment. An executive committee was organized to run the campaign. Both groups were made up almost entirely of ministers "because it's almost impossible to bring pressure" against them.

Dispatch stations were established in all predominantly Negro areas to furnish transportation between 6 a.m. and noon each day. Homeward-bound workers were given a prepared list of pickup stations where they could wait for private cars.

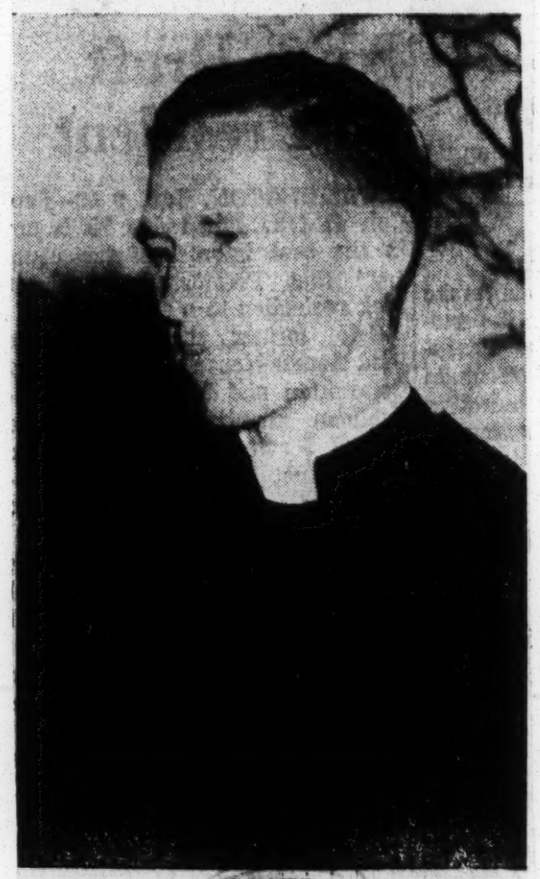
Ministers urged their congregations to make special offerings to buy gasoline for the car pool—a heavy expense. It costs about $200 a day to keep the cars running. On the first Sunday, about $1,800 was raised. More money rolled in from churches in other cities—New York, Philadelphia, Mobile, Tuscaloosa, Tuskegee—and from "anonymous white friends." Altogether, Graetz said nearly $7,000 had been collected "at last report" and that was a "rather sizable balance."

While most of the money was spent for gasoline, some of it was used for legal aid. Some was spent to buy advertising to give "our side" of the protest. ("Protest" is the right word, says Graetz; it isn't a boycott.)

THE HIGH SHERIFF

Graetz hauled as many as 40 or 50 passengers a day, while driving some 50 miles. When he was offered money, he carefully decline to accept it, suggesting that the passenger "multiply the number of rides by 10c" and contribute that amount at the mass meetings. It was during this period that Graetz had his brush with the law.

As he tells the story, Graetz had been driving about two and one-half hours on the morning of Dec. 19 when he parked by a meter near Dean's Drug Store on Monroe Street to pick up five Negroes going to Normandale. He was



GRAETZ

careful not to park in a nearby taxi zone.

As he crossed Dexter Avenue, a siren sounded from the car behind him and he pulled to the curb. A man who Graetz said he later learned was Sheriff Mac Sim Butler walked up and said: "What are you doing—running a taxi?"

Graetz explained the Negroes were "friends" and not passengers. Butler accused him of picking up passengers in a taxi zone and ordered Graetz to follow him to the county jail.

There, Graetz was placed in a room marked "deputy sheriff" and left alone for a few minutes. "For which I was very grateful," Graetz says. "I had a little prayer session."

NO, SAID THE JUDGE

Another man who Graetz assumed was a deputy came in and lectured him on religion, politics and patriotism. "We like things the way they are here," he said. "We don't want anybody trying to change them."

Shortly, Graetz said, Butler returned from the courthouse and said he had tried to charge the minister with running a taxi and hauling Negroes in violation of segregation laws but "the judge wouldn't let him."

He was not threatened, says Graetz, but "they were very rough and gruff."

He was released after about a half hour "under the definite impression they didn't like what I was doing," he recalls wryly.

NATIVE OF WEST VIRGINIA

Graetz is a native of Charleston, W.Va., and went to high school there. He became interested, but not very active, in inter-racial activities during that period. Once, he planned to arrange a meeting of young white members of the Lutheran League with some young Negroes. But he "just never got around to inviting anybody."

It was at the Lutheran Capital University and Seminary in Dayton, Ohio, that Graetz began to work with Negroes in earnest. He organized a campus race relations club made up of white and Negro students who met regularly to hear speeches. Once, Graetz was introduced to the late Walter White, the NAACP agitator, and heard the NAACP founder say that race relations were improving because of the large number of whites involved in the movement.

"Naturally, I just beamed," Graetz says, "because that really fit me."

In debating clubs, his arguments contained a broad socialistic strain but no one was concerned. His father, an engineer for Libby-Owens-Ford Glass Co. at Charleston, told his son that "someone once said that a young college man who doesn't become a socialist at some time before he is 25 has no heart, and one who clings to that view after 25 has no brain." "I'm past that stage now," says Graetz. "In fact, I'm a capitalist with 30 shares of Libby-Owens-Ford."

CAME HERE 2 YEARS AGO

The one time that he voted was in a West Virginia Democratic primary four or five years ago, and all his candidates lost. He considers himself an Eisenhower Democrat.

Graetz came to Montgomery after two years as an "intern minister" at a predominantly Negro Church in Los Angeles. The American Lutheran Church, knowing his views on race relations, suggested him for the Cleveland Avenue congregation as a successor to a Negro minister, the Rev. Nelson Trout, who by a coincidence, went to the same Los Angeles church that Graetz had left three months earlier.

With his wife and two children, Graetz moved into an unfinished parsonage next door to the church. The six-room ranch-style home was finally completed in November. The children, Margy, 3, and Bobby, 2, play in the picket-fenced backyard. Mrs. Graetz, 26, expects another child this month.

Because of Graetz' many activities—he also preaches at Clanton and Wetumpka—he and his wife have had little time for "social life," but his defiant stand on racial matters has left him no shortage of friends. "We have many high class friends among both Negroes and whites—pastors and lawyers and just plain citizens," says Graetz. "I have made a new friend every day since the boycott began."

For relaxation, he and Mrs. Graetz play "some kind of game every night," no matter how late it is when Graetz finishes his day's work. Usually it's gin or rummy or crokinola, a game Mrs. Graetz gave him for Christmas.

A MOTHER'S CONCERN

Though not the only white person active in the boycott, Graetz is the only one who makes no secret of his activities. Graetz knows of one white who drives a carload of Negroes to work every morning, and there are "numerous reports" of white women who have told their maids not to worry if late for work because it's "understandable."

What do his parents think of Graetz' part in the boycott? His mother called Christmas and told him to be careful. She also inquired anxiously if Dr. Lechleitner knew what Graetz was doing. Dr. R. D. Lechleitner is executive secretary of the Board of American Missions of the American Lutheran Church and, as a matter of fact, he doesn't know of Graetz's activities. But he will shortly. Graetz has just mailed him a full report. (If Dr. Lechleitner happened to read the Dec. 22 edition of the national Negro magazine *Jet*, he does know something about it. That edition carried a picture of Graetz and a story about him.)

If his parents share Graetz' views on racial matters, it is unlikely that his great-grandfather would have approved his namesake's activities. Robert Graetz I came to America from Berlin to tend the German Lutheran flocks in parts of New York and Ohio. And it was to them alone that he ministered.

"He wouldn't even talk to Swedish Lutherans," Graetz says laughingly. He felt the Swedish ministers should look out for the Swedes and Catholics for Catholics. He wasn't much of a missionary. Besides, he had his hands full with the Germans."

SOUL AND SOLE

Graetz doesn't think the boycott will end until something "really satisfactory" is agreed upon. The Negroes, he says, have endured abuses for too long to rush back to patronizing the bus company. With the car pool working well, few of them have suffered any great inconvenience. Some even get better service now, he says—thy're picked up nearer their home and delivered closer to their work. And, besides, they're downright enjoying themselves.

Graetz says one 72-year-old man who had ridden the bus 30 or 40 years sits on his front porch and laughs heartily every time a bus drives by. A woman reported gleefully that the buses were driving by her house "as naked as can be."

Some are more serious. A Negro woman "who had walked halfway across town" was given a ride by a minister who asked if she was tired. She replied:

"Well, my body may be a bit tired, but for many years now my soul has been tired. Now my soul is resting. So I don't mind if my body is tired, because my soul is free."

Graetz thinks of himself as a radical although not as much as he once was. ("I was really radical in college.") He uses another vague word—"reactionary"—in describing the Southern viewpoint. It is doubtful, though, if Gaetz is as radical as he likes to think. His strongest expression on segregation is that the process should be speeded up some but should occur gradually. He is not given to florid, incendiary speeches of the upjlifting variety, but it is clear that he is intensely interested in the welfare of individual Negroes.

ACKNOWLEDGES IGNORANCE

It is also clear that the South is not what Graetz ignorantly envisioned it to be. "I thought Negroes were shot if they walked down the street," he says. So what is responsible for his taking a stand that makes him a marked man in a white Southern community? Perhaps that question is best answered by a few excerpts from some of his recent writings and conversations:

"The reactionary element in the South will stop at nothing to maintain their strangle-hold on the Negro population, whom they still hold in virtual economic slavery."

"I have been told that I am a kind of symbol to my people. Many of them had long ago concluded that it was scarcely possible for a white person to be a Christian. But now they know that, with some of us, Christianity is more than pious profession of the lips."

"Sometime ago I read that the first requisite of a successful missionary was that he become color blind. I figured that the same was true of my work here."

"I know that I shall be critized for my stand. I may even suffer violence. But I cannot minister to souls alone. My people also have bodies."

White Minister Of Negro Church Receives Threats

Advertiser p. 5-d Thurs. 11-1-56

Montgomery

A young white minister of an All-Negro church here reported that he received another in a series of threatening telephone calls Tuesday night.

But the Rev. Robert Graetz described it as "nothing unusual" and added that he'd "rather not talk about it."

Graetz, pastor of the Trinity Lutheran Church and at one time a volunteer driver in the boycott car pool, has been the target for numerous such calls in the past.

He reported to Det. Lt. George Owens that an anonymous caller telephoned to warn him to "get out of town or you won't be alive tomorrow."

Graetz said he hasn't received "outright threats" on his life too frequently, but confirmed that he does get more than his share of "crank" telephone calls.

A crudely fashioned bomb was exploded in the front yard of his home several weeks ago, breaking the glass out of a picture window. The Rev. Greatz and his family were out of town at the time.

Back Defender Boycott Plan

Defender Sat. 3-10-56 P.10
Chicago, Ill.

A proposal made editorially in Thursday's Daily Defender in opposition to the New York plan of a one-hour nation-wide work stoppage March 28 as a gesture of sympathy to the Montgomery byocott leaders is winning wide support.

The Daily Defender asks that sympathisers give to the NAACP the money they would earn from 2 to 3 p. m. March 28 instead of stopping work during that time.

Donation of an hour's pay, the Defender points out is more of practical value to the Montgomery crusade and allows more universal participation.

Local church leaders went along with the Defender proposal, though they endrose the hour of prayer originated by a group of New York clerics.

Here is some of the local reaction:

Archibald Carey, pastor, lawyer and former alderman, said that local ministers were exploring the idea with the objective of getting everyone here to cooperate with the plan.

He explained that he was 100 per cent in favor of the hour of prayer, but that the suggestion of one hour of work stoppage at the same time was not feasible.

The New York group has admitted an error had been made in coupling the two things together, and that the concerted work stoppage and day of prayer should be two separate things.

Queried in Miami, Fla. on the New York proposal, Reverend Joseph H. Jackson, president of the National Baptist Convention, said he would not go along with a nation-wide one-hour work stoppage.

He added that he did not see mixing prayer with an economic boycott.

The announcement of a prayer and work stoppage demonstration was made in New York after a meeting with 13 prominent clergymen, representing a cross section of the Protestant clergy of Greater New York.

They adopted the plan which was put forth by Dr. George D. Cannon, a physician, and Cornelius McDougald, an attorney.

Top Negro Won't Back Stoppage

Herald
Tues. 2-28-56
P. 1

Religious Chief Says 'We'll Pray'

Miami, Fla.

The head of the National Baptist Convention, biggest Negro faith in America, told his five million followers Monday to ignore a New York congressman's call for a nationwide strike of Negroes.

Dr. Joseph H. Jackson of Chicago, here for a brief winter visit, said "I am in favor of prayer, but I am not in favor of this one-hour work stoppage."

Last Friday Rep. A. Clayton Powell of New York asked all Negroes to stage a one-hour work stoppage at 2 p.m., March 28--the Wednesday before Easter—to protest the arrest of more than 100 Negro ministers in Montgomery, Ala.

The arrests followed a two-month boycott being staged by Negroes in Montgomery. The ministers are accused of promoting the boycott, a criminal offense in Alabama. The boycott is in protest against the arrest of a Negro woman last December because she refused to move to the back of a bus in Montgomery.

Rep. Powell, a minister in the same denomination of which Dr. Jackson is president, urged the nation's Negroes to devote the one-hour work stoppage to prayer.

Dr. Jackson said Powell had phoned him Sunday and conferred with him about the proposed hour-long prayer and work stoppage. Dr. Jackson said:

"He called me and told me he had been trying to get in touch with me. There's no issue there about the prayers, no issue at all in but one thing, and that is the work stoppage.

"I had already called for a day of national mourning, fasting and prayer on May 17, the second anniversary of the Supreme Court decision.

"He (Powell) called me to tell me what he had decided about this 28th day of March. No, we didn't discuss the matter of which day. It's perfectly all right to have a national day of prayer every month if you could.

"What I am opposed to is the work stoppage. I would be opposed to the work stoppage even if they called it on the 17th of May, which was the day the National Baptist Convention had already agreed on.

"I don't know why Powell picked the day he did. But I have no disagreement with him there. I have only one point, and that's the work stoppage.

"I'm against it for two reasons. The first is that the one-hour work stoppage has no vital relation to the act of prayer. You don't have to stop an hour to pray. People can pray while they work.

"The second reason I object to it is the difficulty that developed in Montgomery was not a labor issue. Nobody had been laid off from their jobs down there.

"And to use a work stoppage, a labor function, as retaliation against what happened in Montgomery is not logical because it is not a labor problem."

"Saturday Dr. Jackson indicated to The Miami Herald that he was in agreement with Rep. Powell's plan. But Monday Dr. Jackson said he meant he favored only the prayer part of the Powell plan.

Boycott Supporters Drop Plan for Work Stoppage

Post + Times Herald
P. 26 Wed. 2-29-56

NEW YORK, Feb. 28 (AP) Sponsors of a nation-wide prayer day March 28 in support of the Montgomery (Ala.) Negro boycott of buses today said there will be no work stoppage.

"We arei nterested in prayer only," said Rep. Adam Clayton Powell (D-N. Y.), pastor of a 15,000-member New York Negro congregation.

Washington, D.C.

After a meeting of New York Negro leader here last Friday, it was announced that they had agreed no Negroes should attend school or work between 2 and 3 p. m. on the prayer day.

Yesterdayi n Miami Dr. Joseph H. Jackson of Chicago said he wasi n favor of prayer on that day but was opposed to any work stoppoge. Dr. Jackson, president of the National Baptist Convention, is the religious leader of five million Negroes.

In a wire to Dr. Jackson today Rep. Powell said, in part:

"Work stoppage idea completely erroneous . . . We are interested in prayer only. We and 16 million colored Americans are counting on you and pledging our support."

Rep. Powell said there was no suggestion now that anyone stop work. He added that Negroes could visit church on their lunch hours or after work.

Pastor Criticizes Arrest Of 24 Alabama Preachers

MONTGOMERY, Ala., Feb. 28 (AP)—A Negro minister indicted in Montgomery's bus boycott told a cheering throng at a mass meeting last night tha "no ciy in the world can afford to make criminals out of 24 of its preachers."

This declaration by the Rev. L. R. Bennett came after church groups in other sections of the Nation expressed concern over the arrest of 24 Negro ministers here for leading the protest against segregation on city buses.

The Rev. M. Bennett, pastor of the Mount Zion African Methodist Episcopal Church, together with other indicted Negro clergymen spoke at a meeting marking the end of the boycott's 13th week.

A group of Protestant pastors at Princeton, N. J., called for a prayer meeting there Friday restricted to ministers only. The Rev. William L. Tucker, president of the 10-member Princeton Pastors Association, which includes three Negroes, said the service will conclude with an offering to be sent to Montgomery Negro ministers.

At St. Albans, W. Va., the West Virginia Council of Churches, representing 13 Protestant denominations with a membership of 350,000 persons, said a letter to Mayor W. A. Gayle of Montgomery:

"We share widespread unhappiness over the current grand jury indictment of scores of your citizens. We feel that, even under your law, these citizens have a 'just cause' to uphold. Therefore, we cannot think they are guilty of a conspiratorial crime."

Boycott Backers Bar Work Halt

Constitution P.12
Wed. 2-29-56

NEW YORK, Feb. 28 (AP)—Sponsors of a nationwide prayer day March 28 in support of the Montgomery, Ala., Negro boycott of buses said today there will be no work stoppage.

Atlanta Ga.

"We are interested in prayer only," said Rep. Adam Clayton Powell (D-NY), pastor of a 15,000-member New York Negro congregation.

After a meeting of New York Negro leaders here last Friday, it was announced that they had agreed no Negroes should attend school or work between 2 and 3 p.m. on the prayer day.

WORK-STOP PLAN FANTASTIC, SAYS D.C. NEGRO LEADER

Washington, D.C.

The head of the District branch of the National Association for the Advancement of Colored People said yesterday he favored a national protest against the Alabama actions but he doubted the practicability of a one-hour work stoppage by al Negroes.

P. 12-A

Eugene Davidson described the call for a work stoppage by the Negroes March 28 as "slightly fantastic at this time."

He said it would take a tremendous amount of organizing over a period of months to be effective. He cited Washington where many Negroes are employed by the Government. Each of these Government employes, he said, probably would have to take a two-hour leave because the Government would not permit "strikes" against it.

Powell Not For Work Stoppage

Daily World P. 6

Saturday, under prominent headings, the white press carried a statement in which Congressman A. Clayton Powell of New York, was urging a general work stoppage on March 28, as a gesture of sympathy and protest in the Alabama transit situation.

Atlanta, Ga.

Knowing the possible danger of any unnecessary mass actions in reference to the segregation issue, which is a legal one, we wired the Congressman, expressing doubt of the wisdom or necessity of such a course. The law-maker sent a telegram yesterday, stating that he had not suggested any such action. This telegram stated that the news services, which supply the various newspapers, had admitted they, themselves, coined the "work stoppage" phrase. The N. Y. minister further stated that his program is to ask that only prayer services of protest be made as an expression of sympathy for the Negro in the mass arrest of ministers. We think the mass arrests were a mis-use of local police power and, of course, they deserve to be protested by all people who oppose the mis-use of such authority.

Thurs. 3-1-56

As we have stated before in these columns, this is a time for our people to remain calm but courageous and conduct themselves strictly within the law. By such contact, we will win more white friends and not alienate those we already have.

The segregation issue has been resolved as a legal principle by the highest court. It is now up to the various local courts to implement it when and after local administrative authorities refuse to act in compliance with the decision.

We shall not become over-excited or get any delusions about settled at the top level, therefore we could wisely direct our attention towards the influence of administrative officials. The best way to do this is to increase our voting strength. The books are now open for registration and every person who is of voting age, who has not qualified, should do so.

A court decision is one thing, but since the opposition to it has made a political issue out of it, a great deal depends upon administrative authority.

Powell Not For Work Stoppage

World P. 8 Fri. 3-2-56

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1 Tulsan Favors Work Stoppage

Eagle Thurs. 3-22-56

P. 1 Tulsa, Okla.

NAACP Disapproves Solon's Plan; N. Tulsans to Pray

By Bill Dillard
Of the Eagle Staff

Only one North Tulsa minister has urged his congregation of 400 members to stop work and pray for one-hour on March 28, in sympathy with Montgomery, Ala. Negroes who are boycotting busses in that city because of segregated seating facilities.

However, a survey by The Oklahoma Eagle has established that Tulsa Negroes will not cease work, although most of them will silently pray for justice in Alabama. Negro leaders say that a cesation of work in Tulsa will have no direct effect on Montgomery strikers and will only inconvenience observers financially.

Urged By Powell

Congresman Adam Clayton Powell (D-N. Y.) suggested the plan which was described as a forerunner to a possibe "National Mohandas-Gandhi-type movement" to a group of New York clergymen at a meeting held February 24.

Representative Powell, himself, is pastor of the Abysinia Baptist church in New York which has a membership of 15,000 members.

The Tulsa minister in favor of the work stoppage, the Rev. B. S. Roberts, pastor of St. John's A.M.E. church said that he urged his congregation about three weeks ago to make preparation for the "World Deliverance Day."

Plans to Follow Suggestion

"We have planned to follow the suggestion through," said Rev. Roberts, "I have asked all people to stop work and pray for one hour on the set date."

St. John A.M.E. has 400 members, he said, but all of them are not expected to particapte in the movement. Rev. Roberts said he certainly is going to follow it through.

James Stewart, president of the Oklahoma chapter of the National Association for the Advancement of Colored People, said special prayers and collections were being made for the Montgomery Negroes in 50 churches around the state, but that he does not believe the Oklahoma City branch of the NAACP will favor the "Deliverance Day" strike.

Tulsa Chapter Says 'No'

Victor H. Hodge, president of the Tulsa chapter NAACP said the local branch is not urging a work stopage. Hodge said the Tulsa branch is advocating that Negoes observe the request by praying for one-hour while working.

"We are requesting that all ministers and laymen pray for one hour on March 28 that conditions over the na'ion will improve," said Hodge, "and that all of us will realize that God made man of one blood to dwell on earth."

Congressman Powell said he had received pledges of cooperation in the one-hour work lay-off from ministers in the south, north, east and west. He said he hoped to win the cooperation of employers and Negroes.

The Oklahoma Eagle sent a reporter on the street to talk to the working man. They, too, did not approve af a work stoppage, although the majority has pledged to pray for an hour next Wednesday between 2 and 3 p.m.

employees in halting all but vital services from 2 to 3 p.m. on Wednesday before Easter.

Eagle P. 6

All Races Asked to Support

All races and faiths in the nation are being asked to join in the deliverance day protest, with no Negro students attending schools or working between 2 and 3 p.m.

The following are a few of individuals and organizations contacted by The Oklahoma Eagle for comment: The NAACP, the Urban League, Booker T. Washington high school, Carver junior high school, Dunbar Elementary school, Charles S. Johnson elementary school, Ralph J. Bunche elementary school.

Attorney Amos T. Hall, NAACP legal council and national masonic and fraternal figure. Franklin W. Thomas, executive secretary of the Hutcherson Branch YMCA:

The Rev. Calvin K. Stalnaker, pastor of North Tulsa First Baptist Church; Father John Strmiska, pastor of St. Augustine.

Leaders Comment

Marion M. Taylor, executive secretary of the Tulsa Branch Urban League said the city chapter is not participating in the movement because the na'ional board is opposed to it.

Attorney Amos T. Hall said he was not for a work stoppage but he recommends that everyone pray for justice in the na'ional situation.

Rev. Stalnaker thinks the movement is un-christian-like and would have no effect at all. He said: "I don't believe in fighting fire with fire.

Fa'her Strmiska thinks the "deliverance day" should not be handled locally, because of different situations in each state He said it would not do any good here but in Montgomery it might be effec'ive.

Franklin W. Thomas advised that the YMCA does not deal with racial injustices but building of character. Personally, he sees no reason why work should be stoped in Tulsa as it only will mean pay out of the pocke'.

NAACP urges special 'Day of Prayer' for Alabamans 'unjustifiably arrested'

Afro-American P.16 Sat. 3-3-56

Baltimore, Md.

Ministers and their congregations throughout the state are urged to designate Sunday as a special "Day of Prayer" for Montgomery, Ala. citizens arrested "unjustifiably" for conducting a busy boycott.

The statement was issued under the joint signatures of the Rev. W. J. Hodge, pastor of Dramond Hill Baptist Church Lynchburg, and NAACP president there, and Dr. John B. Henderson, pastor of Bank Street Baptist Church, Norfolk.

They are co-chairmen of the church oordination committee of the Virginia NAACP State Conference of Branches.

In their challenge to Virginians, the Rev. Mr. Hodge and Dr. Henderson, who is also president of the Baptist General Association of Virginia, said:

"To make our sympathies tangible so that the world might know of our kindred feelings to our brothers of color, you are asked to:

* * *

1. **DESIGNATE SUNDAY,** March 4, as a special day of prayer.

2. Hold a special service or set aside a portion of the regular services for special meditation.

3. Take a sacrificial collection at these services to aid the Alabama bus victims.

4. Ministerial alliances and other groups or community organizations should be requested to cooperated with this worthy cause.

5. Send all contributions by check or money order payable either to Dr. John B. Henderson or the Rev. W. J. Hodge, 404½ N. Second St., Richmond 19, Va.

* * *

THE STATEMENT pointed out that these contributions, with a complete list of names of contributors, will be forwarded to the Rev. M. L. KING Jr., through the national office of the NAACP the later than March 13.

The statement conclued with the admonition: "Let us prayerfully walk together with our brothers in Alabama lest their calamities befall us."

It reminded Virginia churchmen that "the world has been shocked by the unjustifiable arrest of 115 persons who have so courageously led the colored citizens of Alabama in protesting the jim crow bus situation."

CLERICS HERE HAIL NEGROES IN SOUTH

Herald Tribune
New York

Prayers and Sermons Voice Support in Struggle on 'Human Indignity'

Mon. 2-27-56

The struggle against "human indignity" by Southern Negroes was supported in a number of New York churches yesterday. The sermons and prayers were spontaneous expressions of sympathy.

"Our support" was pledged in a sermon by the Rev. Dr. Phillips Elliott at the First Presbyterian Church, Henry and Clark Streets, Brooklyn.

Dr. Elliott, who is also president of the Protestant Council of the City of New York, offered a prayer in which he asked God to "bless those who are in fear because of race and color, grant patience and courage to those who strive to lead their people out of the bondage of prejudice into the light of equal fellowship."

A prayer for Southern Negroes who are "protesting the indignities of prejudice" was offered by the Rev. Edward O. Miller at St. George's Protestant Episcopal Church, Second Avenue and Sixteenth Street. The sermon was delivered by Bishop Kenneth Riches of Dorchester, England.

The prayer said in part: "O God, thou champion of the outcast, in whose family all men become of one blood, to Thee we offer our prayers for our brethren imprisoned in our own land. As the sigh for liberty swells from their shackles, may they have that patient strength and unfaltering courage which have always enriched our nation at its best."

It closed with the plea that "our nation, purging itself by building justice and tranquillity at home, may become again a symbol of hope throughout the world."

Bids North Act, Too

In a sermon at Christ Church Methodist, Park Avenue and Sixtieth Street, the Rev. Dr. Ralph Sockman asserted that "religion must help us to make the motives of love and service stronger than the motives of fear and hate." He added that "we of the North should show what we can do in community integration rather than merely shout to the South what it should do."

At the Broadway Congregational Church at Fifty-sixth Street, the Rev. Dr. Albert J. Penner termed the bus boycott by Negroes in Montgomery, Ala., a "massive protest against the human indignity of Jim Crow." He emphasized that the persons carrying on the boycott "are doing it without bitterness, without incitement to violence, with dignity, with prayers and hymns."

In the Bronx, sympathy for the cause of racial equality was expressed at the Fourth Presbyterian Church at 1235 Olmstead Avenue and Pilgrim Congregational Church at 1800 Grand Concourse.

At the Pilgrim Church, the Rev. Dr. John Walter Houck declared that "integration is first and foremost a major Christian problem. The real solution of racial tensions," he added, will come only when Christians and others join in a "fearless endeavor to strengthen the American way."

New Jersey Ministers To Pray For Negroes

Advertiser P.16-A

PRINCETON, N.J., Feb. 27 (AP)—A group of Protestant ministers today invited clergymen of all faiths here to join Friday in a service of prayer for the Negro ministers indicted in a Negro boycott of buses in Montgomery, Alabama.

Tues. 2-28-56

The Rev. William L. Tucker, president of the 10-member Princeton Pastors Assn. including three Negroes, said the service would be open only to the 75 clergymen in this college town.

His letter to the minister said: "The treatment of our fellow-ministers in Alabama arouses both our indignation and our brotherly solidarity.

Montgomery, Ala.

"In order to signify to them—and to all who care to know—how we feel, we shall meet in the chapel of the First Presbyterian Church Friday, March 2, at 5:30 p.m. for a 15-minute service of intercession.

"This service—by ministers and for ministers—will conclude with an offering which will be sent to the Negro ministerial association at Montgomery for the physical and-or legal relief of our brothers."

The Negro ministers were indicted last week for encouraging the boycott, after being arrested along with 66 other Negroes. The Negroes formed car pools to get to and from work so they would not have to patronize the buses which they say maintain unfair segregation.

Folsom Proposes Bi-Racial Group

Farmer P.1

Sat. 3-3-56

Religious leaders are protesting vigorously against the wholesale arrests of men and women participating in the boycott in Montgomery. A National Deliverance Day of Prayer has been set for March 28, and intercession has been asked of the Federal Government.

Congressman Adam Clayton Powell, in an emergency meeting of church leaders in New York, asked for the National Deliverance Day of Prayer on March 28, and praised the passive resistance in Alabama as an example of the best way to call nationwide emphasis to the wholesale arrests. The plan calls for a mass stoppage of work between 2 and 3 p m on that day. School children will be expected to be absent during that hour.

AME MINISTERS PROTEST

In Baltimore 300 ministers of the African Methodist Episcopal church protested the humiliation, persecution, arrest and abuse of Negroes in Montgomery. It was this group that asked the Federal Government to intercede immediately.

Sat. 3-3-56

In Columbus, Ohio, 26 ministers agreed to join in a fund rally for last Sunday.

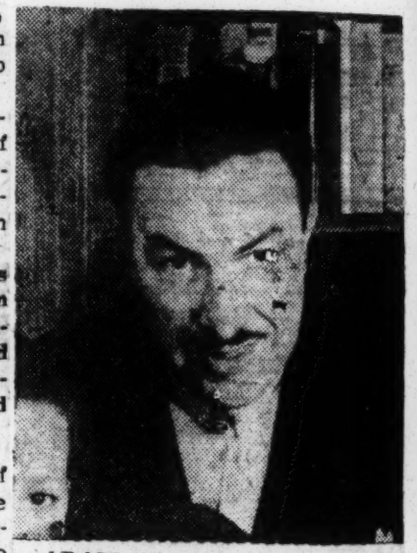
In Washington the Council of Bishops of the African Methodist church had been summoned to meet Saturday by Bishop Sherman L Green of Atlanta, senior bishop of the AME church.

Rev O D Dempsey of the Baptist Ministers Conference of Greater New York is directing preparation and plans toward a possible mass meeting in Madison Square Garden.

The National Council of Churches wired from the headquarters in New York their sympathy and intention to do everything they could to help those going through the ordeal of mass indictments and threats.

Houston, Tex.

In the meantime, the meeting of the editors and publishers of the press of Alabama, called by Governor James E Folsom, seemed to approve the governor's idea of a bi-racial commission to study tension in Alabama, but both they and the governor condemned such a commission to narrow straits.



ADAM CLAYTON POWELL

First, the governor did not invite any Negro publishers, Emory O Jackson of the Birmingham World was there on his own, and a few Negro writers who are covering for papers out of the state came, but the governor neglected to invite any Negroes. The white representatives of papers that spoke seemed to assume that the commission should be governed by the policy, tradition and laws of strict segregation.

The governor had scorned the suggestion of an interracial commission until these tensions broke loose and put him under tremendous pressure from both the pro-segregationists and the anti-segregationists.

SETS DAY OF PRAYER. FOR NEGROES IN ALA. BOYCOTT

Butler County American Sat. 3-3-56 Hamilton, Ohio

Ministers Call For Negroes To Halt, Everywhere 2 To 3, March 28

P. 3

Unity of Montgomery, Ala. where Negroes in their boycott against that city's jim crow bus line is drawing support from Negroes and whites all over the Nation.

Negro ministers of New York have launched a campaign for Negroes to observe "Deliverance Day of Prayer," March 28 by stopping to pray for Montgomery Negroes between 2 and 3 pm.

Negro churches in Columbus, Ohio quickly raised over $2000 for Negroes in Montgomery.

Cleveland's big Antioch Bapt. Church took up $603.00 at one meeting.

Cincinnati and Dayton churches are sending funds.

Reports have come from many sources that Negro churches are calling meetings protesting and sending financial support to aid the boycott leaders who have been arrested and trial has been set for March 19.

Mich. group holds mass prayer meet

Afro-American P. 13 Sat. 3-10-56

LANSING, Mich. — A city-wide prayer meeting was held at Union Baptist Church here Thursday (March 1) night to give moral and spiritual support to Montgomery, Ala. bus boycotters.

Baltimore, Md.

Some 400 persons attended the meeting which was called by the Revs. A. Lewis Williams, Collins AME Church; E. Gladston, Friendship Baptist Church; and Joel L. King, pastor of Union.

* * *

SEVERAL five-minute prayers were held for colored citizens, of Montgomery. Also in keeping with the sympathy service, Charles Husband sang "Nobody Knows the Trouble I've Seen."

One of the features of the program was a closed wire hookup with a mass prayer meeting in Montgomery. Some 5,000 persons took part in the Montgomery services which began at 1 p.m.

The Alabama meeting was held in Hutchinson St. Baptist Church. Eight states were represented. One of the principal speakers was the Rev. M. L. King Jr. whose home was bombed recently.

* * *

THE REV. Mr. King is one of the principal leaders in the bus boycott. He is also the nephew of the Rev. Joel L. King of Union Baptist.

Colored ministers of Lansing sponsored the mass protest meeting. The call meeting announcement asked Lansing citizens to walk to church. It was not learned how many followed the request.

The group is headed by Lou LuTour of this city.

Baltimore Md.

A spokesman said that due to the crisis in Alabama, the prayers would be made continuously for "Divine guidance in achieving love and peace in Alabama" and could conclude with Congressman Adam C. Powell's National Prayer Day on March 28th.

During the month La Cheerios have planned to mail out thousands of prayers from its headquarters to all parts of the world.

"In unity," said officials "there is much needed spiritual strength which will react in favor of Montgomery bus boycotters and Miss Autherine Lucy."

5000 Cheerios begin 'Whispering prayers'

Afro-American P. 10 Sat. 3-10-56

By LARRY DOUGLAS

NEW YORK—La Cheerios, an interracial organization, with 5,000 members, 3,000 of whom are members of Zeta Phi Beta Sorority, initiated last week a "Whispering Prayer" campaign.

Navy bans prayer for freedom; workers hire bus, pray at YW

Afro-American Sat. 4-14-56 P. 6 Baltimore, Md.

BAYONNE, N.J. — A group of 250 colored employees from the Bayonne Naval Supply Depot joined in the nation-wide observance of "National Deliverance Day of Prayer" at the YWCA, 32nd St. here on March 28.

The employees arranged to have prayer services at the YWCA, when naval authorities would not permit them to use the non-denominational chapel or any facility which had been used by other religious groups.

The authorities said they felt the Deliverance Day of Prayer had political aspects.

REQUEST FOR use of the chapel was sent to the Industrial Relations Department and to the executive officer by the chairman of the shop committee, the Rev. Kelmo Porter Jr., of Montclair, a clerk at the depot.

The authorities refused to give a definite decision until they had contacted the commandant in New York and naval officials in Washington, D.C.

The employees were not given an answer until a week later when they insisted that some decision be made.

* * *

THE REV. MR. PORTER also sent an announcement to the Depot's Daily Bulletin which stated services would be held at the Bayonne YWCA for all who wished to offer a prayer of deliverance.

At first, the announcement was refused, but later it was published in this form:

"Mr. Porter requests the following announcement be made: That in cooperation with a ministers' organization, prayer services for the deliverance of colored people will be held on March 28."

* * *

SEVERAL WHITE employees at the depot said they would have attended the service if they had not thought it was for colored employees only.

Over 40 employees from the storage branch were denied the privilege to take an hour annual leave to attend the prayer services at the last minute.

The program opened with the employees singing "America," followed by prayer by Rev. W. Williams also employed at the depot. The group then sang "Faith of Our Fathers."

The Rev. Webb from Jersey City prayed followed by silent meditation so each individual could pray for deliverance for all men, and for those who persecute their fellowmen.

* * *

MUSIC WAS played by employee, Mrs. Alfreda Jackson.

The employees gave a contribution to send to the ministers in Mongomery, Ala., a donation to the YWCA, and paid for their bus expense.

The Rev. Mr. Porter has since been under pressure from the depot authorities for working with the employees in setting up the Deliverance Day of Prayer services.

Montgomery Bus Protest Discussed By E. O. Jackson

By EMORY O. JACKSON

MONTGOMERY, Ala.— (SNS) — Here are some small items observers on the scene have picked up about the 12 week old bus-riders protest. test.

Newspaper call the refuse-to-ride the busses movement a "bus boycott" and the leaders of the movement describe it as a protest.....All of the 115 persons indicted on charges of violating the Alabama "boycott" laws are members of the Negro group. Included are 26 ministers and four women.

The twice-a-week mass meetings still pack the people into the churches to hear the latest and unpublished developments. Planning and direction of the movement is wholly in local hands.

Social scientist professors from Southern colleges and student research teams have been here to make a first-hand study of the protest. One thing some leaders and professors are trying to find out the origin of the protest, its discipline and possibilities.

Two persons with press cards have been on the scene who seem to have more than an interest in reporting events. They are offering services which if accepted by the protest group could obviously damage and setback their program.

Researchers digging back into Montgomery history claim that about 1900 the Negro group here staged a boycott of the local public conveyances which lasted over 45 days. ((Check the Tuscaloosa Breeze and the Montgomery Advertiser filed in the State Archives covering that period.)

Spokesmen for the protest have been invited to a giant demonstration at New York's Madison Square Garden. However, none is likely to be in position to appear. Other invitation of that kind may not be accepted. A vigorous effort seems to be in operation to keep the movement clean and free of anything remotely embarrassing.

Some research specialists are making a study of rumors connected with race relations. Rumors reportedly have been widespread.

GRAY'S TRIAL

Trial of Atty. Fred D. Gray, accused of improper practice, is scheduled for today in Circuit Court Conviction carries with it automatic suspension from the practice of law He is charged with representing a woman without her consent who is listed as a party to a suit challenging the city and state travel segregation laws. Maximum penalty is $500.

GIFTS FROM ORLEANS

Some 39 soldiers stationed at New Orleans, La., have sent $41 to the bus protest movement. In a letter to the Montgomery Improvement Association these soldiers said: "The Fight for Freedom: We the undersigned have acknowledged our intentions to stand behind the people of Alabama, who are fighting for their freedom. This is to let you know that we here in Orleans, France have not forgotten the problems which exist at home."

The communications said further: "Members of the Membership-at Large Group of the NAACP, composed of Military and Civilian persons, located at Orleans, France, wish to present the Montgomery Chapter of the NAACP a helping hand which extends four thousands miles."

"Recently, we became aware of the situation in your town which was precipitated by ideals and beliefs contrary to those of the constitution of the United States which we stand ready to defend."

"The boycott of Montgomery bus lines by Negroes was a courageous and logical response to the discriminatory practices of this bus line To supplement the courage and logic which are the necessary tools to combat demonstrated discrimination we offer financial and moral tools."

The communication was signed by Richard L. Hampton of Noblesville, Ind., chairman ofthe Orleans (NAACP) Membership-At-Large. Other officers are David Stith, Rocky Mount, N. C., president; James A. Raplin, Cleveland, Ohio, vice-president; Leonard Brown, Detroit, Mich., secretary; T. S. Worthington, Chicago, Ill., executive secretary; William Cammage, Detroit, corresponding secretary and James Ferguson, Charlotte, N. C. treasurer.

Boycott Experts From North Plan Full Report For Public

By JOE AZBELL
Advertiser City Editor

Three Illinois churchmen who consider themselves as experts on the Montgomery bus boycott after three days here yesterday showed a hesitation when they were pressed for certain information about a racial battle that has been raging in Trumbull Park in Chicago.

The ministers of the Unitarian and Universalist churches include the Rev. Albert A. Harkins, Elgin, Ill., former president of the Universalist Ministers Assn. of America, Dr. David H. Cole, Chicago, current president of the Universalist group, and Dr. Homer A. Jack, Evanston, Ill., Unitarian minister and Gandhi writer.

The ministers claimed a complete knowledge of the bus boycott after observing it for three days. One of them, the Rev. Harkins, intends to write a full explanation of it in the Humanist Magazine, a freethinkers journal. Another, Dr. Jack, intends to make a speech on the boycott in Boston this week and address his congregation on the subject.

800-MILE TRIP

The trio made the 800-mile trip from Chicago to "evaluate the boycott" so they could better understand the Negro problem.

Asked how many Negroes were in his congregation, the Rev. Harkins replied: "None. My congregation is lily white."

Then questioned on how many Negroes were members of the Unitarian and Universalist churches, he replied: "A very few."

He was asked if it wasn't less than one per cent and he replied: "That's about right."

BOMBS TOSSED

Being interviewed about the violence in Trumbull Park, a section of Chicago, the Rev. Harkins and the Rev. Cole explained the racial campaign. It has been raging for 31 months because 28 Negro families moved into a white housing project. During these 31 months, bombs have been tossed, mobs have assembled and violence has flared in other ways.

But the ministers protested: "It is not an anti-Negro campaign like this boycott. It's an anti-integration campaign. There are whites on the side of the Negro, many whites. I suppose you could say this would be whites against Negroes and whites."

"OUTSIDERS"

A reporter asked them: "Isn't it true that the cause of the trouble is that Negroes moved into a white section and the whites wanted to protect their segregation."

After some humming and hawing, the ministers explained that it was the 'outsiders" who caused the trouble and "not the people in the housing project."

They explained that the solution seemed probable in the near future. Told that the same thing was said of the bus boycott several weeks ago, one replied: "It's working itself out."

The trio claimed the bus boycott has "overtones" of Gandhi in it. They expressed beliefs that the campaign could spread to other cities and regions in the integration movement.

MINISTERS EXPLAIN BOYCOTT

Three Illinois churchmen, Dr. Homer A. Jack (back to camera), The Rev. David Cole, (left) an Rev. Albert F. Harkins, explain their opinions on the bus boycott to Robert Ball (second fro) of the Detroit News and Robert Bird (second from right) of the New York Herald Tribune. The inisters have been in Montgomery three days.
e intends to write an article on it and another to make a speech on it.

Segregation Suit

Advertiser Fri. 5-11-56

Being Aired Here

Montgomery, Ala. P.1

By 3-Judge Panel

Four Women Wage Attack On Race Law

By STEVE LESHER

A federal court case to determine the constitutionality of Alabama and Montgomery segregation laws on its intrastate and city transportation media will open today before a three-judge panel in U.S. District Court here.

The plaintiffs are four Negro women and the defendants are the three members of the Montgomery City Commission, the chief of the Montgomery Police Department, Montgomery City Lines Inc., two of its drivers, and the president and two members of the Alabama Public Service Commission.

On the bench will be Judge Frank M. Johnson of the Central District of Alabama, Judge Richard T. Rives of the U.S. District Court of Appeals and Judge Seybourn H. Lynne of the Northern District of Alabama.

FILED FEB. 1

The suit was filed on Feb. 1 by two Negro attorneys, Fred D. Gray and Charles D. Langford, in behalf of Aurelia Browder, Susie McDonald, Claudette Colvin, Mary Louise Smith and Jeanetta Reese. The day after the suit was public the Reese woman denied any knowledge of it.

Gray was indicted by the February term grand jury which charged him with fraud for filing the suit without the Reese woman's consent. The 25-year-old attorney won a dismissal in Circuit Court on March 2 when Circuit Solicitor William F. Thetford conceded that the state lacked jurisdiction because the aleged offense took place in a federal court building.

The suit charges that Title 48, Section 301 (31a, 31b and 31c) of the 1940 Code of Alabama and Sections 10 and 11 of Chapter 6 of the Montgomery City Code of 1952 are unconstitutional. The suit avers that the laws, which require the segregation of whites and Negroes on transportation vehicles, "deny to them (Negroes) their rights, privileges and immunities as citizens of the U.S. and equal protection of the laws . . ."

It stated originally that the defendants were "conspiring among themselves and others to prevent . . . Negro citizens from refusing to use bus facilities. . . and . . . seeking to compel . . . Negro citizens to use said facilities by force, threats, violence, intimidation and harassment . . ." This, the boldest accusation in the lengthy suit, was stricken on March 8 by the Negro attorneys along with the name of Jeaneatta Reese as plaintiff.

OBTAIN INFORMATION

Remaining in the suit, however, was the charge that the defendants harassed Negroes by stopping cars containing Negroes who participated in the car pool and Negro taxi cabs "to obtain information for the purpose of bringing pressure upon employers to discharge Negro employes who are providing transportation to fellow Negro citizens and otherwise subject them to economic reprisals."

The suit stated that "Negroes desire and intend to resume the use of buses . . . as soon as they can do so on a non-segregated basis without fear of arrest."

The plaintiffs, according to the suit, "bring this action . . . for themselves and on behalf of all other Negro citizens" who "seek common relief based upon common questions of law and fact."

It was pointed out that the Colvin girl was arrested on March 2, 1955, and sentenced in Juvenile Court and placed on probation for violation of the segregation laws on a city bus. The Smith girl was fined $9 in Recorder's Court after her arrest of Oct. 21, 1955, for the same offense and Rosa Parks, Negro seamstress, was fined $14 in police court on Dec. 5, the day the Negro boycott of city buses, now in its sixth month, began.

TEMPORARY INJUNCTION

The plaintiffs are asking for a temporary injunction to restrain the defendants from enforcing the statutes concerning segregation on transportation media and a final judgment that will denounce the laws as unconstitutional.

After the suit was filed, the defendants filed their several answers. But all the answers were generally common, with the exception of Montgomery City lines Inc., which said they were merely obeying the law.

The others claimed that segregation "tends to prevent violence and possible bloodshed" and that the suit should first be argued in a state court. All filed motions to dismiss the suit, with the PSC saying they had nothing to do with the bus line operating in Montgomery.

The PSC members, C. C. (Jack) Owens, Sybil Pool and Jimmie Hitchcock, were added to the suit on March 8 when one answer pointed out that "indispensable parties" (the governor, attorney general and the PSC) "are not made parties to the suit."

While his controversy raged on toward May 11, the day of the hearing, the Supreme Court on April 23 refused to hear an appeal from a bus company in South Carolina when a lower court ruled against the company in a segregation suit.

CONFUSION AROSE

The move by the Supreme Court was interpreted immediately as outlawing segregation on transportation media. A great deal of confusion arose with announcement of the court's move—some believed it abolished all segregation on all transportation media, others believed it abolished segregation on transportation media only in South Carolina and still others believed the court made no decision on the question but merely returned the appeal to a lower court where it had apparently not been completed.

Montgomery City Lines Inc., subsidiary of National City Lines Inc., of Chicago, abolished its segregation practices on the night of April 23 when J. H. Bagley, local superintendent, posted orders to his drivers not to enforce segregation on the buses.

The city threatened arrest of passengers and bus drivers who did not comply with segregation laws. Negroes voted to continue their boycott in the face of possible arrest for desegregating themselves on buses. The city obtained an injunction from Circuit Court against the bus company to force the company to obey existing segregation laws. The company said it would comply.

Bus Boycott Probers Hurt In Auto Wreck

Post-Herald Fri. 5-25-56

MONTGOMERY, May 24 (AP)—Two city detectives who investigated Montgomery's mass Negro bus boycott were slightly injured yesterday in a wreck involving a station wagon used to haul bus boycotters.

Officers Jack Shows, 29, and K. W. Jones, 32, were treated by a private physician after their squad car and the station wagon collided on a downtown street.

The driver of the station wagon, owned by the Hutchinson Street Baptist Church, was booked as Alberta James. She was charged with cutting in, resulting in an accident, a specific charge under the city code.

Shows and Jones spent five weeks, assigned to the circuit solicitor's office, investigating the continuing bus boycott prior to mass indictments by a grand jury in February. Ninety Negroes are charged with violating the state anti-boycott law, including 24 ministers.

TRAVEL BARRIER CHALLENGED

Advertiser p. 1

5 Negroes Attack Segregation Laws In Federal Court

Montgomery, Ala.

Thurs. 2-2-56

By JOE AZBELL
Advertiser City Editor

Five Montgomery Negro women yesterday filed a suit in the U.S. District Court asking that the courts declare Alabama and Montgomery transportation segregation laws unconstitutional.

The suit, entered in the court at 12:45 p.m. by Attys. Fred Gray and Charles Langford, was filed by Aurelia S. Browder, Susie McDonald, Jeanette Reese, Claudette Colvin by Q. P. Colvin, her father, and Mary Louise Smith by Frank Smith, her father.

Named as defendants were Mayor W. A. Gayle, Commissioner Clyde Sellers, Commissioner Frank Parks, individually and as the City Commission, Police Chief G. J. Ruppenthal, the Montgomery City Lines and Bus Drivers James F. Blake and Robert Cleere.

BULKY DOCUMENT

The bulky court document specifically asks:

1. A final judgment and decree that will declare and define the legal rights of the parties in t controversy.

2. A final judgment and decree that will declare Section 301, Title 48, Code of Alabama and Sections 10 and 11 of the Montgomery City Code, (ordering bus segregation), null and void.

3. A judgment and decree declaring that the acts of the defendants in seeking to compel the plaintiffs and other Negro citizens to use bus facilities by use of threats, intimidation and harassment are in violation of the 14th Amendment to the U.S. Constitution.

4. A judgment and decree enjoining the defendants from enforcing the state and city statutes and ordinance on grounds they are unconstitutional.

5. A judgment and decree to prevent the defendants from interfering with Negroes or using force, threats or other intimidation in using private transportation facilities.

DROP BARRIERS

In the event the U.S. court ruled the city and state laws unconstitutional, it would knock out separate facilities for Negroes and whites at bus and train depots and abolish segregation lines on all buses, trains, streetcars and other vehicles.

No date has been set for a hearing on the suit which was filed as a "class action" setting forth the "points of common relief" upon "common questions of law and fact" for the five Negro women and other Negro citizens living here.

The case will be heard in a three-judge court. The judges will be appointed by Judge J. C. Hutcheson Jr., chief judge of the U.S. Fifth Judicial Court, Houston, Tex.

The three judges will include one circuit judge and two district court judges of the U.S. Court.

The bill of complaint charges that Negroes have been deprived of their rights, privileges and immunities under the 14th Amendment of the U.S. Constitution, and that the defendants also violated the 14th Amendment in seeking "to compel the plaintiffs and other Negro citizens to use the bus facilities" under threats and harassment.

It specifically accuses the defendants of a "conspiracy to interfere with the civil and constitutional rights of the Negro citizens."

Advertiser

The conspiracy was described as a series of acts including "force, threats, violence, intimidation and harassment."

p. 2A

Charging that Negroes are arrested when they fail to observe the regulations of the state and city laws" which violate their constitutional rights," the Negro women accuse Ruppenthal and others of "punishing a number of Negro citizens solely because of their insistence under the Constitution that they are entitled to use the Montgomery City Lines buses without being segregated."

The document states that Negroes in refraining from making use of the transportation facilities "have suffered and continue to suffer great losses and inconveniences as the result of the denial to them of their rights to use said facilities on an unsegregated basis without fear or intimidation."

COMMISSION HIT

Striking at the City Commission, the document declares that Gayle, Sellers and Parks "are now seeking to use" their office of government "to oppose" Negro citizens and that they "are seeking by threats and intimidation to deprive plaintiffs and other Negro citizens of their rights in the use and benefit of car pools and taxis and other privately operated transportation facilities."

The Negroes charge that these "acts" are intended to force the Negroes to resume the use of the buses on a segregated basis.

Thurs. 2-2-56

The suit adds:

The city commissioners "have publicly called upon and urged white employers of Negroes who are now providing them with transportation to and from work to cease doing so. The said defendants as a part of their plan of intimidation publicly announced their affiliation with the Central Alabama White Citizens Council or some similar name." They announced their "intentions to harass persons providing transportation to Negroes by causing them to be stopped and questioned and their vehicles checked and examined in detail to determine whether or not such persons might be arrested and prosecuted for minor violations of laws and ordinances which are not being enforced against white persons . . ." And that in numerous instances they have already caused Negro drivers of taxicabs and Negro drivers of other vehicles to be questioned on how they have been hauling passengers, where they work and where they obtain their gasoline or to be otherwise harassed in various ways."

REPRISALS CHARGED

"One purpose," the document charges, "has been to obtain information for the purpose of the aforesaid questioning by the police for the purpose of bringing pressure upon employers to discharge Negro employes and otherwise subject them to economic reprisals."

They also state the Negroes desire to resume the use of buses on a "non-segregated basis without fear of arrest."

The arrests of Mary Louise Smith on Oct. 21, 1955, Rosa Parks, Dec. 1, 1955, and Claudette Colvin, March 2, 1955, were set forth with the fines of $9 and $14 for the Smith and Parks women respectively and probation for the Smith girl. The Smith girl is 18 and the Colvin girl is 16.

Their arrests, the suit charges, was caused by a "conspiracy" which Chief Ruppenthal entered with others in the enforcement of the state and local laws.

The Negroes asked for a "speedy hearing" and that the "cause be advanced on the docket."

BOYCOTT VIOLENCE

The suit filed yesterday came almost two months after Negroes began a boycott of the Montgomery City.

High lights of the boycott have been shots fired at the buses in Negro sections, and the bombing of the home of the Rev. M. L. King, boycott leader, Monday night.

Bomb Rocks Nixon Home

A bomb late last night exploded in the front yard of E. D Nixon, former state president of the National Assn. for the Advancement of Colored People.

No injuries were reported.

An ambulance, however, reported to the scene shortly after the report of the bombing.

Reporters and newsmen were being kept behind police lines while officials questioned the occupants of Nixon's home at 647 Clinton Ave.

NEGROES CHALLENGE SEGREGATION LAWS

Commercial Appeal

Thurs. 2-2-56

File Suit To Prevent Buses From Separating Races

p. 3

Memphis Tenn.

MONTGOMERY, Ala., Feb. 1. —(AP)—Four Negro women filed suit Wednesday asking that state and city laws requiring segregation on public transportation facilities be declared unconstitutional.

The Federal Court suit also seeks an injunction to prevent enforcement of the segregation travel laws while the suit is before the court.

It was filed by attorneys

Charles D. Langford and Fred Gray in behalf of four women, two of whom claim they have been convicted of violating Montgomery city ordinances requiring segregated travel on public vehicles.

The complaint was filed against the three members of the Montgomery City Commission both "individually and collectively." It also names Police Chief G. J. Ruppenthal and the Montgomery City Lines, the bus company which Negroes have been boycotting since Dec. 5.

The woman said she never heard the word "suit" mentioned when she was in Gray's office.

Mayor Gayle meanwhile, speaking for the City Commission, charged that filing of the suit is "proof beyond any doubt that Negroes never wanted better bus service, as they were claiming, but complete integration."

The mayor pointed out he had made the charge two weeks ago when it was announced that the City Commission was breaking off

Plaintiffs are Aurelia S. Browder, Jeaneatta Reese, Claudette Colvin, by Q. P. Colvin, next friend, Mary Louise Smith, by Frank Smith, next friend and all others similarly situated.

Attys. Charles L. Langford and Fred Gray are representing the plaintiffs.

UNAWARE OF CONTENT

Advertiser

Negro Woman Withdraws

Fri. 2-3-56 P. 1

Action On Segregation

Montgomery Ala.

A Negro woman who joined in a federal suit attacking segregated travel in Alabama said yesterday she was withdrawing from the action because she "didn't know" what she was signing.

Jeannette Reese, one of five Negro women who filed the complaint Wednesday, told Mayor W. A. Gayle she was surprised to see her name listed as one of the plaintiffs.

"You know I don't want nothing to do with that mess," she told the Mayor.

Several hours after the action was filed, the second bomb to be tossed within two days at the home of Negro leaders in the bus boycott exploded harmlessly Wednesday night in the front yard of E. D. Nixon, former state president of the National Assn. for the Advancement of Colored People.

The 64-year-old housemaid said her husband received an anonymous telephone call Wednesday night warning her to get out of town.

She said her employer told her when she came to work yesterday that "she was surprised" at seeing the Reese woman's name among those signing the suit.

She issued her statement in the mayor's office in the presence of a newspaper reporter.

But Negro Atty. Fred Gray, one of the lawyers filing suit in behalf of the women, said the Reese woman's statement was "far from the truth. He said she knew what she was signing.

negotiations with boycott leaders, who he said had rejected all "reasonable" plans for a compromise.

He said city attorneys will study and contest the suit in federal court, adding:

"As the city commission, we do not intend to be deprived of any phase of our southern way of life without doing all in our power in a legal way to prevent it."

4 In Ala. File Bus Bias Suit

Daily World Thurs. 2-2-56 Atlanta Ga.

MONTGOMERY, Ala. — (SNS) — A suit was filed in federal court here yesterday by four persons asking that the travel segregation laws of this city be declared unconstitutional.

P. 1

Named as defendants were Mayor W. A. Gayle, Police Commissioner Clyde Sellers, Public Improvement Commissioner Frank Parks, individually and collectively; Police Chief Goodwyn J. Ruppenthall; the Montgomery City Lines, Inc., James F. Flake and Robert Cleere.

An injunction to halt enforcement of the travel segregation laws while the suit is pending was also asked.

Why Three Judges Will Hear The Bus Case

Advertiser Fri. 2-3-56 P. 4 A

Some readers have asked why a three-member court will be empanelled to hear the suit brought by Montgomery Negroes against city and state laws governing segregated transportation.

A federal statute requires that when the constitutionality of a state statute is attacked, a three-judge court must hear the case. One of the judges must be a member of the U.S. Circuit Court of Appeals; one a judge of the district court in which the cases was filed (in this case, Judge Frank Johnson); the third may be either a district or circuit judge. Montgomery Ala.

There's no way in the world of knowing how long it will take to get a final answer in the case. (A district court has already ruled, however, that Columbia, South Carolina, may not segregate passengers on city buses.)

A federal statute requires that cases involving an attack on the constitutionality of a state statute shall be heard as soon as "practicable" after filing. In other words, such cases are given a priority, but "practicable" is subject to a variety of interpretations.

In the appeal of the Negro admissions case, the University of Alabama unsuccessfully argued that the original hearing should have been held before a three-judge court. However, this motion was denied, presumably because no state statute specifically forbids the University from admitting Negroes, and thus constitutionality was not at issue.

The legal maneuvers on both sides are almost without end in a case such as the bus challenge, but we understand that it is unlikely it will drag on as long as the University of Alabama case, which dates back to 1952.

COMMISSION WILL CONTINUE TO ENFORCE PRESENT LAWS

Advertiser Montgomery Ala. Thurs. 2-2-56

Members of the city Commission said yesterday they would continue to enforce segregation laws on Montgomery City Lines buses.

Mayor W. A. Gayle said that he had "no comment" on the filing of the suit by the Negroes seeking to have city and state transportation laws declared "unconstitutional."

"I have not seen the charges nor had time to study them. Therefore it would be premature to comment on them at this time," the mayor said.

Commissioner Clyde Sellers and Commissioner Frank Parks also said they had not seen the legal document and that they would have "no comment" until they could study it.

All of the commission members said they stood firm "in our intentions of enforcing segregation laws."

Not needed, says council—

Capital Negroes are refused bus franchise

News 4-3
Birmingham Ala.
April 2-56

MONTGOMERY, Ala., April 2—(AP)—The Rev. M. L. King Jr. and several other leaders of the Negro boycott against Montgomery City Lines buses were denied city permission today to establish and operate an all-Negro bus company.

The delegation, most of whom are under indictment on charges of conspiring to boycott the segregated buses, proposed that a new company "owned and operated by Montgomery Negroes" be licensed to "provide adequate transportation for our people."

City commissioners, who met with the group for nearly 90 minutes, denied the application for a franchise on the grounds that the present bus company is offering "excellent bus service for the entire city."

Most of the earlier issues of the bus boycott, including seating arrangements and a request that Negro bus drivers be employed, were discussed.

MAYOR W. A. GAYLE, saying bus revenue from the city as a whole would not support two bus companies, suggested the Negroes request Montgomery City Lines Inc., to operate buses exclusively for them.

As to an earlier request that Negro drivers be employed on predominately Negro routes, the mayor said, "That is up to the bus company altogether. It's their (the company's) money, and they have the right to hire whom they please."

Asked after the meeting if the boycotters would confer with City Lines on this point, King said the decision would have to come from the Montgomery Improvement Assn. executive board "and the Negroes of Montgomery."

Likewise, he said any decision on ending the boycott if the bus firm agreed to the employment of Negro drivers would have to be given by Negroes at a mass meeting.

KING HAD introduced members of the group as representatives of the Improvement Assn., of which he is president. The delegation consisted of King, whose conviction and $500 fine on a boycotting charge has been appealed to the Alabama Court of Appeals; Rev. H. H. Hubbard, Rev. W. J. Powell, E. D. Nixon, J. E. Pierce, Attys. Fred D. Gray and Charles Langford, and the widow of Dr. A. W. West Sr.

In support of their proposal, King told the commission, "We are only seeking satisfactory transportation. We don't want to put the other company out of business—that never has been our goal. We are trying to make for wholesome relations and the elimination of tension among the races in Montgomery."

Stating the reasons for denying the Negro franchise, Gayle said "40 or 50 buses are now standing empty."

nue wouldn't support two lines. He suggested instead the Negroes ask Montgomery City Lines to operate buses exclusively for them.

King, only one of the indicted Negroes brought to trial thus far, told the commission, "We are only seeking satisfactory transportation. We don't want to put the other company out of business—that has never been our goal. We are trying to make for wholesome relations and the elimination of tension among the races in Montgomery.'

The Negro Baptist minister was convicted of boycotting and fined $500. He has appealed the fine and Negro attorneys said they would take the case to the U.S. Supreme Court if necessary.

Most of the original issues in the bus boycott—including better seating arrangements and the hiring of Negro drivers — were discussed again yesterday at the 90-minute conference.

Boycott's Leaders Rebuffed On All-Negro Bus Line Plea

Commercial Appeal
Tues. 4-3-56 P. 1

By The Associated Press

MONTGOMERY, Ala., April 2.—Leaders of the racial boycott against City Lines buses asked in vain Monday for permission to operate an all-Negro bus line in Montgomery.

The City Commission turned them down with the observation that the boycotted Montgomery City Lines, Inc., is offering "excellent bus service for the entire city" and that "45 or 50 buses are now standing empty."

Memphis, Tenn.

Negroes for 19 weeks have refused to ride the segregated buses and the company has discontinued some routes and shortened others. Ninety leaders of the bus protest are under indictment for violating the state's anti-boycott law.

Impractical, Mayor Says

Members of a Negro delegation, led by Rev. Martin Luther King Jr., asked the City Commission for authority to form a new bus company to "provide adequate transportation for our people." They said the company would be "owned and operated by Montgomery Negroes."

Mayor W. A. Gayle, speaking for the commission, said bus revenue wouldn't support two lines. He suggested instead the Negroes ask Montgomery City Lines to operate exclusively for them.

King, only one of the indicted Negroes brought to trial thus far, told the commission, "We are only seeking satisfactory transportation. We don't want to put the other company out of business—that has never been our goal. We are trying to make for wholesome relations and the elimination of tension among the races in Montgomery."

The Negro Baptist minister was convicted of boycotting and fined $500. He has appealed the fine and Negro attorneys said they would take the case to the United States Supreme Court if necessary.

Most of the original issues in the boycott — including better seating arrangements and the hiring of Negro drivers—were discussed again Monday at the 90-minute conference.

It's Up To Company

Mayor Gayle said the employment of drivers "is up to the bus company. It's their money and they have the right to hire whom they please."

After the meeting, King declined to say whether the Negroes would confer with bus line officials. He said that decision would have to be made by the Montgomery Improvement Association executive board and "the Negroes of Montgomery."

Whether the boycott would end if the bus company agreed to hire some Negro drivers likewise would be a matter to be determined at a Negro mass meeting, King added.

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Mayor W. A. Gayle, saying bus revenue from the city as a whole would not support two bus companies, suggested the Negroes request Montgomery City Lines, Inc., to operate buses exclusively for them.

As to an earlier request that Negro drivers be employed on predominately Negro routes, the Mayor said, "That is up to the bus company altogether. It's their (the company's) money, and they have the right to hire whom they please."

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TRANSPORTATION 'ADEQUATE'

Negroes Denied Permit For Bus Line

Advertiser Montgomery, Ala.
Tues. 4-3-56

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After the meeting, King declined to say whether the Negroes would confer with bus line officials. He said that decision would have to be made by the Montgomery Improvement Assn. executive board and "the Negroes of Montgomery."

The improvement association, of which King is president, was formed to support the boycott and improve the general status of the Negro population.

Whether the protest would end if the bus company agreed to hire some Negro drivers likewise would be a matter to be determined at a Negro mass meeting, King added.

Other members of the Negro delegation were the Rev. H. H. Hubbard, the Rev. W. J. Powell, E. D. Nixon, J. E Pierce, Attorneys Fred D Gray and Charles Langford, and the widow of a Negro physician, Dr. A. W. West.

Leaders of Boycott Denied Bus Line

Post & Times Herald P. 19
Tues. 4-3-56

MONTGOMERY, Ala., April 2 (AP)—The Rev. M. L. King Jr., and several other leaders of the Negro boycott of Montgomery City Lines buses were denied city permission today to establish and operate an all Negro bus company.

Washington, D.C.

The delegation, most of whom are under indictment on charges of conspiring to boycott the segregated buses, proposed that a new company "owned and operated by Montgomery Negroes" be licensed to "provide adequate transportation for our people."

City Commissioners, who met with the group for nearly 90 minutes, denied the application for a franchise on the ground that the present bus company is offering "excellent bus service for the entire city."

Most of the earlier issues of the boycott, including seating

Bus Boycotters Lose Plea To Run Own Line

Constitution
Tues. 4-3-56
Atlanta, Ga.

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present bus company is offering "excellent bus service for the entire city."

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Mayor W. A. Gayle, saying bus revenue from the city as a whole would not support two bus companies, suggested the Negroes request Montgomery City Lines to operate buses exclusively for them.

5c A Ride To Preserve Bus Seating System

Advertiser Montgomery, Ala.

IS IT WORTH a nickel more a ride to preserve the status quo in bus seating here?

This is the challenge presented to white bus patrons who can back the bus company's stand in favor of the present seating system on Montgomery buses, regardless of the 50% boost in fares effective next Monday.

Editorial 3-5-56

On Monday, by order of the City Commission handed down yesterday, adult bus fares will jump from 10c to 15c.

This is to make good the loss of fares through the Negro boycott.

At the same time a 60% boost in the fare for school children, from 5c to 8c, will go into effect.

On top of the fare increases, a transfer charge of 5c will be levied, for the first time. This does not apply to school children.

★

THE BUS COMPANY, in petitioning the city commission for increases, asked for more than it got. This is not infrequent practice—a utility will ask for an increase which looms large, and the regulatory body will compromise on something in between the existing rate and what was asked. This leaves the public feeling that it has champions looking after its interests.

In the pending case, the bus company asked for an adult fare of 20c, 10c for school children, and the same 5c transfer charge that it was allowed.

One thing bus patrons should write on their cuffs is the possibility that the increased fares are here to stay. At least there is no positive assurance that they will be reduced when the emergency is over.

★

THE BUS COMPANY agreed, in principle, that the increases requested should be subject to reduction when business picks up and the company's financial condition warrants it. But, since the company got less than it asked, except on the transfer charge, it is in a position to argue that any agreement to a future reduction was on the basis of its "asking price" which has already been "reduced" by the commission's order. Besides, the company obviously has a sizable boycott deficit to be made up. The bus company is hard up.

The City Commission's order contained no reference to any reduction when the boycott is over—so far as the official document is concerned, the increases were granted without strings. Queried on this point, Mayor Gayle said that when traffic picks up the question of a reduction will be "taken under consideration." To anyone with memories of "temporary" taxes and such like, it would not be surprising if the 15c adult fare, at least, should prove permanent.

It is apparent to anyone that the bus company cannot be expected to operate at a loss, which it has been doing in a big way since the boycott began Dec. 5. Operating expenses run 40c to 44c a mile, while since the boycott income has been about 22c.

★

ASKED to give specific grounds for the transfer charge, a bus company spokesman said it obviously costs more to haul a passenger four miles than two. He was of the opinion, also, that the charge would help curb abuse of free transfers, such as getting a transfer the patron did not intend to use, and giving it to a friend downtown, for example, to evade payment. Most cities have a transfer charge, the spokesman said.

★

AS FOR THE increase in fares for school children, it was pointed out that bus driver costs are higher, proportionately, in operating special school buses than elsewhere. This is due to a contract rule, typical of such contracts in general, that when a bus driver is called out, he cannot be paid for less than two hours even though he may actually work only an hour or less.

Vandalism on school buses was another problem mentioned, though this has not been as bad of late as formerly.

Officials pointed out that Maxwell Field has recently called on City Lines to take over transportation of school children from the field to Montgomery schools. This action was taken, it was said, after an expert from Washington had made a survey of existing costs of free transportation in government-owned buses.

★

THERE IS, of course, no mortal more eloquent than a utility spokesman justifying an increase in rates. But in the pending case, there was no question that something had to be done.

Montgomery's last bus fare increase was March 21, 1954, when a flat adult fare of 10c was allowed, abolishing tokens which until then had been obtainable at six for 50c, or 8 1-3c each. The new adult fare of 15c is thus nearly double what it was less than two years ago. It is to be hoped that this will hold us for a good while to come.

AT VIRTUAL END

Bus Company Wins Approval For Big Sunday Service Cut

Advertiser P.1 Fri. 3-9-56 Montgomery, Ala.

A virtual end to Sunday bus service in Montgomery was approved yesterday by the City Commission.

In the face of money-losing Sunday schedules, the commission allowed Montgomery City Lines to discontinue service on all but the Maxwell and Gunter AFB routes.

Mayor W. A. Gayle, announcing the cutback in service, said Sunday revenue has not been sufficient even to pay the drivers, not considering the other expenses.

Revenue from the Gunter and Maxwell routes has been "considerably higher," said Gayle. Service will remain the same on these two routes.

Of the remaining 12 routes, only eight are affected since Sunday service was not offered on four regular runs.

Mayor Gayle said week-day schedules will remain the same on all routes.

Montgomery City Lines' recently-negotiated renewal of its franchise went into effect yesterday for a 10-year period.

Though beset by a Negro boycott that has caused a third reduction in service and an increase of 50 per cent in fares, the bus company is not in a perilous condition, Gayle said.

He pledged that "City Lines is going to operate, giving us the necessary service."

Bus company officials have said that the adjustments made necessary by the boycott put the company in a relatively sound position.

These adjustments have included a reduction in service and company personnel and an increase in fares—enough, say the officials, to offest the loss of Negro patronage.

Meanwhile, as the boycott neared the end of its 13th week, Mayor Gayle said contributions totaling $56 have arrived at his office for the bus company.

$5 Fine Assessed To Negro Pastor In Traffic Case

Advertiser Montgomery, Ala. Fri. 3-9-56

A false fire alarm at the church of Rev. Martin Luther King Jr. last week resulted in a $5 traffic violation fine for the pastor of another Negro church in Recorder's Court yesterday.

Patrolman C. T. Rowland said a 1956 Mercury belonging to Rev. Ralph David Abernathy, 29-year-old pastor of the First Baptist Church for Negroes, had rolled unattended into a parked truck causing slight damage.

Rev. Abernathy was charged with failing to set his hand brake. One of the Negro spokesmen in the current bus boycott, Abernathy testified he heard that the Dexter Avenue Baptist Church was on fire, rushed to the scene and parked. When he came back he said he discovered that his car was gone.

Judge John B. Scott fined the minister $1 plus $4 court costs.

GROUP APPROVES NEGRO ARRESTS

Times-Picayune New Orleans, La.

Gov. Folsom Called Incompetent by Pro-Whites

Fri. 3-2-56

MONTGOMERY, Ala., March 1 (AP)—A pro-white organization Wednesday night approved the indictment of Negro leaders of a bus boycott here and charged that Gov. James E. Folsom "has not proven competent during these grave and grievous times."

The criticism against Folsom was included in a resolution which put the Central Alabama Citizens Council on record as opposed to a biracial commission which might try to solve racial disputes outside the framework of Alabama's segregation laws.

Newsmen were barred from the meeting in the Montgomery City Hall, but police estimated 3000 persons attended. The council says it has 12,000 members in this area.

Another resolution commended the Montgomery county grand jury which last week indicted 100 Negroes, including 24 ministers, for violating Alabama's anti-boycott law in their protest against racial segregation.

The council also called on state officials to continue enforcement of segregation laws and changed its name from the Central Alabama Citizens Council to the Montgomery County Citizens Council.

State Sen. Sam Engelhardt, chairman of the organization, said the resolution naming Gov. Folsom did not mean the council would not support an "independent" biracial commission that would try to mediate racial disputes.

But he said it was feared a bi-

racial commission carrying authority given by the Legislature might possibly try to erase existing segregation laws.

In commending the grand jury which returned the boycott indictments, the council said "sinister" influences are at work in Alabama. The 12-week-old bus boycott, the resolution said, "is a notorious and flagrant violation of all customs and traditions of our city and state."

Bus Firm Puts Official Okay On Franchise

Advertiser Thurs. 2-16-56 Montgomery, Ala.

A new 10-year franchise for Montgomery City Lines has been officially accepted by the bus firm, the City Commission was notified yesterday.

A letter informed the commission that the franchise, which becomes effective March 8, was satisfactory to the national firm which operates the local bus company.

The expiring franchise was granted for 20 years in 1936.

A public hearing on a rezoning petition from the Normandale Development Corp. was set for March 8. If approved, the rezoning will allow the shopping center to expand to the south.

COMMISSION OKAY

Already approved by the City Planning Commission, the Change now must be okayed by the City Commission.

Developers of the project have promised nearby homeowners that no drive-in restaurant, night club, bowling alley or other noisy establishments will be included in the addition.

A new system of lighting and buffer-type landscaping have also been promised.

In other business, the commission agreed to amendment of the city's agreement with the Housing Authority of the City of Montgomery, providing for a profit-sharing arrangement when two projects are completed.

When construction bonds on Victor Tulane Courts and Jackson Heights are retired in 40 years, receipts will be divided between the authority and the city "in proportion to the aggregate contribution" each has made to the projects.

Charles Rogers, director of the authority, estimated the proportion would be about five to one.

Bus Officials Win Approval On Fare Boost

Advertiser Montgomery, Ala. 1-5-56

A 50 per cent rate increase and a charge of five cents for transfers were granted Montgomery City Lines yesterday by the City Commission. The increases become effective Monday.

Pending settlement of the Negro boycott—a month old today—the commission authorized the bus company to raise adult fares from 10 cents to 15 cents and school fares from five to eight cents.

Transfers, which have been free to bus passengers, will cost five cents.

LOSS CLAIMED

Mayor W. A. Gayle said the increase will be "subject to reconsideration" when the boycott is ended.

Company officials had asked for approval to double fares, because of losses said to be 22 cents for each mile the company operates.

Since Dec. 5—after Rosa Parks was fined $14 for violating the city's segregation law—the Negro boycott against the company has been virtually 100 per cent effective.

Several conferences between Negro leaders and city and civic officials have produced nothing near an agreement.

Mayor Gayle said yesterday the citizens committee he appointed to iron out the differences "stands ready when called." However, he said he knew of no meetings planned.

NEGRO GROUP

A similar statement came from the Rev. M. L. King, spokeman for the Montgomery Improvement Association, a Negro organization which claims to represent "50,000 citizens."

King said his group would meet with city officials or any group "sincerely interested" in settling the controversy.

King, in reply to a question, said he knew of no circumstances under which the Negroes might relent from the three demands they have made as the price for ending the boycott. But he added he has been out of town "for a few days" and hasn't checked with the association recently.

The Negroes have asked for elimination of reserved sections on buses for white and Negro, suggesting instead a first come, first served seating arrangement. Once properly seated, no passenger would be subject to reassignment. Negroes would fill the buses from the rear and whites from the front.

Other demands include hiring Negro drivers and "More courteous" treatment at the hands of white drivers.

Telephone Survey Supports Fare Hike

Advertiser 1-5-56

A cross section poll of Montgomerians on their general feeling toward the rise in bus fares indicated a strong majority overwhelmingly in favor of the fare hike and fully behind the bus company.

The poll, conducted yesterday by The Advertiser, consisted of telephoning 50 Montgomerians, 38 whites and 12 Negroes.

In all, 34 persons voted in favor of the rise, five voted against it and 11 were non-committal. Only 16 persons of the 50 contacted were non-bus riders.

Three white persons were against the rise and two offered no opinion. Two Negroes said the rise was "steep" and voted it down while the remaining nine Negroes offered no comment. The two Negroes voting "no" were the only Negroes who said they were bus riders.

One person said, "If this (the rise) helps the bus company to keep segregation on the buses until this boycott is broken, then I'm all for it."

Said another, "I'm in favor of the rise . . . I hope it means better service . . ."

Most persons voting in favor of the rise said they believed every concern should try to operate at a profit.

One person suggested, "I'm not only in favor of raising the fares, but I think they should set up contribution boxes to help the company during this boycott."

AT VIRTUAL END

Bus Company Wins Approval For Big Sunday Service Cut

Advertiser Montgomery, Ala. Fri. 3-9-56

A virtual end to Sunday bus service in Montgomery was approved yesterday by the City Commission.

In the face of money-losing Sunday schedules, the commission allowed Montgomery City Lines to discontinue service on all but the Maxwell and Gunter AFB routes.

Mayor W. A. Gayle, announcing the cutback in service, said Sunday revenue has not been sufficient even to pay the drivers, not considering the other expenses.

Revenue from the Gunter and Maxwell routes has been "considerably higher," said Gayle. Service will remain the same on these two routes.

Of the remaining 12 routes, only eight are affected since Sunday service was not offered on four regular runs.

Mayor Gayle said week-day schedules will remain the same on all routes.

Montgomery City Lines' recently-negotiated renewal of its franchise went into effect yesterday for a 10-year period.

Though beset by a Negro boycott that has caused a third reduction in service and an increase of 50 per cent in fares, the bus company is not in a perilous condition, Gayle said.

He pledged that "City Lines is going to operate, giving us the necessary service."

Bus company officials have said that the adjustments made necessary by the boycott put the company in a relatively sound position.

These adjustments have included a reduction in service and company personnel and an increase in fares—enough, say the officials, to offest the loss of Negro patronage.

Meanwhile, as the boycott neared the end of its 13th week, Mayor Gayle said contributions totaling $56 have arrived at his office for the bus company.

New station wagons aid boycotters

Afro-American Sat. 4-28-56

Baltimore Md.

By AL SWEENEY

(AFRO Staff Writer)

MONTGOMERY, Ala. — The walking participants in the passive resistance movement against the Montgomery City Bus Lines are getting a lift.

Beginning last week, the churches of this town began receiving deliveries of station wagons which are being used to transport citizens in the movement.

"Four churches received their station wagons last week, "the Rev. Ralph D. Abernathy, one of the leaders of the Montgomery Improvement Association, told the AFRO Saturday.

* * *

"EIGHT OTHER churches are waiting delivery of additional station wagons," he said.

The Rev. Mr. Abernathy explained that the station wagons will be "great assistance to the car pool."

He said that many of the automobiles used in the pool were in need of repair.

* * *

"THE VARIOUS churches have volunteered to purchase station wagons to transport its members and friends to and from their jobs," he stated.

Asked if it meant that the churches were maintaining a cooperative free - transportation system, the Rev. Mr. Abernathy stated:

"I wouldn't say that."

Several weeks ago the Rev. Martin L. King, president of the Improvement Association, told the AFRO that a plan of establishing a free-transportation system was being discussed by the demonstrators.

The protest is in its 23rd week.

* * *

THE NEXT significant move will be taken on May 11, when a suit filed on behalf of four Montgomery women challenging the constitutionality of the state's bus segregation laws will be heard by a three-judge Federal Court.

Meanwhile, the boycott of the buses remains effective. The boycotters continue to hold their mass meetings twice a week with standing-room - only space available.

On Monday, for the first time since the movement began, a meeting was held at the Dexter Avenue Baptist Church of which the Rev. Mr. King is pastor.

* * *

"WE HAVEN'T held meetings there before," the Rev. Mr. Abernathy said, "because of its limited seating capacity. It seats only about 400 persons."

On April 16, the Rev. Mr. Abernathy reported, "one of the most enthusiastic meetings we have ever had was held at the First Baptist Church."

At that meeting, the Rev. Mr. Abernathy urged the demonstrators:

"Let's keep alive the spiritual side of our movement.

"If we concentrate on the political side we are lost because our opponents have the mayor, the commissioners, the governor, the senators and the entire legislative process.

"If we emphasize the economic side we are at a disadvantage because they control the banks, have better vocational opportunities and have most of the money.

Sat. 4-28-56

"BUT, THE long arm of the Lord extends to everyone. We have as much access to Him as the

Baltimore, Md.

We must keep the movement spiritual. We should reaffirm our faith in the weapon of love and non violence," the Rev. Mr. Abernathy concluded.

* * *

ON THE LEGAL front, attorneys for three members of the Alabama Public Service Commission, named as defendants in a suit to abolish segregation on buses in Montgomery and Alabama, answered the charges.

They contend that the separation of the races "promotes the general welfare of both races and tends to protect each from violence and possible bloodshed;

"There are no sociological and psychological factors present in this case which would tend to require integration on buses;

"But to the contrary, the general welfare of both races and any sociological and psychological factors present require and demand the separation of the races on buses."

* * *

THE ANSWER continued that separate but equal facilities on buses are necessary so that "both races may live in peace, free from fear, turmoil and possible violence which retard the process, prosperity and well being of both races."

It was also charged that the three-judge court, which will hear the case on May 11, is without jurisdiction "to hear and determine this cause as members of the PSC are state officers and have issued no orders relating to the operation of the Montgomery City Lines."

* * *

REP. WILLIAM L. Dawson (Dem., Ill.) commented in Washington, Friday, that the demonstration in Montgomery was "a remarkable display.

"I congratulate the leaders of the movement for carrying on the protest with dignity and in a spiritual manner that can't fail to be successful."

* * *

SPEAKING IN COLUMBUS, Ohio, the Rev. Dr. King, answered Mississippi novelist William Faulkner, who has been urging colored leaders to slow down their fight for equality.

"Tell Mr. Faulkner, who encourages the use of gradualism, that segregation is a cancer to the American way of life and that one does not treat cancer by rubbing vaseline on it." He said.

Dr. King addressed an audience of 400 persons attending a $10-a-plate dinner sponsored by the NAACP.

"Boycotters Walk For Freedom"

Courier p. 7

Houston, Tex.

Sat. 4-21-56

By JULIA SCOTT

Rev Ralph D Abernathy, here from Montgomery, Alabama, the first person arrested in the Boycott movement, told Dallas citizens, Friday night, the true story of "their brothers and sisters" plight in Alabama, and told of their latest move in demand for justice. He related his story of this historical event at the Salem Baptist Church, of which the Rev L B Nelson, is pastor.

Rev Abernathy was kick-off speaker for the membership campaign of the National Association for the Advancement of Colored People. He arrived Friday afternoon via Braniff Airlines.

Introduced by one of the vice presidents of the NAACP, Mr Hardesty, Rev Abernathy extended greetings on behalf of freedom and democracy, and began to unfold the story of the Alabama Boycott. Amid thunderous cheers, audible laughs and silent tears, approximately 400 persons listened as the 29-year-old minister told of the 20 dark years in Alabama, when Negroes were mistreated on public buses, arrested and dragged off to jail. Then he retorted, "last December fifth, our cups ran over and 50,000 Negroes decided to do something about it".

He told his audience of their latest actions in their fight for justice. **A committee appeared in the Commissioner's chambers and requested a franchise to operate their own bus. This request was denied. Declaring their adamantive stand, Rev Abernathy said, "they can't stop us, we have filed a suit in federal court ATTACKING SEGREGATION ITSELF."**

NOT TIRED OF WALKING

Rev Abernathy told his Dallas audience, 50,000 Negroes are walking the streets in Alabama. "We're walking for freedom, even though we've been walking a long time (124 days) we haven't gotten tired yet".

He said he asked his mass meeting audience, Thursday night, "My children, I want to know, are you tired of walking?" The reply according to the spokesman, from 3,000 in attendance and echos from adjacent parks and lawns surrounding the church, resounded, "no, we are not tired of walking".

Rev Abernathy declared, "we are walking in protest because we've been mistreated across the years, Last December 5th, our cups ran over, we got tired of being kicked around, and we decided to hit the white man where it hurts, in the pocketbook.

A NEW NEGRO ON THE SCENE

Rev Abernathy declared, while speaking here, "a new Negro is on the scene, one who knows his stuff". He said they would not violate the laws of Alabama, but "the population is rising up. We've gotten a taste of freedom, we are tired of being pushed around".

The cry from the Southland, according to the Alabama Ambassador is FREEDOM and DEMOCRACY. "We are going to enjoy freedom in the cradle of confederacy, in Montgomery, Alabama," he declared.

He told his listeners, "We are not pitiful, we are not afraid, our heads are not bowed, but we are now demanding our rights, we are prepared to suffer in this movement, we know we shall win, because we know we are right and God is with us."

He said the Boycott movement did not begin with the arrest of Mrs Rosa Parks, but that it was a culmination of two decades of mistreatment, and the people waited for a chance to demonstrate passive resistance.

GUS COURTS TELLS OF MISSISSIPPI SHOOTING

Another feature for the evening were expressions from Gus Courts, a shotgun victim of Belzora, Mississippi. He introduced his wife as a woman who won't run when bullets are falling.

Mr Courts, who was shot down in his grocery store, November 25th, because he wanted to vote, said after Rev George Lee was killed, he was notified that he would be next, unless he did as "they" wanted him to do. He said, "I'll die a hero, and took the front until the guns fired on that ill-fated night.

He told of how the NAACP officials came to his rescue during his days of confinement, and admonished everyone to join the NAACP, because "that orgaisation is interested in you and your friends in Mississippi—Let's go to courts," he advised, "let's don't fight back".

Mrs Pearl C Anderson, Zeta's Woman of the year, and a life member of the NAACP, was presented a basket of flowers, by Mrs G M Battle, Executive-Secretary of the local Branch, NAACP. Mrs Anderson, accepted with humility and gratitude.

Rev L B Nelson, Chairman of the Membership Campaign, presided over the meeting. Dr B E Howell, gave the appeal and the Branch President, Rev B R Riley presented Rev Abernathy a check cott movement.

Finally, reports were made from various Division leaders on memberships secured.

38b 1956 ALABAMA

ALA.ATTY. GEN. JOHN PATTERSON FIIED A MOTION TO DISMISS FEDERAL SUIT

(Alabama-Boycott)

SEGREGATION CASE

Advertiser p. 1

Patterson Motion Asks Court To Dismiss Suit

Montgomery, Ala

Wed. 3-28-56

Alabama Atty. Gen. John Patterson filed a motion yesterday to dismiss a federal suit to declare Montgomery and Alabama transportation segregations laws unconstitutional.

The suit filed by four Negro women, originally named as defendants the City Commission members, Police Chief G. J. Ruppenthal, Montgomery City Lines Inc., and two bus drivers.

In a March 8 ammendment Negro Attys. Fred D. Gray and Charles Langford added the names of three members of the State Public Service Commission to the list of defendants. (Five Negro women were originally listed as plaintiffs, but the name of Jeanetta Reese was withdrawn by Gray after the woman claimed she "didn't know what I was signing.")

In Patterson's motion to dismiss the suit, he contends the federal suit concerning the issue of city and state segregation laws pertaining to public transportation should be heard in state courts first.

The state added that no facts introduced by the plaintiffs show that the PSC had jurisdiction over buses operated in the city of Montgomery. Patterson added in the motion the application for an immediate injunction to halt enforcement of city and state travel segregation laws does not seek restraint from enforcement of state statues by state officers and thereby does not require convening a three-judge court.

Fred Gray was not available for comment yesterday. His office said he was "out of town" and refused to reveal his whereabouts.

Church Groups Protest Negro Ministers' Arrest

Evening Star P. 6-A
Tues. 2-28-56

MONTGOMERY, Ala., Feb. 28 (AP).—A Negro minister indicted in Montgomery's bus boycott told a cheering throng at a mass meeting last night: "No city in the world can afford to make criminals out of 24 of its preachers."

Washington, D.C.

This declaration by the Rev. L. R. Bennett came after church groups in other sections of the Nation expressed concern over the arrest of 24 Negro ministers here for leading the protest against segregation on city buses.

Mr. Bennett, pastor of the Mount Zion African Methodist Episcopal Church, and other indicted Negro clergymen spoke at a meeting marking the end of the boycott's 12th week. Cheering Negroes responded enthusiastically when their leaders promised to continue the protest movement.

Prayer Session Called

A group of Protestant pastors at Princeton, N. J., called for a prayer meeting there Friday restricted to ministers only. The Rev. William L. Tucker, president of the 10-member Princeton Pastors' Association, which includes three Negroes, said the service will conclude with an offering to be sent to Montgomery Negro ministers.

"The treatment of our fellow ministers in Alabama arouses both our indignation and our brotherly solidarity," Mr. Tucker said.

At St. Albans, W. Va., the West Virginia Council of Churches expressed "unhappiness" over the indictments here.

The council, representing 13 Protestant denominations with a membership of 350,000 persons, said in a letter to Mayor W. A. Gayle of Montgomery:

"We share widespread unhappiness over the current grand jury indictment of scores of your citizens. We feel that, even under your law, these citizens have a 'just cause' to uphold. Therefore, we cannot think they are guilty of a conspiratorial crime."

(At Miami, Fla., the religious leadera of 5 million Negro Baptists said in an interview that he was opposed to mixing prayer with the bus boycott at Montgomery.

(Dr. Joseph H. Jackson of Chicago, president of the National Baptist Convention, said: "I don't quite see mixing prayer with an economic boycott. . . . I do not believe religion should be used as an economic boycott. Calling a halt to work is not in the Christian tradition. . . . There is no issue regarding a day of prayer.")

Warns Against Violence

While Negro leaders in Montgomery reaffirmed their intentions of continuing the boycott, they called for members of their race to continue to shun violence.

The Rev. Martin Luther King, jr., warned: "Anything that looks like violence will defeat our purpose."

He cautioned his listeners last night against any attempt at intimidation. He asked particularly that no "threatening calls" be made to Mrs. Jeanetta Reese, a Negro who withdrew from an anti-segregation suit after it was filed in U. S. District Court.

Fred D. Gray, Montgomery Negro attorney, who filed the suit attacking bus segregation laws, was indicted by the grand jury for unlawful practice three days before 100 other Negroes were charged with violating Alabama's anti-boycott law.

Mr. Gray's trial is set for Friday in Circuit Court. Mrs. Reese, one of five Negro women whose names appeared on the suit, later said the action was taken without her consent. Mr. Gray denied that.

Church Council Backs Negroes In Bus Protest

New York, Feb. 27 — The National Council of churches pledged its support today to the Negroes of Montgomery, Ala., in their fight against segregated public transportation.

A telegram from council president, the Rev. Dr. Eugene Carson Blake of Philadelphia, to Rev. Solomon Seay, one of the leaders of the Montgomery boycott, restated the council's position that segregation "is unnecessary and undesirable and a violation of the gospel of love and human brotherhood."

The telegram assured the Montgomery Negroes of their fellow chiristians' sympathy and prayers and of our resolution to assist them in ways that may be helpful."

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Daily World
Sun. 2-26-56 P. 1

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Negro Opens Fast In Boycott Support

ATLANTIC CITY, N. J., March 11.—(UP)—A Negro pastor who once was a sparring partner of former heavyweight champion Jersey Joe Walcott, started a fast in his pulpit Sunday in sympathy with the bus boycott at Montgomery, Ala.

Rev. Russell Roberts, 38, pastor of the Shiloh Baptist Church, said he would "live and pray and fast" in the church pulpit, taking only vegetable juices to sustain himself, "for as long as God gives me strength."

During the fast, Rev. Roberts said, he church will remain open day and night, and members of the congregation will carry Bibles with them at all times.

Boycott Pastors Base Sermons On Race Issue

Evening Star
Mon. 2-27-56
Washington, D.C.

MONTGOMERY, Ala., Feb. 27 (AP).—Several of the 24 ministers arrested for leading the Negro boycott of segregated buses based their Sunday sermons on racial and religious issues touching on the protest. P. 3A

One minister said the protest to racial segregation "has become a spiritual movement."

The Rev. Martin Luther King, jr., preaching to a capacity crowd at the Dexter Avenue Baptist Church, said, "Segregation can't survive because God is against it."

Talks With Students Cited

Mr. King said he talked to several white students at Vanderbuilt University last week while in Nashville, Tenn., and 90 per cent of them favored racial integration.

The Rev. R. W. Hilson, another minister indicted for boycotting, told his congregation at St. John's African Methodist Episcopal Church that the bus boycott "has become a spiritual movement with us."

He noted that bishops of his church had aligned themselves with the Montgomery boycotters and had issued protests in Washington Saturday to the arrects of the 89 Negro leaders here last week.

The Rev. J. W. Bonner, pastor of the First Christian Methodist Episcopal Church, called on his congregation to "ask God's guidance" in the racial controversy.

Clerics Pledge Aid

He read telegrams and letters from bishops of the church promising moral support and financial aid, including one containing a $200 donation from Bishop B. Julian Smith of Chicago, head of the Oklahoma-Arkansas district of the Christian Methodist Episcopal Church.

Mr. King, one of the most outspoken boycott leaders, asked for a special collection of $1 yesterday at his church to finance the boycott. He said he is going to insist that the boycott not be exploited and that money contributed be "properly handled."

Most of the ministers warned their followers that non-violence must continue.

Negroes here have refused to ride city buses since December 5, when a woman was fined for refusing to obey State and city laws requiring segregated seating for whites and Negroes on buses.

AMEZ's Aid Bus Boycott In Alabama

Defender P. 10
Sat. 3-10-56
Chicago, Ill.

NEW YORK — A special offering was forwarded to the Montgomery Improvement Association of Montgomery, Ala., on Washington's Birthday, to aid its fight to get decent treatment for Negro passengers on a bus line operated in Montgomery.

The money was raised at the 10th annual Christian Youth Conference and Institute for Ministers and Christian Education Workers of the Hudson and Long Island Districts of the AME Zion church.

Three of the men indicted for their participation in the boycott against the bus company are ministers of the AME Zion church: Rev. L. R. Bennett, Rev. W. J. Powell, pastor of Old Ship AME Zion church and Dr. Solomon S. Seay, former executive secretary of the Home Missions and Relief Departments.

Some 400 young people attended the conference at First AME Zion church at 460 McDonough st. with Dr. W. O. Carrington, host pastor; Rev. J. H. Tucker, presiding elder of the Long Island District; and Rev. C. C. Williams, presiding elder of the Hudson River District.

Presiding bishop was senior bishop, the Rt. Rev. William J. Walls of Chicago.

Bishop Walls spoke prior to the conference time devoted to meetings of 17 discussion groups con-

Where to send your donation!

Afro-American
Baltimore, Md.
3-17-56

If you as an individual or your church, club or other organization want to help in the defense of the valiant Montgomery passive resisters, send checks or money orders (don't send cash money) to the following address:

The Rev. M. L. King Jr.,
Montgomery Improvement Association
120 Mildred Street, P. 1
Montgomery, Alabama

Everyone walks on Sunday as bus lines discontinue service

MONTGOMERY, Ala. — N civilian rides the bus in this cit on Sunday, regardless of race creed, or color.

This is necessitated by the fac that on last Thursday, the cit commissioners granted a reque of the Montgomery City Lines t discontinue bus service on a lines with the exception of tha to and from the Maxwell an Gunter Air Force Bases.

Mayor W. A. Gayles said tha the action was taken because th Sunday operation was a "com plete loss" to the bus compan

cerned with various aspects of the conference theme: "Christian Light Shining In World Darkness."

Keynote speech was presented by Dr. James W. Eichelberger, general secretary, department of Christian Education of the AME Zion church.

He emphasized the important part played by the church schools, study classes and educational conferences in the expanding work of the denomination and in preparing future church leaders.

BOWED IN PRAYER—Members of the Council of Bishops, African Methodist Church, pray for end of segregation in Alabama. They plan appeal to President Eisenhower for an end to the "tragic persecution" of Montgomery, Ala., Negro bus boycott leaders. From left: F. D. Jordan, Los Angeles; Howard T. Primm, New Orleans; William R. Wilkes, Little Rock; Isaiah H. Bonner, Birmingham; A. J. Allen, Cleveland; Frank M. Reid, Columbia, S. C.; D. Ward Nichols, New York; S. L. Greene, Atlanta; R. R. Wright, Philadelphia; G. W. Baber, Detroit; Carey A. Gibbs, Jacksonville; E. C. Hatcher, Nashville, and Joseph Gomez, Waco, Tex.—AP Photo.

Attorneys ready for hard fight

Afro-American Baltimore, Md. Sat. 3-17-56

By AL SWEENEY
AFRO Staff Writer

MONTGOMERY, Ala. — "We're just hoping and praying."

So said Fred D. Gray, young legal adviser for the 89 "passive resistance movement" leaders under indictment.

Monday, March 19, is the trial date.

* * *

"EVERYTHING IS calm, too calm down here," Mr. Gray said Saturday.

"I have no idea of what the prosecution is planning.

"Our attorneys will get together on Wednesday and work last minute details for the defense," he added.

* * *

THE ATTORNEYS for the indicted group that includes 64 of Montgomery's leading ministers, are Arthur Shores, Orzell Billingsley, and Peter Hall of Birmingham and Charles Langford of Montgomery, in addition to Mr. Gray.

The first case on the docket is No. 7399, which will be called by Judge Eugene Carter of the Montgomery Circuit Court at 9:30 a.m., March 19.

Among the defendants in the first case will be the Rev. Martin L. King, pastor of the Dexter Avenue Baptist Church and president of the Montgomery Improvement Association, the organization staging the protest.

Other defendants are the Rev. Elroy Bennett, vice president; E. D. Nixon, treasurer and veteran civic leader; the Rev. E. M. French, secretary; and the Rev. U. S. Fields, assistant secretary.

The 84 others are grouped in 10 other cases.

* * *

ALL ARE charged with conspiring to violate Alabama's ancient but seldom-used boycott law.

It was passed in 1921 and was aimed at breaking industrial strikes. According to Mr. Gray, it has been invoked only two or three times in history.

The constitutionality of it, he said, has never been challenged. National organizations such as the Civil Liberties Union contend that the law is unconstitutional because it violates the guarantee of "the right to protest."

Afro-American

SIGNIFICANTLY, THE trial will be held in a weatherbeaten court building located in the 100 block of Dexter Ave., a street that ends four blocks away at the State Capitol, described as "the cradle of the Confederacy."

The Rev. Mr. King and his 88 "associates" are members of a "passive resistance movement" that is said to be the boldest resistance to racial segregation in the South by citizens of the South in history.

The movement began on Dec. 5, the day after Mrs. Rosa Parks, a 43-year-old alteration tailor, was fined $14 in city court for refusing to give her seat to a white man.

Since that day about 98 per cent of the colored citizens of Montgomery have refused to set foot on a city bus until racial policies of the buses are changed.

In the 14 weeks that the "passive resistance movement" has been in existence, the "love thine neighbor" theme of its followers has gained world wide attention and support.

* * *

TWICE WEEKLY followers of the movement meet. The meeting places move to all areas of the city.

The meeting nights are Mondays and Thursdays. The churches are packed long before the services begin at 7 p.m.

In order to get a seat, some persons arrive at the meeting place as early as 3 p.m. By 5 p.m. the auditorium is packed.

The crowd keeps from becoming restless by an endless singing of hymns interpersed with prayers from the congregation.

Promptly at 7 p.m. leaders of the movement arrive. Their appearance, especially that of the Rev. Mr. King, the Rev. Ralph D. Abernathy and Mrs. Parks, are met with a tremendous ovation.

The singing of the group's victory song to the tune of "Old Time Religion," opens the program.

Prayers for God's assistance to give them "understanding and love for those who oppose them;" the reading of the Scripture; a message from one of the leaders; a pep message; a financial report; and the final prayer complete it.

The meetings usually last only two hours.

* * *

THE MOVEMENT owes its success to the determination of the masses, all bus riders, who have "gripes" against the bus drivers.

"The attitude of the bus drivers towards our people created the sorest spot in the race relations of the city," Gray explains.

"There isn't a single person who has been a regular rider without a grievance. The bus drivers had the police power to enforce segregation on the buses and at one time carried guns.

"Their abuse of authority is the real cause for this united effort," he opines.

The Rev. Mr. King, the architect of the non-hatred idea, explains passive resistance in the following scholarly fashion:

"What we are preaching is best described by the Greek word, 'agapa.'

"The Greeks made distictions between several kinds of love. For example, there is the kind of love described by the word 'eros,' a romantic type of love such as a fellow would have for his girl friend.

"Then there is the kind of love designated by the word 'philia,' a kind of friendship.

"And there is 'agapa.' That's the highest type of love; not sentimental but meaning understanding, good will, a redemptive sort of love.

* * *

"THAT IS what we are trying to get our people to feel.

"Since the white man will not come to the realization of his own integrity without understanding, to defeat him in his hatred only makes matters worse.

"The fight here is between light and darkness. The job of us leaders is to make that clear to our people.

"We can't afford to hate the white man because if we won in that spirit, a residue of hatred would remain between us.

"That is why we constantly preach against hatred.

"I don't know that they fully understand it yet, but they are making progress."

The effect of the teachings of the ministers is best described by a woman, whom this reporter encountered at the corner of Jackson and Hull Sts. in South Montgomery.

She was carrying a heavy bundle of clothing, which she had washed. She had been walking a distance of eight blocks.

"Are you tired? How do you feel about this boycott?" this writer asked.

"Mister, my feet are tired, but my soul feels good. If I have to walk forever, I'll never get on another bus and have one of them drivers talk to me like I was a dog."

DEC. 1—Mrs. Rosa Parks, 42, an alteration tailor in a downtown Montgomery department store, riding on a Cleveland Ave. bus was arrested after she refused to give her seat to a white man.

DEC. 4—Mrs. Parks was fined $14 in city court for violating the state's segregation laws.

DEC. 5—The colored citizens of Montgomery outraged begin a protest demonstration against the bus line policy.

DEC. 8 — During a meeting with officials of the bus company and the city commissioners, the Rev. M. L. King expresses the attitude of the citizens:

"We are tired of being humiliated by bus drivers."

He listed the three demands of the colored citizens: (1) Courteous treatment of passengers by drivers; (2) Seating on a first-come-first served basis; (3) Employment of colored drivers.

Jack Crenshaw, attorney representing the buslines, rejects the three demands.

He explodes: "We have no intention of hiring colored bus drivers."

DEC. 12 — The demonstration ends first week.

DEC. 17—Mayor W. A. Gayle appoints a citizens committee to investigate the boycott.

* * *

DEC. 25 - 26 — The buses cease operations on Christmas Day and the day following. It is estimated that the lines are losing about $3,000 a day.

JAN. 2 — The citizens committee meets. Group includes Luther Ingalls, president of the White Citizens Council. No progress is made.

The demonstration is 98 percent effective, says the Rev. M. L. King. He announces that $3,000 was collected at a mass meeting to finance the operation of a 200-car pool.

* * *

JAN. 9 — The bus lines are granted a fare increase. Regular fares upped from 10 to 15 cents; children's school fare from 5 to 8 cents. Whites disturbed at fare increase join boycotters.

* * *

JAN. 27 — Mayor Gayles announces a "get-tough" policy after first stating that he didn't care if colored persons ever rode the buses again.

JAN. 30 — The Rev. Mr. King's home is bombed.

* * *

FEB. 1 — The home of E. D. Nixon, former state NAACP president and boycott leader, is bombed.

* * *

FEB. 2—An "umbrella suit" is field in Federal Court attacking the legality of the state's segregation laws. Plaintiffs are listed as Aurelia S. Browder, Susie McDonald, Jeannetta Reese, Claudette Colvin, and Mary L. Smith.

The defendants are the bus line and city officials. Fred D. Gray and Charles Langford are attorneys for the plaintiffs.

* * *

FEB. 4 — Mr. Gray, 25, assistant pastor at the Holt Street Church of Christ, is reclassified in the draft to a 1-A status.

FEB. 10 — Judge Eugene B. Carter of Montgomery Circuit Court orders the grand jury to investigate the legality of the protest movement.

* * *

FEB. 18 — Mr. Gray attorney, is arrested following a grand jury indictment which charged that he represented Mrs. Jeannette Reese in the bus suit without authorization.

* * *

FEB. 22-23 — Eighty-nine persons are arrested following a grand jury indictment charging that they were engaged in an illegal boycott that violated a state statute adopted in 1921. Twenty four are ministers.

* * *

FEB. 24 — About 42,000 persons respond to a "Pilgrim - Prayer" call issued by the Rev. Ralph D. Abernathy, pastor of the First Baptist Church. Car owners are urged to leave their cars at home to join the "everyone walk and pray" demonstration.

The indicted persons arraigned. Trial set Mar 19.

* * *

FEB. 29 — Mr. Gray is freed of the grand jury indictment after City Solicitor William Thettford tells Judge Carter that the state had no jurisdicion in the 'unauthorized representation" charge filed by Mrs. Reese.

Thettford pointed out that the case was filed in a Federal Court hence the prosecution was the responsibility of Federal authorities, if warranted.

"No Room for Gradualism"

Courier p. 14

AME Bishops OK Bus Boycott at Session in Ark.

Pittsburgh, Pa.
Sat. 3-3-56

By B. H. LOGAN

HOT SPRINGS, Ark.—Bishop Joseph Gomez of the Tenth Episcopal AME District delivered the sermon which opened the winter session of the Bishops' and Connectional Council here. Bishop Sherman L. Greene presided over the service which also administered Holy Communion.

The Bishops took action on several important civic matters during their three days of rugged sessions.

They passed resolutions on the bus boycott situation at Montgomery, Ala., and although the Bishops favored the use of economic boycott in their resolution, they strongly condemn any kind of violence to obtain civil rights.

* * *

THEY COMMENDED the action of Negroes in Montgomery, Ala., who boycotted the bus system after a member of the race was forced to move back to a segregated area on the bus to accommodate whites.

The resolution stated that there is no room for "gradualism" which in effect means a systematic device to disobey the Supreme Court decision as long as it can be gotten away with.

The resolution also called for an integrated church in an integrated society. It is the declared policy of virtually every major denomination in the United States, that the Supreme Court decision on integration of schools is a milestone in the achievement of human rights.

Likewise, the Roman Catholic Church has condemned racial discrimination as "unjust and un-Christian."

* * *

IN THIS struggle for universal acceptance of an integrated society, the Negro church plays an increasingly vital role.

It was in fact an humble AME minister, the Rev. Joseph A. Delaine, who led the parents of Clarendon County, S. C., to the point where their demands for equality in educational facilities were first heard.

The Bishops ruled that all Bishops of the church will attend the World Council of Methodism at Junalaska, N. C., in July.

The Bishops also heard a resume of work of the Church World Service from the Rev. Joseph W. Merchant, executive director of Urban Churches, National Council of Churches, and also a report from John Abbott, promotion director of Church World Services, in which the council endorsed the program of sharing surpluses with needy people in other lands.

* * *

THE FOLLOWING department heads reported to the Bishops: Dr. A. Chester Clark, secretary of missions, which includes relief work done in the Caribbean area, including 3,600 pounds of clothing, 500 New Testaments and $1,000 in cash.

Mrs. Anne E. Heath of the Women's Missionary branch and Mrs. Alma A. Polk of the Young People's Department made their reports.

Dr. Shermon L. Greene Jr., secretary of the Department of Education and Dr. Robert W. Mance of the finance department made reports of the work of their departments.

Dr. S. S. Morris and Dr. C. W. Abington reported for the Department of Christian Education. Dr. J. E. Beard reported for the Pensions Department, of which he is secretary-treasurer.

THE COUNCIL voted $5,000 for the National Council of Churches, and $3,680 for the World Council of Churches and $1,000 for the National Fraternal Council and $2,000 for the World Council of Methodism.

A MESSAGE of brotherhood is being sent to the people of Soviet Russia by members of the AME Church, through Bishop D. Ward Nichols of New York City.

According to Bishop S. L. Greene, who made the announcement, the message will be sent in the form of a plaque and will be hung in an appropriate place of worship. Bishop Nichols is one of a delegation of nine members which will leave for Russia March 9 under auspices of the National Council of Churches.

A special meeting of the Bishop's Council will be held in Washington, D. C., Feb. 25, to complete whatever unfinished business that remains leading up to the General Conference which will meet in Miami, Fla., in May.

The council voted endorsement of the Baptist World Day of Prayer for May 17.

Bostonians protest arrests in Alabama

Afro-American p. 8
Baltimore, Md.

BOSTON, Mass. — "I want to tell you that I am heartily behind your cause," Lt. Gov. Sumner Whittier told a group of Bostonians gathered at the Columbus AME Zion Church recently to protest the arrest of 89 persons in the Alabama bus boycott.

Sat. 3-17-56

"We are working on the side of right and truth," he said," and it is essential to win the fight — not for you alone but for all Americans and for the free world."

* * *

THE REV. Walter C. Davis, president of the Interdenominational Ministers Alliance and pastor of Charles St. AME Church, presided.

Local ministers pledged their support for "National Deliverance Day of Prayer," to be observed nationally on March 28.

One thousand dollars was raised and forwarded to the Improvement Association of Montgomery.

OTHER SPEAKERS addressing the audience were: Dr. Myron W. Fowell, Massachusetts Council of Churches; Col. Larkland Hewitt and Edward Cooper, the local NAACP;

The Rev. Samuel Laviscount, Sr. Marks Congregational Church; Kivie Kaplan, NAACP life memberships chairman; the Rev. Nathaniel Wright, St. Cyprians Episcopal Church;

Dr. Clayton B. Hale, Boston Council of Churches, and Rabbi Zev K. Nelson, president of the Greater Boston Rabbinical Association.

* * *

THE REV. MR. DAVIC, Boston "D-Day" chairman, said:

"The bells of Boston's famed Old North Church, from whence rode Paul Revere, will ring for one solid hour in protest."

Mr. Kaplan told the audience: "We (the NAACP) have set our national goal for five million members this year and Boston's figure 10,000.

"Money is needed to win these fights and to say that 'money talks' is an understatement for it virtually screams!".

The Rev. Mr. Laviscount announced that a combined faith broadcast will be heard over radio station WHDH on "Religion and Human Equality."

400 PASTORS BACK NEGRO BUS FIGHT

Times p. 23-C

200 Offer to Supply Pulpits if Ministers Are Jailed—Trial Opens Today

Mon. 3-19-56
New York, N. Y.

The twenty-five Negro ministers of Montgomery, Ala., who go on trial today for their part in organizing a boycott of the city's segregated buses have received the support of more than 400 white and Negro clergymen from all over the nation.

The announcement was made yesterday by the Fellowship of Reconciliation, a non-denominational organization of clergymen and laymen. It also was reported that more than 200 of the ministers had expressed their willingness personally to supply the pulpits of the defendants in the event any were convicted and jailed.

The Rev. John M. Swomley Jr., national secretary of the organization, said the statement, acclaiming "the leadership our brother pastors * * * are giving to the nonviolent campaign for racial brotherhood," had been sent only to 1,600 clergymen.

"Our impression is that something like 90 per cent of them will have signed it by the end of this week, and half of them will be prepared to go to Montgomery," Mr. Swomley said. "They obviously share our conviction that the nonviolent campaign represents the most hopeful and significant development that has come out of this struggle so far."

Eisenhower Action Urged

The statement also called on the Christian Church in both the North and South to "repent of its own sinful practice of segregation."

It further urged President Eisenhower to "speak out against segregation in every form" and to "consider personally going to Alabama and Mississippi" on a mission of peace and goodwill.

Among those who signed the statement were:

John Haynes Holmes, minister emeritus, Community Church, New York; Right Rev. F. Boynton, Bishop, Episcopal Church, New York; Edwin T. Dahlberg, former president, American Baptist Convention, St. Louis; Halford Luccock, professor emeritus, Yale Divinity School, New Haven; Harold Jonson, pastor, First Baptist Church, Boulder, Colo.; Wm. Lindsay Young, former moderator, Presbyterian Church, U. S. A.; E. Fay Campbell, director student work, Presbyterian Church, U. S. A.; Donald Harrington, pastor, Community Church, New York.

Also Charles Iglehart, formerly Professor of Missions, Southern Methodist Church and Union Theological Seminary, New York; Allan A. Hunter, pastor, Mount Hollywood Congregational Church, Hollywood, Calif.; James Myers, secretary, National Child Labor Committee; Allen O. Miller, professor, Eden Theological Seminary, St. Louis; F. A. Spong, chairman race relations committee, Missions Council of Churches; John Oliver Nelson, professor, Yale Divinity School, and L. B. Moseley, Baptist Church, Pittsburgh, Pa.

Des Moines Ministers Continue Protest Against Oppression in Alabama

Bystander p. 1 Thurs. 3-8-56
Des Moines, Iowa

Des Moines ministers are making protests in sermons against racial injustices and oppression meted out upon the Negro leaders of Montgomery, Ala., since the recent arrests of 115 of them in the bus boycott and the mob violences demonstrated when the Negro coed, Miss Autherine Lucy attempted to seek an education at the University of Alabama. Their sermons reval:

REV. G. H. PARRISH

"In these hectic days, these trouble times, it would seem that we here in America would have learned how to treat one another," preached the Rev. G. H. Parrish last Sunday morning to his membership at the Maple Street Baptist Church, East Sixteenth and Maple streets.

"Our people are called upon to fight wars to help make America safe. We spend our blood, sweat and tears—yes, we even give our lives like any other good American for the thing we love and want. Then, after planting our boys on foreign soil, in untended graves, we come home to America and ask for the things our boys have fought and died for and we are denied those things.

'Good Enough to Fight'

"We are good enough to fight that other men might enjoy the blessings of God in this country; then, we, ourselves are denied these same things; . . . . we send our sons and daughters away to fight for democracy abroad. We die for it on the barren fields of France, Germany and the Islands of the Seas—but, we are denied democracy at home—because our skins are dark.

"I am not bitter, but hurt that this country, so blessed by God . . . this country with so many churches, this country with so many fine ministers of the gospel of Jesus Christ the Son of God, her millions of church goers, her many religions, could be so unreligious as to deny a man or woman the right to go to school because her face is black.

"I think it is about time for America to stop fooling herself. She is only fooling herself and not the world. I think it is time for the Saints of God all over these United States to unite themselves in prayer to God—to save America from her sins."

In Montgomery—

Negroes assert drive for integration spiritual

News
Mon. 2-27-56 P. 30
Birmingham, Ala.

MONTGOMERY, Ala., Feb. 27—(AP)—Sermons yesterday by Negro ministers indicted in the bus boycott lent support to the claim that the protest to racial segregation "has become a spiritual movement."

Several of the 24 ministers arrested last week for leading the bus boycott based their Sunday sermons on racial and religious issues touching on the boycott.

The Rev. Martin Luther King Jr., preaching to a capacity crowd at the Dexter-av Baptist Church, said "segregation can't survive because God is against it."

King said he talked to several white students at Vanderbilt University last week while in Nashville, Tenn., and 90 per cent of them favored racial integration.

The Rev. R. W. Hilson, another minister indicted for boycotting, told his congregetion at St. John's African Methodist Episcopal Church that the bus boycott "has become a spiritual movement with us."

HE NOTED THAT bishops of his church had aligned hemselves with the Montgomery boycotters and had issued protests in Washington Saturday to the arrests of the 89 Negro leaders here last week.

The Rev. J. W. Bonner, pastor of the First Christian Methodist Episcopal Church, called on his congregation to "ask God's guidance" in the racial controversy.

He read telegrams and letters from bishops of the church promising moral support and financial aid, including one containing a $200 donation from Bishop B. Julian Smith of Chicago, head of the Oklahoma-Arkansas district of the Christian Methodist Episcopal Church.

King, one of the most outspoken boycott leaders, asked for a special collection of $1 yesterday at his church to finance the boycott.

THE BAPTIST MINISTER said he is going to insist that the boycott not be exploded and that money contributed be "properly handled."

Most of the ministers especially warned their followers that non-violence must continue.

Negroes here have refused to ride city buses since Dec. 5, when a woman was fined for refusing to obey state and city laws requiring segregated seating for whites and Negroes on buses.

MEANWHILE, AT Greensboro, N. C., yesterday, another Montgomery minister indicted in the boycott outlined the aims of the protest movement to some 500 Negroes at a church.

Dr. Soloman S. Seay, pastor of an African Methodist Episcopal Church here, said he is on a speaking tour to raise funds for the Montgomery Improvement Assn., an organization of Negro leaders which has promoted the boycott.

38b 1956

ALABAMA

NEGRO BUS LINE REJECTED (BUS BOYCOTT)

Negro Bus Line Plan Is Rejected

Herald P.11-A
Tues. 4-3-56
Miami, Fla.

MONTGOMERY, Ala.—(AP)—The Rev. M. L. King Jr., and several other leaders of the Negro boycott against Montgomery City Lines buses were denied city permission Monday to establish and operate an all-Negro bus company.

The delegation, most of whom are under indictment on charges of conspiring to boycott the segregated buses, proposed that a new company "owned and operated by Montgomery Negroes" be licensed to "provide adequate transportation for our people."

City commissioners, who met with the group for nearly 90 minutes, denied the application for a franchise on the grounds that the present bus company is offering "excellent bus service for the entire city."

Most of the earlier issues of the boycott, including seating arrangements and a request that Negro bus drivers be employed, were discussed.

Mayor W. A. Gayle, saying bus revenue from the city as a whole would not support two bus companies, suggested the Negroes request Montgomery City Lines Inc. to operate buses exclusively for them.

Montgomery Bars Negro Bus Line

Herald Tribune
Tues. April 3

MONTGOMERY, Ala., Apr. 2 (AP).—The Rev. M. L. King jr. and several other leaders of the Negro boycott against Montgomery City Lines buses were denied permission today to establish and operate an all-Negro bus company.

The delegation, most of whom are under indictment on charges of conspiring to boycott the segregated buses, proposed that a new company "owned and operated by Montgomery Negroes" be licensed to "provide adequate transportation for our people."

Times 4-3-56

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Mayor W. A. Gayle, saying bus revenue from the city as a whole would not support two bus companies, suggested that Negroes request Montgomery City Lines Inc., to operate buses exclusively for them.

Tribune
Fri. 4-6-56
P. 1
Los Angeles, Calif

THE WOMAN — who caused it all, Mrs. Rosa Parks, Montgomery, Ala. seamstress, whose arrest touched off the famous bus boycott, is welcomed at the airport with Los Angeles' official flower, the Bird of Paradise, by local Naacp figures, Mrs. Marnesba Tackett, right, and Mrs. Ruth Johnson, center.

Mrs. Parks said she left home immediately after the conviction of boycott leader, the Rev. M. L. King, Jr., and there was no indication then of the boycotters' three demands — courtesy, first come-first served seating, and employment, being met by the bus lines, nor of a weakening of purpose by the boycotters. She will speak at an Naacp member rally Sunday at 3:30 at Second Baptist church.

Bus Integration End Is Ordered

Post & Times Herald P. 3

MONTGOMERY, Ala., May 9 (AP)—Circuit Judge Walter B. Jones today ordered Montgomery City Lines to rescind its recent policy of racial integration on city buses.

Granting an injunction requested by the city of Montgomery, Jones directed the bus company and its employes "to comply with and abide by all the provisions of the ordinances of the city of Montgomery and the statutes of Alabama relating to the seating of white and Negro passengers."

Wednesday
May 9, 1956

City and state laws require segregation in all public transportation.

Montgomery City Lines on April 23 instructed its drivers to refrain from enforcing city and state segregation laws, but no actual integration has been reported since then.

Most Negroes are still boycotting the bus line and those who still patronize the buses have continued to take seats in the rear where they customarily sat.

Jones, in a written order, said: "There is no straight-out decision of the Supreme Court of the United States holding that a city or state may not require the separation of the races on buses where carriage of passengers is solely intrastate."

City To Air Appeal Plan On Bus Writ

Advertiser
Thurs. 6-21-56

Commission, Lawyer May Meet During Day On High Court Test

By AL McCONAGHA

Montgomery Adv.

City Atty. Walter Knabe said yesterday he will probably meet with the city commission this morning to decide whether a Federal court injunction against segregation of city buses will be appealed to the U.S. Supreme Court.

382

Commissioner Frank W. Parks said yesterday he thinks the city commission will appeal the injunction issued Tuesday as the "only possible alternative." He said he anticipates a city effort to keep the case in the courts "as long as we can."

STATEMENT QUALIFIED

Parks qualified his statement to say he was not speaking officially for the commission. Mayor W. A. Gayle was reported out of town yesterday afternoon.

A Federal three-judge panel issued a permanent injunction Tuesday ordering the city to abolish segregation laws on Montgomery transportation vehicles. The order was suspended 10 days to allow appeal to the U.S. Supreme Court.

The injunction was decided by the same 2-1 vote by which the panel declared the Montgomery and Alabama laws unconstitutional. If there is no appeal, city and state officials are ordered to see enforcement of the segregation law stopped June 29.

"The court's ruling has put things in a muddle now that a state court (Montgomery Circuit Court) has already enjoined the bus company from desegregation," C. C. Owen, president of the Alabama Public Service Commission said.

Advertiser

Owen said when the decision was handed down June 5 that it would be appealed.

P. 2-A

Alabama Atty. Gen. John Patterson indicated the state will study the legal position before deciding whether to appeal.

Negro attorneys who won the legal battle which came during Montgomery's seven-month-old bus boycott said they were temporarily uncertain of their next move.

Negro Atty. Charles Langford said he could not tell immediately what the next step will be.

The Federal judges said a notice of appeal during the 10-day period would keep the injunction's suspension in effect until a new suspension order can be written to last until the appeal is decided.

Undertakers Give $1,000 To Ala. Group

World P. 1
Tues. 4-11-56
Birmingham, Ala.

CHICAGO —(ANP)— Robert H. Miller, general secretary of the National Negro Funeral Directors Association announced last week that the National Board at its 18th annual meeting in Dallas, Texas, recently contributed $1,000 toward the defense of the ministers and civic leaders who are under indictment for conspiracy to boycott the Montgomery Bus Lines, one of whom is C. W. Lee, resident of Montgomery, and chairman of the board of the association.

World 4-12-56

Lee who is also chairman and treasurer of the Montgomery Improvement Association was unable to attend the board meeting because of the trial, in a message to the association said in part:

"We are determined to fight this ugly thing to the finish, to secure to ourselves what the constitution of our country guarantees as the rights of every citizen."

The more than 150 funeral directors who were guests of the Independent Funeral Directors Association of Texas, also unanimously approved Cleveland, Ohio, as the site for the 19th annual convention to be held in August.

Later in the week, Mr. E. W. Shortridge, chairman of the Executive Committee of the National Negro Funeral Directors Association, made the presentation of the $1,000 to Lee in an open mass meeting in Montgomery, who in turn presented the gift on behalf of the funeral directors, to Dr. M. L. King, president of the Montgomery Improvement Association.

Said Dr. King: "It is the interest from people and organizations like this one which encourages us to continue the struggle for first class citizenship in this democracy."

NEGRO PASTOR AIDED

Asbury Park Press P. 1
Mar. 26, 1956

Bus Boycott Leader Gets New Jersey Funds

ASBURY PARK, N. J., March 25.—(UP)—Clergymen in the North Jersey shore area Sunday supported a fund drive to aid a minister convicted of leading a Negro boycott of buses in Montgomery, Ala.

Approval of the drive also was expressed by Anti-Discrimination Group leaders in the area and by leaders of the National Association for the Advancement of Colored People and the Civil Liberties Union in New York.

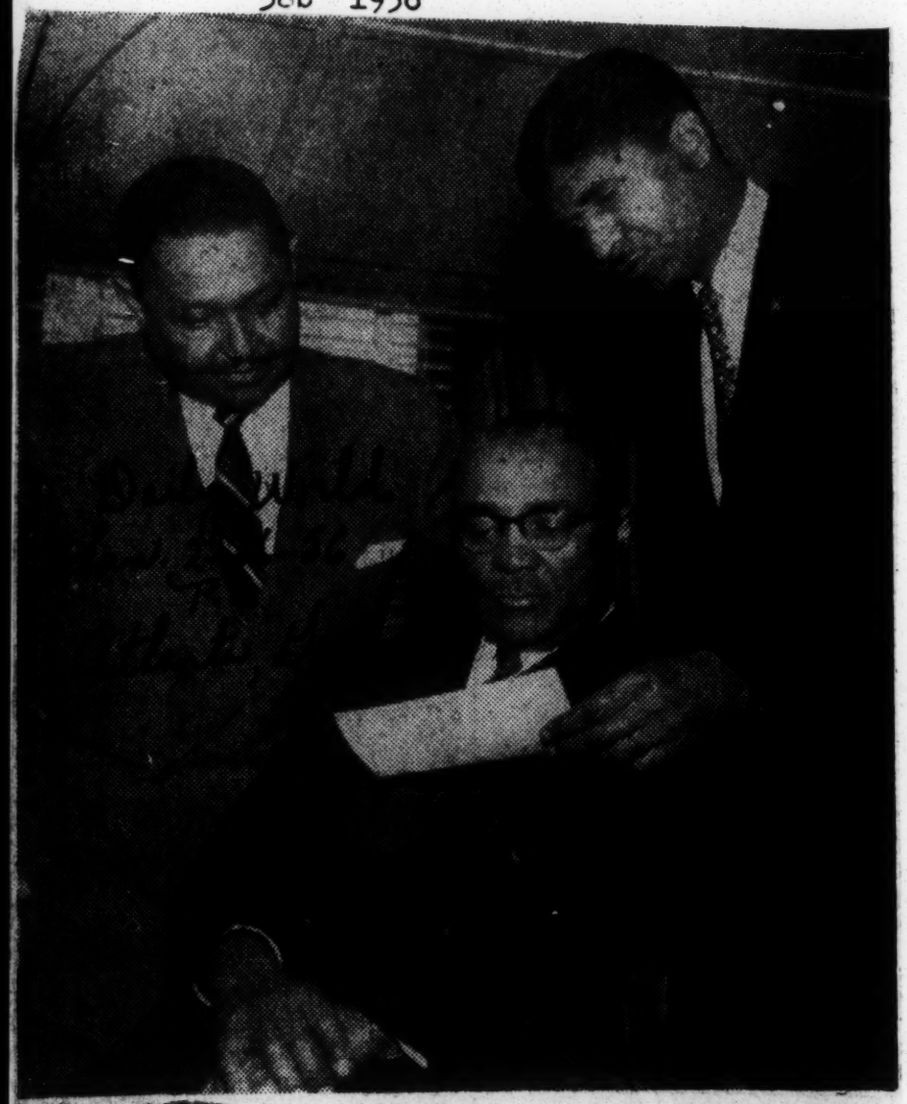
The wife of Rev. Martin Luther King Jr., sent word from Montgomery she would welcome any support readers of the Asbury Park Press might give her husband.

Several hundred dollars was reportedly collected by the churches.

38b 1956

ALABAMA

DONATIONS
MONTGOMERY, ALA. BUS BOYCOTT



CHECK DONATION — Drs. Richard Hackney (L) and J. T. Gill (R) officers for the Atlanta Medical Association, present a $1,000 check to Rev. M. L. King, Sr. to be sent to the Montgomery Improvement Association to help meet any health emergencies arising among Negroes in their bus protest. Rev. King is the father of M. L. King, Jr. one of the leaders on the 87 day old protest against Montgomery buses. — (Perry's Photo)

GRAND JURY ACTION
MONTGOMERY, ALA. BUS BOYCOTT

ALABAMA

38b 1956

TENSE ATMOSPHERE

Advertiser

Grand Jury Action Looming For Others In Bus Boycott

Mon. 2-20-56 P. 1

Montgomery, Ala.

In a tense atmosphere, a grand jury which has already indicted one spokesman for Montgomery's Negro bus boycott may bring charges early this week against other participants.

The 18-man jury, with one Negro among its members is expected to make its final report late today or Tuesday after questioning scores of witnesses in the week-long investigation.

Meanwhile, Mayor W. A. Gayle, proclaiming Brotherhood Week in the Cradle of the confederacy, said "certain events have caused a tension which should not exist."

Gayle, a member of the pro-segregation central Alabama Citizens Council, urged the people to "do everything possible to relieve said tension and live up to the obligations implicit in the brotherhood of man under the fatherhood of God."

EARLY SOLUTION SOUGHT

The mayor and the other two city commissioners, also members of the Citizens Council, sought to settle the anti-segregation boycott in its early stages, but abandoned their efforts last month with a statement that they were "tired of pussyfooting around."

They said they didn't care if the Negroes never ride the buses again.

The boycott began Dec. 5 after a Negro woman, Rosa Parks, was arrested and fined $14 for refusing to move to the colored section of a Montgomery City Lines bus. City and state laws require segregated facilities on all public transportation.

An estimated 75 per cent or more of the Negroes who formerly rode the buses have found other means of tansportation since then. A car pool organized almost with military precision has given rides daily to many of the protesting boycotters.

SUIT FILED

Although the boycott leaders offered at the outset to accept a "first come, first served" segregation arrangement on the bus line, a suit was filed later in U.S. District Court attacking all segregated transportation in Alabama as unconstitutional. No hearing has been set.

Fred D. Gray, 25-year-old Negro attorney who filed the court action in the name of five Negro women, was indicted by the grand jury last Friday on a charge of unlawfully representing one of the women. Arrested Saturday and released on $300 bond, he declined to comment on the charge.

The indictment was based on a statement by Mrs. Jeanetta Reese, one of the five women who signed the petition filed in court. Mrs. Reese told Mayor Gayle in the presence of two newspapermen that she didn't know what she was signing.

Advertiser

ACTION DENOUNCED

Gray insisted at that time that she did know.

P. 2-A

Another leader in the lengthening boycott, Rev. Martin Luther King Jr., denounced the grand jury's action against Gray as "a subtle and insidious attempt" to have the attorney disbarred and thus hinder the cause of racial integration.

Rev. King, pastor of the Dexter Avenue Baptist Church in Montgomery, issued a statement Saturday in Atlanta where he had gone for a speaking engagement.

The clergyman said "50,000 Negroes of Montgomery . . . as well as numerous white Montgomerians of good will" are behind Gray. He expressed confidence the attorney will speedily be acquitted "when this issue comes before fair-minded men in the courts."

If convicted on the indictment, the attorney could be fined $500 and suspended from law practice.

The grand jury, charged by Circuit Judge Eugene Carter to investigate the bus boycott and find out if it violates the law, can return further indictments this week under an old state statute originally aimed at labor disputes.

The anti-boycott law enacted in 1921 and rarely if ever used except in labor strife, makes it unlawful for two or more persons to organize a boycott "without a just cause or legal excuse."

It prohibits any such "combination, conspiracy, agreement, arrangement or understanding" which is aimed at "hindering, delaying or preventing" anyone from conducting a "lawful business."

Maximum penalty is $1,000 fine and six months in jail.

The 12-week-old mass protest against bus segregation has produced several outbursts of violence, but no one has been injured. Rev. King's home was damaged by a dynamite bomb the night of Jan. 30, and 48 hours later another explosion was set off at the home of E. D. Nixon, a former state president of the National Association for the Advancement of Colored People.

Earlier in the boycott, some buses were fired on while making their rounds through Negro sections of Montgomery.

PSC Defends Segregation In Boycott Suit Answer

Post-Herald Fri. 4-20-56
Birmingham, Ala.

MONTGOMERY, April 19 (U.P.) —The Public Service Commission today filed answers in Federal District Court to a suit brought by five Negro women charging that state and city segregation laws were unconstitutional.

P. 35

The three-member commission was named defendants in the suit along with the City Commission, Police Chief G. J. Ruppenthal and the Montgomery City Bus Lines.

The PSC, through the attorney general's office, said today in its answers to the suit that:

1. Separate but equal facilities are provided for the white and Negro races on all buses operated wholly in the city of Montgomery.

2. Separation of the races promotes the general welfare of both races and tends to protect each from violence and possible bloodshed.

3. There are no sociological and psychological factors present in this case which would tend to require integration on buses.

4. The general welfare of both races and any sociological and psychological factors present require and demand the separation of the races on buses.

The suit was filed Feb. 1 on behalf of five Negro women by Negro Atty. Fred Gray, who later was indicted on a charge of representing one of the women without her consent.

The City Commission declared the bus company will have to abide by City and State segregation laws if it continues to do business here.

There was still no report of racial mingling on the buses despite the company's integration order. Most Negroes were still boycotting the bus line as they have been for five months, and those who did ride took seats in the rear.

'Can Be Canceled'

Hinting at a court suit to break the recently renewed 10-year bus franchise, Mayor W. A. Gayle said the contract could be canceled "if one party breaks the law." But it would take court action, the Mayor said.

Said Police Commissioner Clyde Sellers, "If the bus company operates in Montgomery, it will have to operate under Montgomery and Alabama laws."

The Commission contends City and State segregation statutes are still valid despite Monday's Supreme Court decision.

A spokesman for National City Lines said his concern does not plan to change its orders for desegregation in Montgomery and other Southern cities where its buses operate.

Attorneys Not Agreed

Government attorneys in Washington are divided in their opinion on what the Supreme Court actually ruled Monday. They said the court may have ruled all bus segregation invalid, the first interpretation given to the decision, or may have merely dismissed an appeal on the grounds that the case had not been finally determined in the lower courts.

(The Supreme Court tersely refused to interfere with a ruling against segregation in a South Carolina case. Some attorneys said the court's action left considerable room for legal maneuvering.

(Knoxville's bus system began operating Wednesday on a desegregated basis.)

Desegregating Bus Company Faces Suit

Courier-Journal
Thurs. 4-26-56
Louisville, Ky.

Montgomery Threatens To Revoke Franchise

P. 7

Montgomery, Ala., April 25 (AP)—Montgomery City Lines today faced the threat of court action to revoke its franchise unless it backs away from its newly announced policy of racial integration.

38b 1956 ALABAMA HOUR OF PRAYER (BOYCOTT

Chicago 'Hour of Prayer' and mass rally set for April 11

Afro-American P.17 Sat. 4-7-56

Baltimore, Md

CHICAGO — Thousands of persons are expected to assemble at the Coliseum, 15th and Wabash, for the Chicago "Hour of Prayer" (next Wednesday) April 11.

In addition, there will be a mass report, meeting at the rally being sponsored by the Chicago Branch of the NAACP.

The rally scheduled is being supported by churches of all denominations, and labor, business, professional, civic, community and fraternal organizations and women's clubs.

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CHICAGO ministers will conduct the "Hour of Prayer" which begins at 7 p.m. The Revs. A. Lincoln James and Archibald J. Carey Jr. are cochairman of the "Hour of Prayer."

Willoughby Abner, president of the Chicago NAACP, will head the mass report meeting which follows the prayer session.

The Rev. Ralph D. Abernathy, one of the indicted Montgomery passive resistance movement leaders, will keynote the rally with a report on how the boycott began and how it expanded.

* * *

ROY WILKINS, wxecutive secretary of the NAACP, will also be present to give a report on the civil rights picture in the nation and present developments in the South.

It was also reported that all citizens have been asked to contribute at least an hour's pay at the meeting. Business establishments were requested to give an hour's profits.

* * *

ALL CONTRIBUTIONS will be divided equally between the Montgomery Improvement Association and the NAACP's national Aid for the South Fund.

The latter organization assists victims of economic repraisals and the former supports the defense for the Montgomery boycott.

National Protest Planned

Courier Sat. 3-3-56 P. 5

NEW YORK—A group of prominent clergymen, led by the Rev. Adam Clayton Powell, has called upon every Negro man, woman, and child to join in a "National Deliverance Day of Prayer" and stop all vocational activity for one hour on March 28 in support of the Montgomery, Ala. bus boycott.

WASHINGTON — The White House says a request by Rep. Adam Clayton Powell concerning the arrests of Negroes in the Montgomery, Ala., bus boycott has been turned over to the Justice Department.

Pittsburgh, Pa.

The "Day of Prayer," as outlined by the Rev. Mr. Powell, calls for one hour of prayer "for deliverance from persecution and for salvation of all humans afflicted with racial prejudice."

A temporary committee has been formed to organize the protest on a nation-wide basis. The committee, composed entirely of ministers, will arrange the details for the gigantic protest. The Rev. Mr. Powell is chairing the group.

Mr. Powell

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MR. POWELL pointed out that a national "Ghandi - type" passive resistance campaign is unnecessary "now" but might be instigated. He added that Negroes should emphasize "Prayer Day" as "a spiritual answer to those people behind the dark curtain in Alabama who have completely tossed aside the laws of our country and the moral laws of God.

"This will demonstrate the spiritual solidarity of Negroes."

Under current plans, mass rallies will be held every Sunday evening in different churches. The first of such rallies was held last Sunday at the Abyssinian Baptist Church. The committee is seeking to enlist all denominations, races, and creeds in support of the plan. Labor unions will be requested to use their influence getting Negroes released for work that day.

All American Negroes are being urged to stop whatever they are doing for one hour between 2 and 3 P. M. on March 28. Mr. Powell said that no Negro man, woman or child should work or attend school between 2 and 3 P. M. on that date.

Mr. Powell noted that although present plans do not call for the use of any passive resistance campaign, but that such a movement, plus an even wider boycott could be used in the days ahead.

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WORKING WITH Mr. Powell are the Rev. O. D. Dempsey, who has been released from his duties at Abyssinian Baptist Church for a five-week period. Other members of the sponsoring committee, at present, are the Rev. Walter P. Offut, chairman of the Baptist Ministers' Conference of Greater New York; the Rev. Sandy F. Ray, president of the Empire Baptist Convention, and the Rev. Irving Golder of the Community Church in downtown New York.

Bishops of the AME Church in Washington, D. C., have been solicited for support.

A tentative budget of $1,500 has been set up with $550 having been set aside for immediate work.

THOSE PRESENT at the founding meeting for the "Day of Prayer" included Atty. Cornelius McDougald, Dr. George Cannon, the Rev. Harry Grant Jones, president of the Greater New York Baptist Ministers Conference; the Rev. M. W. Findley, director of the AMEZ Church public relations bureau; Bishop W. J. Walls, secretary of the Board of Bishops, AMEZ Church; the Rev. A. S. Callender of the Interdenominational Ministers' Conference; Dr. Arthur C. Logan, the Rev. David Licorish of the Abyssinian Baptist Church, the Rev. Asapansa Johnson of the Interdenominational Ministers' Conference, the Rev. Joshua Licorish of the Baptist Ministers' Conference of Greater New York, and the Rev. Shelton Doles, associate secretary of the Department of Evangelism of the National Baptist Convention.

N. O. Ministers Go All Out For Montgomery Cause

Sat. 3-17-56 New Orleans, La.

Orleanians are expected to tax the seating capacity at Union Bethel AME Church, 2321 Thalia, to attend a mass demonstration sponsored by the New Orleans Interdenominational Ministerial Alliance Sunday in observance of a "Day of Prayer" and financial offering and reporting for the bus boycotting citizens of Montgomery, Ala.

Bishop Howard T. Primm is to be the principal speaker. Remarks will also be made by the Rev. A. L. Davis, Alliance president, and several other distinguished civic and religious leaders, according to the Rev. Morris Burrell, chairman of the program.

The third Sunday date had been set during the passage of a resolution by the organization during a recent meeting. An estimated 2,000 or more sympathetic citizens are expected to witness the ceremony and observance which gets underway at 3 p.m.

The Rev. Mr. Burrell said that many churches will observe the action taken by the organization during the 11 a.m. services. And will make all reports through their ministers and interested members during the afternoon session.

Music will be furnished by the host church, pastored by the Rev. G. N. Collins. Rev. Burrell said that because of the shortness of time, other church choirs were not called to participate.

The backing of the "Day of Prayer" and financial offering has gained momentum throughout the city during the past week. Various organizations and individuals have launched special drives for additional funds to aid in the Montgomery miscarriage of justice.

Insuranceman Lawrence Doublet, Jr., stated this week that he has had tremendous success in soliciting serviceable shoes and clothing earmarked for Montgomery.

In a recent release, Congressman Charles C. Diggs, Jr., (D.-Mich.) urged that in connection with taking time off for prayer, during the specified period, "Negroes who are eligible should go to their respective city halls, in those communities where they are permitted, and register to vote. In those communities where they are not permitted to vote, they should be urged to take the time to fill out an application for membership with the NAACP. or if they are already members, they should contribute at least a dollar to a special fund to help finance the fight against these latest uprisings. Of course, this latter idea could apply also to those who are registering to vote, assuring Negroes of "a stronger voice in the councils of both parties in support of pending civil rights legislation."

Congressman Adam C. Powell, Jr., (D.-N. Y.), and many other national leaders have called upon Negroes to join in an hour of prayer as a means of giving moral support to Negroes in Montgomery who have been waging since last December a successful boycott against local segregation policies applying to bus companies, and, as well, to Negro leaders in the boycott who have been subjected to wholesale arrests recently by Montgomery officials in an effort to break it.

In announcing support of the "Day of Prayer," the executive committee of the board of trustees of the National Urban League said "that it should not be limited to members of any one racial group. We urge our colleagues in the Urban League movement everywhere, and all other Americans of good will, Negro and white, to join in this spontaneous expression of support on behalf of this cause of simple justice. It is our fervent hope that such a universal rally on the part of sympathetic Americans lifting their hearts and minds in a united appeal to our Creator, will hasten the day when justice and good will prevail in all parts of this country."

The NAACP will continue its support and legal assistance in "all phases" of the current effort to end racial discrimination on Montgomery city buses, an official of the NAACP asserted last Sunday at Montgomery.

Addressing an NAACP meeting in Bethel Baptist Church, Gloster B. Current praised the leaders of the bus protest movement and their "unprecedented" method of non-violent passive resistance.

He called passive resistance "in keeping with the best traditions of Christianity and democracy."

Mr. Current, NAACP director of branches, predicted that "you will win your fight to ride unsegregated because the law is on your side and God walks beside you."

Chicago Sets Hour Of Prayer

Daily world

Sat. 4-7-56 P4

CHICAGO—(ANP)—The Chicago NAACP is expecting "thousands of persons" to attend a mass meeting and "hour of prayer" in connection with the Montgomery bus boycott on April 11.

Atlanta, Ga.

Willoughby Abner, president of the Chicago NAACP, has called upon all Chicago citizens to attend the meeting.

Harlem Praying in Sympathy for Alabama Bus Boycott

World Telegram 3-28-56 P.8

Services were held in some of Harlem's Protestant churches today as part of a "National Deliverance Day of Prayer" being observed in sympathy for the Montgomery, Ala., bus boycott.

But the big turnouts are expected tonight in Harlem's numerous churches, large and small, and at the big rally at Manhattan Center. Similar prayer meetings were scheduled at churches in cities throughout the North. The Manhattan Center gathering is expected to draw 12,000.

The Protestant Council of the City of New York has indorsed the day of prayer but did not direct individual churches to plan to organize special services.

Twenty-five Negro ministers, matching the number arrested in Montgomery, passed out 30,000 lapel cards at main subway entrances in Manhattan, Brooklyn and the Bronx.

The National Assn. for the Advancement of Colored People in Los Angeles said several hundred churches will stay open during the day. The Los Angeles City Council, California's governor and various labor organizations have indorsed the movement.

In Washington, Chairman W. H. Jernagin said 18 pastors "of different races and denominations will participate by praying for the deliverance of colored people from the stigma of second-class citizens." Bishop George W. Baber of the Fourth Episcopal District of the African Methodist Church in Detroit said 3400 to 4000 will attend services Good Friday night at the Ebenezer AME Church.

In the South, however, clergymen indicated there would be few special services in observance of the day.

NEGROES PROTEST MASS BUS ARREST

Times P.11-C

'National Deliverance Day of Prayer' Is Urged Here—

Ministers Ask U. S. Action

Sat. 2-25-56

Negro religious leaders took the first steps yesterday to organize dramatic protests against the wholesale arrests of the men and women who led the bus boycott in Montgomery, Ala.

Among the developments in that direction were:

¶In New York, an emergency meeting of Negro church leaders agreed on a "national deliverance day of prayer" with a one-hour work stoppage for March 28. The passive resistance protest was called for by Representative Ada mClayton Powell Jr., Democrat of Manhattan and pastor of the Abyssinian Methodist Church.

¶In Baltimore, Md., 300 ministers of the African Methodist Episcopal Church protested the "humiliation, arrest and persecution" of Negroes and called for Federal intercession.

¶In Columbus, Ohio, twenty-six ministers will join a fund-raising rally tomorrow.

¶In Washington, the Council of Bishops of the African Methodist Episcopal Church will meet in special session today to consider the plight of Negro ministers in the South.

Work Stoppage Planned

The plan for the day of prayer called for a mass work stoppage of Negroes between 2 and 3 P. M. School children would be expected to absent themselves from classes during that hour, but firemen, policemen and hospital attendants would be permitted to remain on their pobs.

Representative Powell, pastor of the Abyssinian Methodist Church, said the protest against what was happening behind "the dark curtain of Alabama" might become nation-wide. In addition to prayer and work stoppage, the Negroes, he said, might enter on periods of fasting to dramatize their protest.

The "national deliverance day of prayer" scheduled for Wednesday, March 28, in this city are to be preceded by daily one-hour prayer sessions and mass meetings in key Negro churches starting next week.

The Rev. O. D. Dempsey, of the Baptist Ministers' Conference of Greater New York, is directing preparation of events that may conclude with a Madison Square Garden mass meeting.

"We are ashamed as Americans that at a time when our Government is striving to gain friends abroad, such conditions exist at home," a resolution adopted by 300 ministers of the African Methodist Episcopal meeting in Baltimore, declared.

Government Gets Plea

The clergy, represinting 150 Negro churches in Maryland and the District of Columbia, asked the Federal Government to "exhaust every effort to give relief to these citizens whose civil rights have been violated."

Bishop Sherman L. Greene of Atlanta, Ga., senior Bishop of the African Methodist Episcopal Church, announced that the Council of Bishops would meet in closed session in the nation's capital today to act on the issues raised b ythe boycott. Bishop D. Ward Nichols, secretary of the council, is scheduled to leave on March 9 for the Soviet Union with eight other Protestant leaders. The Baltimore meeting had appealed to the Council of Bishops for action.

All churches in Columbus were asked to offer special prayers and take up special collections tomorrow in connection with the rally and prayer meeting in support of the Alabama Negroes under arrest.

Twenty-six ministers will parade before the rally to honor the twenty-six ministers arrested in Montgomery.

Pray, lose jobs

P.1 Afro-American 3-14-56

CHINO, Calif. — Nine persons, who took an hour out to join in the observance of "National Day of Prayer" were fired Thursday by the Pacific Automotive Corporation, which rebuilds military planes.

Baltimore, Md.

The men have appealed their discharge to their International Machinists union and the NAACP. Sixteen other colored workers remained on their jobs. The prayer was in support of the Montgomery bus boycotters.

Interracial Rally Marks Bus Boycott Prayer Day

Herald Tribune P.14 New York

Church and public meetings throughout the country yesterday observed the "National Deliverance Day of Prayer" organized last month as a protest against the arrest of Negro church leaders for their part in the Montgomery, Ala., bus boycott.

Courier 3-29-56

More than 5,000 persons gathered at Manhattan Center and in the Grand Ballroom of the Hotel New Yorker at 8 o'clock last night for an interracial, interdenominational meeting sponsored by Rep. Adam Clayton Powell jr., D., N. Y., who is pastor of the 15,000-member Abyssinian Baptist Church.

Central features in the schedule for the two-hour meeting were seven separate Minutes of Meditation and Prayer led by seven clergymen of different faiths and denominations, and a report on the situation in Montgomery by E. D. Nixon, treasurer of the Montgomery Improvement Association which directed the boycott.

In Chicago, an estimated 28,000 persons attended prayer meetings during the day, primarily in the city's 300 Negro Baptist churches. A rally in the Chicago Coliseum is scheduled for April 11. Members of the United Packinghouse Workers Union in that city paused from their jobs for five minutes yesterday to pray in protest against segregation.

Official notice was taken of the movement in California, where Gov. Goodwin J. Knight proclaimed yesterday as a day of prayer, and in Massachusetts where the Legislature voted to halt work at noon to pray.

However, in Birmingham, Ala., Boyd Campbell, president of the United States Chamber of Commerce, declared that pro-integration movements have brought progress in Southern race relations to a "jarring halt." He predicted that Southern labor would remain loyal to the traditions of segregation.

The bus boycott began Dec. 5 in an attempt to provide seating arrangements for Negro passengers equivalent to those available to white passengers. Subsequently, ninety leaders of the movement were arrested for violating a 1921 Alabama law against boycott. One of them has been convicted so far and the other trials are awaiting the result of his appeal.

Labor Unions Seem Passive About Negroes 'Prayer Day'

Post Herald P.4 Birmingham, Ala. Jan. 2-28-56

Labor unions in Jefferson County are making few if any plans to block or aid Negro members who may observe the March 28 national 'prayer day."

New York Congressman Adam Clayton Powell called for the hour of prayer at 2 p.m. to aid Negroes in their various attempts to overcome racial reg regation.

Union spokesmen generally said the matter wasn't one with which they would have to deal.

J. B. Higdon, grievance committee member of Local 2122, U. S. Steel Workers, said the union doesn't condone work stoppages.

He pointed out that the union has a work contract with the company.

However, he said, wildcat—or unauthorized—strikes occasionally develop without union sanction.

So far, Higdon said, the union has taken no position on the prayer day matter but Higdon said the union probably would not aprove.

The state AFL had no comment.

James W. Batles, state CIO secretary-treasurer, said his group has made no plans.

Another union spokesman said if Negro members observe the prayer day, they wil do it as individuals.

The union, he explained, has no authority either to prevent their participation or to encourage them.

'The matter wil not be handled by us," he declared.

Files Protest On Prayer Day Dismissal

World P.7 Fri. 4-13-56 B'ham, Ala.

CHINO, Calif.—(ANP)—Nine Negro aircraft workers here have filed a complaint with their union protesting their dismissal last Wednesday after they walked off their jobs for an hour in connection with a national prayer movement.

Percy Strickland, spokesman for the group, said the firings will be taken to the International Association of Machinists and also will be reported to the NAACP.

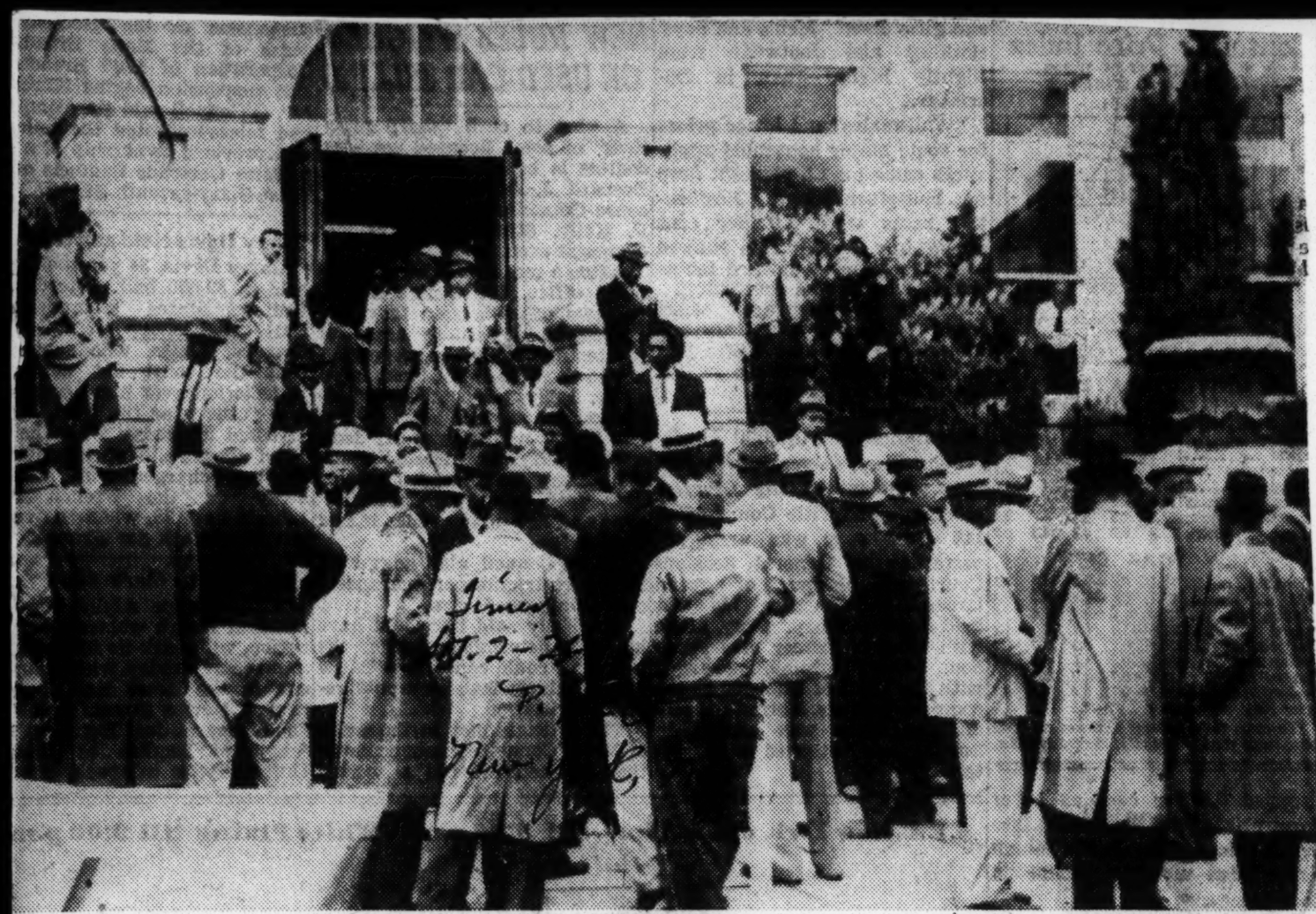
Sympathizers of Bus Boycotters Have Day of Prayer

State Times Little Rock, Ark. P.8 Fri. 4-6-56

The last Sunday in March, opportunity was given to Montgomery sympathizers to make special contribution to the prosecuted boycotters of Montgomery. The occasion was a project of the Interdenominational Alliance of which Reverend Roland Smith, pastor of First Baptist church, is president.

Wednesday, March 28, was designated as a day of prayer for invoking the blessings of God upon our leaders and friends who are fighting in our behalf.

The Little Rock branch of the NAACP made a special offering to the Montgomery boycotters.



Associated Press Wirephoto

MASS ARRAIGNMENT IN ALABAMA: Crowd outside Montgomery County Courthouse yesterday. Many of these persons were among eighty-nine Negroes arraigned on eleven indictments returned Tuesday by grand jury in bus boycott.

Photo by Palumbo.

Mrs. Gladys Valentine (left) of 477 W. 147th St., and Mary E. Finger praying in St. Philip's Episcopal Church, 214 W. 134th St.

Leaders Pray For Deliverance From The Evils Of Injustice

World, B'ham, Ala.
Fri. 4-6-56 p.4

MONTGOMERY, Ala. — (ANP) — Thousands of Negro and white sympathizers in cities from Boston to Atlanta and Los Angeles, to Honolulu paused for quiet prayer last Wednesday on behalf of Montgomery bus boycotters.

The prayer meetings were part of a "National Deliverance Day of Prayer" proclaimed by Negro leaders for "deliverance from the evils of racial prejudice."

Protestants, Roman Catholics and Jews participated.

The Massachusetts Legislature suspended activity for an hour at noon as an 'expression of sympathy' for the Montgomery bus boycotters, and a gubernatorial proclamation in California designated Wednesday as a day of prayer.

The demonstration originally was conceived as a brief nation-wide work-stoppage accompanied by prayer. However, the work-stoppage idea was discarded. There was no estimate of the total number taking part across the country.

Here in Montgomery, Negro churches kept their doors open all day so that anyone could offer prayers at his convenience. There were no special prayer meetings scheduled. Many of the Negro ministers who were indicted by a grand jury for violating Alabama's anti-boycott law were out of the city in connection with prayer services elsewhere.

The largest single meeting was held in New York, where more than 5,000 persons overflowed Manhattan Center. The grand ballroom of the Hotel New Yorker accommodated the overflow.

The Rev. Adam Clayton Powell Jr., New York clergyman and congressman, addressed the meeting. He had initiated the "National Deliverance Day of Prayer."

An estimated 50,000 persons attended prayer services in more than 300 Chicago churches. And 17,000 members of the United Packinghouse Workers of America, AFL-CIO, paused on their jobs for five minutes to join in prayer in "protest against segregation."

In Boston, noon services had the support of Protestant, Catholic and Jewish leaders. Episcopal Bishop Norman B. Nash told 800 worshippers that "discrimination exists right here in Boston."

Expect Thousands At Mass Rally And Prayer Hour

World, B'ham, Ala.
Fri. 4-6-56 p.8

CHICAGO — Chicago citizens by the thousands, from all walks of life all races, colors and nationalities will pack the Chicago Coliseum, 15th St. and Wabash Ave., at 7 P. M. on Wednesday April 11 for the giant city wide "Hour of Prayer" and mass rally in support of the heroic struggle of 50,000 Negroes in Montgomery, Alabama against the Jim Crow bus line and the embattled Negroes of all sections of the South in their fight for justice, first-class citizenship and freedom.

The meeting under the auspices of the Chicago Branch of the National Association for the Advancement of Colored People, supported by numerous church, labor, business, professional, civic, community, fraternal and other organizations will start with an "Hour of Prayer" service conducted by the ministry of Chicago. Representatives all denomination and religious groups in the city will participate. Rev. A. Lincoln James and Rev. Archibald J. Carey, Jr., will co-chair the "Hour of Prayer."

Musical offerings will be by the robed choirs of Chicago churches under the direction of J. Wesley Jones.

Star attraction at the mass report meeting following the "Hour of Prfayer" will be Rev. Ralph D. Abehnathy, one of the two foremost leaders of the boycott and vice-president of the Montgomery Improvement Association which has conducted the mass protest movement against segregation and discrimination on the buses.

It was the 29-year-old Rev. Abernathy, who originated the bus boycotters slogan as they walk many miles rather than continue the humiliation of Jim Crow and Brayality on the buses, "We'll walk with God."

Abernathy Addresses Huge Rally

Courier

$8,000 Raised in L. A. For Montgomery Boycott

Sat. 4-7-56 Pittsburgh, Pa.

P. 3

LOS ANGELES—A rousing "prayer-protest" rally here, featuring the Rev. Ralph D. Abernathy of Montgomery as speaker, raised a gross of $8,000 for Montgomery Negroes in their boycott of city buses.

While 8,000 listened, the Montgomery pastor declared that the boycott against the city bus company was the climax of twenty years of abuse and mistreatment at the hands of bus drivers.

He also pledged that the Montgomery Improvement Association, of which he is chairman of the negotiating committee, has no intention of stopping the boycott until justice is secured.

The successful meeting was co-sponsored by the Southwest Ministers Pacific Conference and the local NAACP.

* * *

THE REV. MR. Abernathy said his "brothers in Alabama" were not walking for their health, but for freedom, and added "We are not tired yet." He said their long walk will continue until the victory is won.

The militant speaker said: "We are tired of seeing our wives, mothers and daughters forced to give up seats — even the rear seats of buses—to white men. We are tired of being dragged from the buses and thrown into jail.

"The Southern way of life is crumbling," he said. "The Southern white man is sick. And we are going to receive our rights or die fighting for them," he promised.

"Before we will be slaves," the Rev. Mr. Abernathy said, "we will be buried in our graves."

* * *

HE SAID his followers in Alabama knew that they were not walking alone but that our people in cities like Detroit and Los Angeles were walking with them.

"They may destroy our leaders," he said, "but they cannot stop the movement. All we want is to be given justice. We are not leaving Alabama. Freedom must ring from shore to shore," Abernathy concluded.

Another feature was a speech by President T. M. Chambers of the conference, who called the NAACP "the most American organization in America for law enforcement and upholding the Constitution."

Paper Will Pay Fine For Pastor

Daily Worker Atlanta, Ga.

Sun. 3-25-56

MONTGOMERY, Ala. — A new Jersey newspaper has launched a fund drive to pay the fine and court costs of Rev. Martin Luther King, one of the leaders in the mass boycott of segregated buses, it was disclosed here Saturday.

The Asbury Park Press started its campaign with a front page story and editorial by Editor Wayne D. McMurray.

Rev. King, pastor of Dexter Avenue Baptist Church and president of the Montgomery Improvement Association, was fined $500 Thursday after a 4 -day trial on charges of conspiring to boycott city buses

Editor McMurray sent this telegram to Rev. King:

"We of the Asbury Park Press, outraged at the conviction of a fellow American for asserting a right our Consititution guarantees to all want to help you in your fight for justice. We are starting a fund drive among our readers for money to pay your fine and court costs.

"The Press itself is contributing $50. Checks will be drawn in your name and forwarded to you, or to your attorneys if yu prefer."

The New Jersey editor said the goal of the Press drive is $1,000, and any money collected above that will go to the pastor to help him pay his legal costs.

Mr. McMurray also explained that if eventually the clergyman should be acquitted and the fine and costs revoked, Rev. King would have the use of the money to pay his legal fees.

The editorial in the Asbury Press said segregation was "un-American and undemocratic," and declared that Negroes in Montgomery argued "Justifiable that they should be allowed to sit where they choose on city buses...."

N. J. Starts drive to pay boycott leader's fine, costs

News P. 23-A Sun. 3-25-56

MONTGOMERY, Ala., March 24—(AP)—As Negroes continued a mass boycott of segregated buses, a New Jersey newspaper launched a fund drive to pay the fine and court costs of a Negro clergyman convicted of leading the boycott.

The Asbury Park Press started its campaign with a Page 1 story and editorial by Editor Wayne D. McMurray.

The Rev. Martin Luther King Jr., was fined $500 Thursday after a four-day trial on charge of conspiring to boycott city buses.

A spokesman for Montgomery City Lines, Inc., said Friday that "There might have been a few more" Negroes patronizing the busline than there have been in the days preceding King's trial.

The Asbury Park editor said the goal of The Press drive is $1000. . . ."

'Walk Together Children'

Weekly Sun. 3-3

NEW Orleans citizens last week gave a clear cut demonstration that they have matured, have come of age concerning the fight for first-class citizenship with all of its ingredients which include justice, fair play, equality and opportunity. That was the impression displayed here last Sunday when more than 2,500 persons swarmed into and outside Union Bethel Church in a solemn afternoon of prayer to lift an offering (over $3,500) to assist the bus boycotting citizens of Montgomery, Alabama. If there was any doubt of what was uppermost in the minds of those present, it certainly came to light before the afternoon was over.

New Orleans, La.

The huge gathering was treated to one of the most far-reaching morale building and soul-stirring appeals witnessed in years, according to observers. The Rev. Abraham Lincoln Davis, Jr., the principal speaker and president of the sponsoring Interdenominational Ministerial Alliance, rose mightily to the occasion. He, too, like Negro ministers throughout the Southern States, warned against using violence in the fight to lift the shackles of "Jimcrowism" from the weary shoulders of the Negro. Citing the importance of the effective bus boycott and what it means to other Negro citizens, he declared that "we are going to fight on our knees and with the dollar bill" to secure the only things that the Negro wants — opportunity, justice, education, and the dignity that goes hand in hand with our professsed democratic concepts.

Sun. 3-31-56

Last Sunday was noteworthy and significant in that it proved that Negro Orleanians are ready to unify and as the old spiritual says "Walk together children". Now is the time to "stand up and be counted" in this trip across the "burning sands" to the day when we can lift the "parental, oppressive" yoke holding us back with the saying, "The Time Ain't Ripe". The sooner that we realize the strength there is in "WALKING TOGETHER" for the ballot and first-class citizenship, the quicker the positive action can begin.

With a great deal of pride we salute this new type of Negro citizen being born in New Orleans today. It is **now** that we, young and old, must re-dedicate ourselves, join hands and stroll down this lane **together** toward full realization of equal opportunity for ALL—which has been denied us too long by cheap, race-baiting and brainwashing politicians who have gained control through mass exploitation of ALL races.

Bus Boycott Fund Now Totals $1143

Call P. 4 Fri. 4-27-56 Kansas City, Mo.

The local brach of the NAACP eports the following additional contributions to the Montgomery bus boycott fund: Jones Rental Service, $5; Edward Kennedy, $1; employes of Grant Renne and Sons, $7; St. John AME church, $5; Morning Star Baptist church, $21; Ward Chapel AME church, Paola, Kas., $13; Phyllis Wheatley Art and Charity club, $5.

The branch also announced this week that any further contributions made will be sent to New York without further public announcement or acknowledgment.

To date Kansas City churches and individuals have contributed $1,143.05, all of which has been sent to the New York office for the NAACP for use in connection with the Montgomery bus case.

CONTRIBUTIONS
MONTGOMERY, ALA. BUS BOYCOTT

Reactions Mixed Over 'Day of Prayer'

Flood of Dollars Rolling In to Aid Bus Boycotters

Courier Sat. 3-10-56 Pittsburgh, Pa.

P.4

(Special to The Courier)

MONTGOMERY, Ala.—Inspired by the magnificent stand of Montgomery's Negro population in support of the bus boycott leadership, American citizens are responding to the crusade with a flood of dollars which will add needed financial strength.

The Rev. M. L. King of this city's First Baptist Church told The Courier that over $25,000 has been donated to the boycott by its sympathizers.

The Rev. Mr. King asserted, "We are more determined than ever to carry on this campaign in an orderly, non-violent manner. We will continue on our way in the same Christian manner that we have in the past."

The Rev. Mr. King stated that the boycott is still just as effective as it has been.

* * *

OVER 100 of Montgomery's leading Negro citizens are scheduled to go on trial on March 19 on charges accruing from their activities in the boycott.

A capacity audience jammed and packed the First Baptist Church last week during another mass meeting.

The Montgomery Improvement Association is hiring an office staff and an office secretary. The car pools are currently operating on a budget of $3,000 per week.

Over the rest of the nation, reaction has been mixed towards Representative Adam Clayton Powell's proposal for a nation-wide work stoppage and hour of prayer on March 28.

* * *

THE INTERNATIONAL Denominational Alliance of Amarillo, Tex., endorsed the National Day of Praper proposal by a vote of six to one. The lone dissenter, the Rev. John A. Wills, said, "My church is open to anyone who wants to come pray on the day of pray. I'm going fishing, and I'll be fishing then. I don't want any part of it." He called for a "common sense" approach. The Rev. Mr. Wills pastors the Wyatt Memorial Presbyterian Church.

The Rev. R. H. Hines, retired Baptist minister, asserted, "I don't know whether our people can afford to stop work for an hour or not. But even if we have to go along holding onto the plow while we pray, I think we should endorse the plan for prayer."

The group did not vote on the work-stoppage proposal.

* * *

IN JERSEY CITY, N. J., the Board of Education is weighing a proposal which came from a civic association calling for school children to be dismissed early on March 28 to join in a protest prayer against the Montgomery arrest of boycott leaders.

In Miami, Fla., the National Baptist Convention's president, Dr. Joseph Jackson, asserted that the one-hour work stoppage would amount to a nation-wide economic boycott and for that reason his organization was against the proposal. However, Dr. Jackson said that he agreed with the prayer idea.

He said, "Calling a halt to work is not the Christian traditions."

The CME's meeting in Washington, issued a statement commending "the Negro citizens of Montgomery, Ala., for their united stand and in the matter of resentment to the effort to deject them and to expect them to accept less than what is their constitutional right in the use of public carriers."

Thirteen other Negro Bishops called upon President Eisenhower to intervene in the boycott dispute urging that his power be used against the "tragic persecution of innocent Americans" in Montgomery.

Boycott-hit bus line gets contributions

News p. 2 Birmingham, Ala.

MONTGOMERY, Ala., March 9 — (AP) — Mayor W. A. Gayle said yesterday any contributions would be welcomed to help city buses out of a financial problem brought on by a Negro boycott over segregated seating.

He made the statement after announcing that Sunday service will be discontinued March 11 on 12 of the 14 city bus routes because the passenger load on Sunday hasn't warranted continued operations.

Bus service on weekdays won't be affected by the Sunday curtailment. Only the bus routes to Maxwell AFB and Gunter AFB will continue to operate Sunday.

Fri. 3-9-56

GAYLE SAID he received a $55 money order from an anonymous group of 53 persons in Atlanta to be used in the "valiant struggle to maintain segregation in city buses."

An unsigned letter accompanying it said the Atlanta group is working to promote additional support "of your cause" in the belief "the struggle in Montgomery . . . will act as a predecessor of future segregation issues in the South."

The mayor said he also received a $1 check from Atlanta, adding that such contributions would be "welcomed" but should be mailed direct to the bus company.

Since the boycott began last Dec. 5, the company has discontinued service along most predominantly Negro routes and has hiked fares from 10 cents to 15 cents.

UNOFFICIAL SOURCES estimate the prolonged-protest movement has cut the bus company's revenue as much as 50 per cent. Spokesmen for the Montgomery City Lines won't give any figure.

In another development yesterday, an amendment was filed in U. S. District Court to an anti-segregation suit, adding three additional defendants and removing the name of one Negro woman originally listed as a party to the action.

Negro Atty. Fred D. Gray, a legal spokesman for Negro bus boycotters here, changed the suit to add the three members of the Alabama Public Service Commission to the list of defendants that already included Mayor W. A. Gayle and the other two members of the City Commission .

The name of Mrs. Jeanetta Reese, who has denied giving Gray permission to file the suit, was stricken from the lists of plaintiffs.

GRAY WAS INDICTED for unlawful practice on the basis of Mrs. Reese's statement. But the case was dismissed in Circuit Court last Friday when the state admitted it did not have jurisdiction.

The suit attacks constitutionality of the state and city laws requiring segregation on buses.

Seek $25,000 to aid Alabama bus boycott

Baltimore, Md. Sat. 3-2-56

Los Angeles, Calif.

Miss Autherine Lucy, courageous, embattled University of Alabama coed, who had been both ordered readmitted by the court, and expelled by the university, all in 24 hours this week, has been invited to Los Angeles to address a protest rally Mar. 27 at Olympic auditorium, which will try to raise $25,000 for the Montgomery, Ala. bus boycott.

The rally will be held under auspices of the Southwest Pacific Ministers Emergency Committee to Aid Montgomery, and it has been endorsed by the local branch Naacp, whose president, Thomas G. Neusom, and board chairman, the Rev. Maurice A. Dawkins, are arranging the meeting, along with the Rev. T. M. Chambers, president of the Interdenominational Ministerial Alliance.

The money will be sent directly to the Montgomery Improvement ass'n., which is conducting the bus boycott, a joint statement by the three men said this week. The boycott, in progress since Dec. 5, has cost $20,000 to date, principally for a car pool to drive Negroes to work.

L.A. Calif.

The local Naacp said further that it is collecting money for Montgomery relief, and asked that funds sent to its office for that purpose, be clearly identified as such.

The rally will take the place of the nationwide "work stoppage" which was proposed last Saturday by Congressman Adam Clayton Powell, to protest the mass arrests of 90 Alabama leaders, including 24 ministers.

Instead, the local leaders urged that a "half day's pay" be donated at the rally to the cause, asserting that "prayers and financial aid will help more than work stoppage."

The leaders said this met with the approval of Rep. Powell, who said that he was misquoted anyway by the national wire services and had not really proposed a work stoppage, but hourly prayer for the Montgomery martyrs.

Sponsors of the rally have devised a slogan for use in connection with the rally, "Half day's pay to pave the way for the walking crusade to equality."

Trial of the Alabama leaders, who were indicted by a Montgomery grand jury for "creating racial tension" will begin Mar. 28. Although 113 indictments were voted, some of them were duplications and only 90 leaders were arrested.

Included was Mrs. Rosa Parks, Montgomery seamstress, whose arrest for refusing to

move to the rear of a bus and give a white man her seat, touched off the boycott, also, P. M. Blair, 'Mayor' of the city's Negro community, and James Parks, principal of the Negro high school.

Montgomery Boycott Aid Asked by Ministers

Chi. Defender 3-2-56 P.16

The International Ministerial Alliance, a Negro ministers' group, has appealed for "moral and financial support" for their clergymen in Montgomery, Ala.

One hundred ministers unanimously indorsed a move to help the pastors who are taking a leading part in the Montgomery bus boycott.

Washington

The proposal was made by the Rev. Dr. William H. Jernagin, pastor of Mount Carmel Baptist Church.

D.C.

Dr. Jernagin will head a committee composed of representatives from three Negro ministerial groups.

The committee was instructed to promote a March 28 Nationwide Day of Prayer.

Howard U Group Aids Alabamans

Washington Post Washington, D.C.

A mass meeting of some 400 students and faculty members at Howard University formed an organization, Wheels for Montgomery, and raised about $100 yesterday to send to the Montgomery (Ala.) Improvement Association in its legal fight for persons arrested there in a bus boycott.

Post 3-26-56

Dr. Marie D. Gadsden, spokesman for the group, said it will continue to raise funds for the Montgomery organization.

Named chairman of the local group was Dr. John Lovell, English professor, with two students, Harold Bell and Samuel Banks, named cochairmen.

38b 1956 ALABAMA

BUS BOYCOTT. MONTGOMERY, ALA.
POLICIES ON CAR POOL DRIVERS INSURED
LLOYDS INSURANCE FIRM- LONDON, ENGLAND

Lloyds Insures Boycotters

Afro-American

By RUFUS WELLS

PETERSBURG, Va.---Lloyds of London, one of the world's largest insurance firms, has issued policies on car pool drivers in the Montgomery, Ala., bus boycott, Dr. Martin Luther King declared today.

The Montgomery Improvement Association, sponsors of the boycott, arranged the coverage with the London firm after local insurance firms cancelled policies on some vehicles used in the car pool.

The cancellations were believed to be another effort to break the back of the 10-month-old boycott.

Baltimore, Md.

INTERVIEWED at Mt. Olivet Baptist Church where he was kick-off speaker at the NAACP State Convention, Dr. King said:

Sat. 10-13-56

"Our drivers are now covered by Lloyds of London. We don't expect any more insurance problems."

The insurance cancellations were revealed last month by the Rev. Robert Graetz, pastor of Trinity Luthern Church, who has been associated with the boycott sponsors.

The Rev. Mr. Graetz, white, said the practice had been going on since January and owners constantly were seeking new insurance from other sources.

* * *

"IT HAS BEEN a cat-and-mouse game from the start but it has not cut into the operation of the pool to an extent which threatens its immediate closing," he said.

"It has been a matter of keeping cars in reserve and when one is put out of commission by loss of insurance, putting into service another which is insured," Rev. Graetz declared.

However, the car pool is now operating at full strength under protection of policies issued by the world's largest underwriters who provide insurance of almost every kind.

UNDER Alabama law car drivers must be insured for $11,000 to cover any injuries or damage resulting from accidents, or provide an equivalent cash responsibility.

Daily World
Atlanta, Ga.
Thurs. 5-17-56
p. 1

BEAUTICIANS DONATE CHECK TO MONTGOMERY SITUATION AT STATE CONVENTION - Shown above is Mrs. M. L. King, Sr., Mother of Rev. M. L. King, Jr., receiving a check from Mrs. Ella R. Martin, State President. Witnessing the presentation above is Mr. N. H. Bronner, State Public Relation Director, and Miss M. M. Shanks, State Treasurer. At the recently held State Convention in Brunswick, beauticians of the Georgia State Beauty Culturist League, Inc. unanimously voted for contributing the $100.00 to be presented to Rev. M. L. King, Jr. to be used for the great cause being fought for in Montgomery, Alabama under the leadership of Dr. King regarding the bus situation. — (Perry's Photo)

Afro-American P. 1
Sat. 4-14-56

Baltimore, Md.

$1,000 TO BOYCOTT FUND—Frank L. Stanley, center, president of Alpha Phi Alpha fraternity presents the Rev. M. L. King Jr., right, a check for $1,000. Others are James E. Huger, secretary; Lewis O. Swingler, southern vice president; Arthur D. Shores, Robert Carter and Jerry Hall who, along with Fred D. Hall, Edmund Rogan, Odell Billingsly, Charles Langford and C. Eubank Tucker attorneys defended the Rev. Mr. King.

Fund for Boycott Chief Tops Goal

Atlanta Telegram
3-28-56
p. 1

By the United Press

ASBURY PARK, March 28.—The Asbury Park Evening Press fund drive to pay the fine of the Rev. Dr. Martin Luther King Jr. went over the top today as contributions poured in from coast to coast.

Wayne McMurray, editor and publisher of the Press, said the drive would continue "until it peters out." He said the contributions received up to this morning totaled $1038.

He said money had been received from California, New York, Florida, Arizona and Massachusetts as well as from throughout New Jersey.

An original goal of $1000 had been set to pay the fine of $500, costs and other expenses incurred by Mr. King, 27, in his conviction of conspiring to boycott segregated buses in Montgomery.

Funeral Directors Aid Montgomery Civil Rights Fighters

Pittsburgh Courier
4-28-56
p. 1

CHICAGO, ILL.— Robert H. Miller, general sectrtary of the National Negro Funeral Directors Association announced today that the National Board at their 18th annual meeting recently held in Dallas, Texas, contributed $1,000 toward the defense of the eighty nine ministers and civic leaders who are under indictment for conspiracy to boycott the Montgomery Bus Lines, one of whom is C. W. Lee, resident of Montgomery, Alabama and chairman of the board of the association.

Lee who is also chairman and treasurer of the Montgomery Improvement Ass'n. was unable to attend the Board meeting because of the trial in a message to the association said in part, "We are determined to fight this ugly thing to finish, to securt to ourselves what the constitution of our country guarantees as the rights of every citizen."

The more than 150 funeral directors who were guests of the Independent Funeral Directors Association of Texas, also unaniously approved Cleveland, Ohio as the cite for the 19th annual convention to be held in August.

Later in the week, W. E. Shortridge, chairman of the Executive committee of the National Negro Funeral Directors Association made the presentation of the $1,000 to Mr. Lee in an open mass meeting in Montgomery whoin turn presented the gift on behalf of the funeral directors, to Dr. M. L. King, Jr. president of the Montgomery Improvement Association. The thunderous applause from the throng of people present evidenced the joy of acceptance.

Said Dr. King, "It is the interest om people and organizations like this one which encourages us to continue the struggle for first class citizenship in this democracy."

More Gifts To Alabama Bus Fund

Kansas City, Mo.
p. 4
3-23-56

A total of $1,002.88 has been re-

ceived so far by the Kansas City branch of the NAACP from churches and individuals for the Montgomery, Ala., bus protest fund.

Churches reporting this week included:

Olive Street Church of God in Christ, $11; Highland Avenue Baptist church, $12; Fellowship Baptist church, $12.50; St. Paul's Presbyterian church, $23.91; Bethel AME church, $120.42 and Emanuel Baptist church, $17.

Undertakers Give $1,000 To Ala. Group

Daily world
Sun. 4-8-56
Atlanta, Ga.

CHICAGO —(ANP)— Robert H. Miller, general secretary of the National Negro Funeral Directors Association announced last week that the National Board at its 18th annual meeting in Dallas, Texas, recently contributed $1,000 toward the defense of the ministers and civic leaders who are under indictment for conspiracy to boycott the Montgomery Bus Lines, one of whom is C. W. Lee, resident of Montgomery, and chairman of the board of the association.

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Daily world

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MAYOR SEES 'PUBLICITY STUNT'

Advertiser Sun. 8-26-56

Graetz Denies Bomb Hoax

Montgomery, Ala.

The white minister of a Negro church whose home was damaged by a dynamite blast early yesterday charged Mayor W. A. Gayle with "foolishness" in calling the bombing a "publicity stunt".

P. 1

The Rev. Robert Graetz, 27, arrived in the city during the afternoon to find windows and a door shattered at his home, 1110 Cleveland Ave., by the predawn blast. Windows in two nearby homes also were shattered, but nobody was hurt.

Mayor W. A. Gayle laid the latest bombing to a "publicity stunt," and promised an all-out investigation to "get to the bottom of this thing by arresting and convicting the party or parties if it is at all possible."

Det. Capt. E. P. Brown, leading an investigation into the incident, said the blast on the Graetz lawn apparently came from "two or three sticks of dynamite."

NOT CLOSE TO HOUSE

Set off about 20 feet from the house, at about 3 a.m., the blast shattered a picture window, broke others throughout the house, and forced open the front door, ripping out the lock and door facing.

A window was shattered at the home of B. T. Knox, Negro, 1116 Cleveland Ave., and at another house across the street.

Gayle declared that "this latest bombing follows the usual pattern. It's a strange coincidence that when interest appears lagging in the bus boycott, something like this happens:

STUNT FOR FUNDS

"We are inclined to wonder if out-of-state contributions to the boycott have been dropping off. Perhaps this is just a publicity stunt to build up interest of the Negroes in their campaign."

Rev. Graetz called the mayor's statement "foolishness." He said he has been often threatened in the past, and that "this is just the sort of thing they did to Dr. Martin Luther King and E. D. Nixon."

Advertiser

An estimated half-stick of dynamite was tossed on the porch of King's home Jan. 30, doing some damage, and another blast was set off at Nixon's home two nights later.

P. 2-A

There was no damage at the Nixon home.

Last January Graetz' car was damaged when someone put sugar in the gasoline tank and slashed two of the tires.

The minister said he surmised that the latest violence was brought about by the "same group" responsible for the earlier bombings "or by like-minded persons since it all follows a similar pattern."

Yesterday's blast left a hole 21 inches in diameter and 15 inches deep on the Graetz lawn. Capt. Brown said he was convinced the blast went off on top of the ground, since there was a strong odor of cordite.

HEARD MILES AWAY

He estimated the size of the home-made bomb as at least two sticks of dynamite, and probably three. The blast was heard over an area estimated at five miles in radius.

Graetz, his wife and three children were just ending a one-week combined vacation and workshop at Highlander Folk School in Tennessee. He said he heard of the blast from a newsman before leaving there.

His wife and three small children were with him.

"I'm certainly glad we weren't at home," he said. "We had a nice night's sleep where we were, and I don't think we'd have slept so well here."

BOYCOTT SUPPORTER

The young minister, pastor of Trinity Lutheran Church, has actively supported the bus boycott since it got under way nearly 10 months ago. For a time he was a driver in the boycott car pool.

Graetz is a native of Clarksburg, W. Va. He attended Capital University and Seminary in Columbus, Ohio, where he became interested in work with Negro young people.

Before accepting his pastorate here he was intern minister at a predominantly Negro church in Los Angeles.

Only this week Graetz had invited Montgomery's white ministers to attend a meeting of the bi-racial Montgomery Council on Human Relations, to hear a Negro pastor, the Rev. Martin Luther King Jr., tell "his side of the story" on the bus boycott.

The white ministers declined the invitation.

King, who was convicted of violating Alabama's anti-boycott law last spring, was unavailable for comment on the bombing.

Mayor Gayle commented that for the most part white people of Montgomery have been dispassionate about the bus boycott and have shown very little interest in it.

LITTLE INTEREST

"They don't care particularly how the Negroes solve their transportation problem," he said, "and don't care if the boycott lasts 100 years.

"We deplore this latest incident which tends to fan the flames of racial unrest. Our police department is going to do everything possible to apprehend and convict the guilty party or parties."

Blast Linked To Alabama's Bus Boycott

News Observer Sun. 8-26-56 Raleigh, N.C.

MONTGOMERY, Ala., Aug. 25 (AP)—A predawn dynamite blast outside the home of a young white minister might have been a publicity stunt to build up interest in the bus boycott, Mayor W. A. Gayle said today.

P. 1

The mayor promised that the police department will do everything possible to solve the mystery of the bombing which slightly damaged the home of the Rev. Robert Graetz 27-year-old pastor of a Negro church.

No One Injured.

Graetz and his family were out of town and no one was injured.

"We mean to get to the bottom of this thing by arresting and convicting the guilty party or parties if it is at all possible," Gayle said.

The minister, pastor of Trinity Lutheran church, has actively supported the bus boycott since it got under way nearly 10 months ago. For a time he was a driver in the boycott car pool.

A native of Clarksburg, W.Va., he attended Capital University and Seminary in Columbus, Ohio where he became interested in work with Negro young people.

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Declined Invitation.

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The mayor commented that for the most part white people of Montgomery have been dispassionate about the bus boycott and have shown very little interest in it.

"They don't care particularly how the Negroes solve their transportation problem," he said, "and don't care if the boycott lasts 100 years.

The explosion, which came about 3 a.m., blew open the front door and dug a hole in the front yard about big enough to fit a two-gallon bucket.

It was caused by "two or three sticks of dynamite," said State Toxicologist Van V. Pruitt.

Today's explosion was the third which has occurred since the boycott began. One damaged the King home last Jan. 30, and another the home of Negro leader E. D. Nixon, two nights later. No one was injured in any of the blasts.

White pastor's home bombed; aided boycott

News P. 2 Sat. 8-25-56 Birm., Ala.

MONTGOMERY, Ala., Aug. 25—(AP)—An explosion early Saturday damaged the home of a young white minister who has been active in Montgomery's eight-month-old Negro bus boycott. Police said it resulted from a dynamite bomb.

No one was injured, however, because the Rev. Robert Graetz and his family were away from home.

Police Chief G. J. Ruppenthal said neighbors told him the family has been out of town since Sunday.

Graetz, 27, is white pastor of the all-Negro Trinity Lutheran church. His home adjoins the church in a Negro residential section.

THE YOUNG clergyman has actively supported Negro bus boycotters who have refused to ride segregated city buses since last Dec. 5. He is a member of the Montgomery Improvement Assn., an organization composed mostly of Negroes supporting the boycott, and has used his personal car to give rides to Negroes to and from work.

Ruppenthal said he could give no explanation immediately for the violence.

The dynamiting came just over a day after a meeting of the Montgomery Council on Human Relations of which Graetz is a member.

RUPPENTHAL SAID the explosion knocked out several windows in Graetz' home and blew the lock off the front door. He said it left a hole in the front yard "about big enough to put a two-gallon bucket in."

Graetz, a native of Charleston, W. Va., came to Montgomery about five months before the bus boycott got under way Dec. 5, 1955, after two years as "intern minister" at a predominantly Negro church in Los Angeles.

Mayor Gayle says bombing may be publicity stunt

News P. 1 Birm., Ala. Sun. 8-26-56

MONTGOMERY, Ala., Aug. 25—(AP)—A pre-dawn dynamite blast outside the home of a young white minister might have been a publicity stunt to build up interest in the bus boycott, Mayor W. A. Gayle said Saturday.

The mayor promised that the Police Department will do everything possible to get to the bottom of the bombing which slightly damaged the home of the Rev. Robert Graetz, 27-year-old pastor of a Negro church here.

Graetz and his family were out of town and no one was injured.

"We mean to get to the bottom of this thing by arresting and convicting the guilty party or parties if it is at all possible," Gayle said.

The young minister, pastor of Trinity Lutheran Church, has actively supported the bus boycott since it got under way nearly 10 months ago.

Advertiser
Sun. 8-26-56
Montgomery
P. 1

WHERE DYNAMITE BOMB LEFT DAMAGE

A part of the crowd of curious which swarmed the home of the Rev. Robert Graetz, 1110 Cleveland Ave., following a bombing early yesterday, inspects damages to windows and door. At extreme left is the home of B. T. Knox, Negro neighbor of Graetz, where windows also were broken by the blast. The bomb exploded on the lawn, in foreground.

Advertiser
Sun. 8-26-56
Montgomery Ala.
P. 1

MINISTER MEASURES HOLE

The Rev. Robert Graetz, with son Robert III and daughter Margaret, measure a 15-inch hole left by a dynamite bomb thrown the lawn early yesterday.

The Rev. Graetz Is Wrong

Advertiser 9-4-A

THE Rev. Robert Graetz, the white Lutheran pastor who is active in the Montgomery bus boycott, is undoubtedly a man of considerable courage, however misguided some of his efforts may be.

Montgomery, Ala.

But courage cannot always be equated with wisdom. In his latest charge of a conspiracy to boycott the boycott by denying liability insurance, Graetz is guilty of gross misstatements of the facts.

Tues. 9-18-56

In the first place, the insurance business in Montgomery, as elsewhere, is highly competitive. Whatever the racial convictions of an insurance agent, we doubt that there are more than one or two in this city who could afford to refuse legitimate business because of a difference of opinion with the applicant.

The cars operating in the car pool are losing their insurance coverage for simple actuarial reasons: as insurers discover the purpose for which the car is being used, they are cancelling policies because of the nigh risk nature of taxis.

Now, of course, the boycott brass does not admit—cannot admit—these cars are taxis. While it is probably true that no direct fares are paid, revenue is derived via a thinly disguised church contribution system designed to protect the car pool driver from prosecution for license violation.

An insurer, however, is concerned only with the use of the car and the risk involved. The cars are operated under conditions more risky than most taxis, the drivers are less competent, and the mileage is at least as great as that of the average Montgomery taxi. So, for the insurer, automobiles used in the boycott are taxis, camouflage be hanged.

Why then do not the boycotters apply for taxi insurance? In the first place, taxi insurance runs almost *eight times* the cost of private automobile insurance.

In the second, the boycott drivers could not apply for taxi insurance without admitting what they have all along denied, an admission that would be a confession of illegal operation.

Then, too, we could find no local insurer who will write taxi insurance even when the nature of the business is admitted and the high rate tendered. The risk is too great.

Finally, taxi's would have to be insured as a fleet and not as individual automobiles. Assuming that the boycotters could find an insurer who would write such a policy, they couldn't do it without confessing their illegal operations. (For an explanation of Alabama's "Assigned Risk Plan," see Mr. Starke's letter today.)

In many instances, the boycott automobiles—including those shiny new station wagons masquerading as church cars—have been guilty of notoriously bad driving, resulting in a number of accidents. Insurers know this, even though police in recent months have bent over backwards to avoid arrests for any but the most outrageous examples of carelessness or violation of the laws.

Mr. Graetz says that some of the boycott automobiles have insurance. In the opinion of an experienced Montgomery insurance man (who says, incidentally, he will write all the Negro auto insurance he can get if the drivers are reliable and sober) is invalid because the applicant for an automobile to be used privately was fraudulent.

Mr. Graetz would be less than human if by now, in his loneliness as the only white minister in the boycott, he hadn't developed something of a persecution complex. But in this case, he seems to have been misled by his boycott associates.

Circuit Judge Cites Possible Penalty For Conviction On Anti-Boycott Laws

Advertiser Wed. 2-15-56 P. 8-A

Montgomery, Ala.

Organized boycotting of lawful businesses is against the law and punishable by heavy fines or stiff sentences, Circuit Judge Eugene B. Carter advised, following his charge to the grand jury this week.

Persons convicted for unlawful boycotting are jubject to a sentence of not more than six months in the county jail and fines of not more than $1,000 or not less than $100.

MAY BE DIFFICULT

Judge Carter, observing that Montgomery County has seldom been confronted with boycotts of any kind in the past and never with a boycott of city buses, said enforcement of the law may be difficult. He pointed out that the law applies to situations where persons are forced to boycott business organizations "involuntarily" through leadership or conspiracy. Simple failure to patronize a firm, even among a group, does not constitute boycotting, he said. However, persons responsible for inciting or organizing resistance to a business operation may be prosecuted, the judge added.

Judge Carter, who directed the jury to investigate acts of boycotting—emphasizing the current bus boycott—and determine violations of the law, cited Title 14, Chapter 20 of Alabama Code of 1940 which reads in part as follows:

"Two or more persons who, without a just cause or legal excuse for doing so, enter into any combination, conspiracy, agreement, arrangement or understanding for the purpose of hindering, delaying, or preventing any other persons, firms, corporation, or association of persons from carrying on any lawful business, shall be guilty of a misdemeanor."

OTHER PROVISIONS

Other provisions of the code relative to boycotting make unlawful the following: "loitering or picketing, printing or circulating notice of boycott, using force or threats against persons engaging in lawful occupation, maintaining blacklists, attempt or threat to injure or destroy property of another, teaching, printing books or papers, or organizing persons to boycott . . ."

Penalties for violations of the boycotting statute are set forth in Title 14, Sect. 62 which reads as follows:

"Any persons, firm, corporation, or association of persons violating any of the sections, shall, on conviction, be punished by a fine of not less than one hundred dollars, nor more than one thousand dollars and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than six months for the first conviction, at the discretion of the court or judge trying the case; and on the second and every subsequent conviction, at the discretion of the court or judge trying the case; and on the second and every subsequent conviction, in addition to the fine which may be imposed, the convicted party must be sentenced to hard labor for not less than three months nor more than six months, to be fixed by the judge or court trying the case."

Local Boycott Being Studied By Grand Jury

Advertiser Montgomery, Ala. Tues. 2-14-56

By FRANK McARDLE

The Montgomery County Grand Jury yesterday was directed to determine whether Negroes who are boycotting Montgomery City Lines buses are violating the law.

The jury includes one Negro, E. T. Sinclair, a waiter, among the 18 members of the jury who began their work after Judge Carter concluded his instructions.

Judge Carter told the jury:

1. "No court whether it be federal court, state court or city court can interfere with your investigations. You are the supreme inquisitorial body.

2. "The right to conduct one's business without wrongful interference of others is a valuable property right which will be protected, if necessary, by injunctive process.

3. "If the boycott is illegal, it must be brought to an end."

LIVE AS NEIGHBORS

Judge Carter also told the group:

"Montgomery has been a city that both races have had the pleasure of living in. I say to both black and white, let's continue to live as neighbors.

"The doctrine of hate has no place here and particularly has no place in our churches."

In his six-page charge, he mentioned he had researched the term "boycott" and added that authorities had established the proposition that "such unlawful community of purposes entered into as a conspiracy need not be proved by positive testimony. It must be determined by the triers of facts from the conduct of parties and all the relative testimony."

"It is recognized under the constitutions, state and federal, that a person's business is property and if lawfully conducted is entitled to protection from unlawful interference," he added.

"The essential idea of boycotting . . . is a confederation, generally secret, of many persons whose intent is to injure another by preventing any and all persons from doing business with him, through fear of incurring the displeasure, persecution and vengeance of the conspirators," the judge said in defining the word "boycott."

ISSUES WEAPONS WARNING

Judge Carter also issued a warning about carrying concealed weapons, which carries a $500 fine in Montgomery County.

"Particularly at this time I think that the law against carrying concealed weapons should be rigidly enforced," he said.

He also told the grand jury to regulate the use of automobiles, investigating cases of driving while intoxicated, reckless driving and other infractions.

He praised the grand jury system and told the jurors of the evolution of the jury, which he said is "democracy in action."

The jury, of which Alvin H. Wells is forman, includes one Negro, Sinclair, and these white members: Zeb Collier, J. H. Cook, William F. Crenshaw, Cecil Frizzle, Jesse A. Gorrie, V. Van Metcalfe, Jack O. Milligan, Felder A. Miller, George E. Parker, Paschal R. Perdue, Z. O. Riddle, James D. Rushing, Thomas W. Sewell, James C. Shepard, Evan D. Shine Jr., and Ben M. Wilbanks.

Two other Negroes were chosen on the venire panel of 50, one of whom was excused from service, and the other not used.

Circuit Solicitor W. F. Thetford said anyone taking part in a conspiracy to boycott the bus lines could be indicted under a state law which makes boycotting punishable by six months in jail and a $500 fine.

Even if the grand jury finds the boycott illegal, however, solicitor Thetford said, the city or state can do nothing to compel Negores to ride buses again. But he said the jury could indict boycott leaders if there is evidence of unlawful acts.

History Of The Boycott Law

Advertiser Wed. 2-15-56 P. 8-A

IT IS now apparent that the present Montgomery County grand jury will consider indictment of the bus boycott leaders. If indictments are returned, presumably the defendants will be tried under the state law governing "Boycotting & Blacklisting" (Title 14, Chapter 20, Sections 54-62, Code of 1940).

This law, part of which has been held unconstitutional by the U.S. Supreme Court (the section forbidding picketing), was passed in October, 1921, to meet a labor crisis in Birmingham. Coal mine disturbances—including boycotts, dynamitings and murders—had moved Gov. Kilby to take firm measures. Troops had been on duty in Jefferson County, but, the governor said in his address to the special session of the legislature which convened Oct. 4, state criminal law was inadequate to cope with the situation.

Advertiser Montgomery, Ala.

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GOV. KILBY'S proposal to strengthen the boycott law, as embodied in the criminal code of 1907, was not the chief reason for his calling the special session. In fact, the boycott amendment was No. 13 in a list of 18 measures he wanted passed. Of the boycott proposal, Kilby told the legislature:

> The recent coal strikes in this state developed the fact that our civil and criminal laws were inadequate to promptly and properly deal with the conditions which existed just prior to and after the strike was declared. It was then discovered that by reason of the inadequacy of the statutes of this state relating to strikes, boycotts and blacklisting, etc., that the civil authorities were unable to prevent or even check many wrongful acts which inevitably led to the calling of the strike and to the perpetration of many heinous crimes which attended and followed the strike.

★

BECAUSE local authorities were powerless to act with no laws to back them up, it was necessary to call out the militia, Kilby told the legislature. He continued:

> While martial law was not absolutely declared, nor the civil law actually suspended, the condition of affairs was so critical, so serious, that at times it appeared almost imperative that martial law should be declared in the coal mining districts of the state . . . If the statutes of the state had been adequate, and the civil authorities had been able to . . . deal with the . . . labor trouble, much if not all of the great loss of life, property and enormous expenses of the state would have been avoided.

Gov. Kilby spelled out his labor philosophy, which sounds primitive in these Taft-Hartley times. Basically, it was a recognition of the worker's "inalienable right" to work or not to work; the employer's inalienable right to hire and fire as he sees fit.

★

KILBY said the trouble in the coal mines was the work of "foreign agitators" attempting to promote socialism,

which often results in anarchy." Then he got to the point:

> A conspiracy to starve or freeze . . . or even an agreement to do acts, the natural and probable result of which is to cause great suffering or inconvenience to the public, is little less than treason against the government . . .

★

THE get-tough-with-labor amendment, substantially the same law under which bus boycott leaders may be indicted, was passed. But, recalls Kilby's house floor leader at the time, Dothan Atty. Oscar L. Thompkins, not without a fight. "I was almost lynched in the process," Thompkins said in a telephone interview yesterday.

A few legislators denounced Kilby's proposal as "part of a nationwide program to destroy organized labor." Charged Rep. Harrison of Jefferson: "The Governor used every means in his power to crush the miners' strike in Jefferson County, then when he was called on to arbitrate, decided every point in favor of the coal operators."

Rep. Partridge of Franklin spoke against the bill, declaring that its effect would be to "bring the laboring man to the chopping block and lay his head on it."

★

REP. BENNERS of Jefferson spoke for the bill. He said the bill was aimed at labor agitators, and offered this terse, if drastic, advice to labor unions: "Hang your orators."

Yesterday, former floor leader Thomkins said that he hadn't reread the law he helped pass in many years. In fact, he thought it had been declared unconstitutional. (Only parts have been.) However, he confirmed that it was intended for use against labor. Situations like the Montgomery bus boycott were not foreseen.

★

THE law, originally aimed at miners and now brought to bear against non-riders of city buses, says in part:

> Two or more persons who, without a just cause or legal excuse for so doing, enter into any combination, conspiracy, agreement, arrangement, or understanding for the purpose of hindering, delaying, or preventing any other persons, firms, corporations . . . from carrying on any lawful business shall be guilty of a misdemeanor.

Violation is declared a misdemeanor, with maximum punishment fixed at 6 months in jail or $1,000 fine, or both.

All suffer when evil is rampant

Afro-American Baltimore Md.

Sat. 10-27-56

MONTGOMERY, Ala. — "When the forces of evil become rampant in a community," the Rev. Martin Luther King pointed out, "all the decent people suffer."

This was illustrated here last week when white housewives who went and got their domestic helpers and drove them home after work became the target of threats and abuse by bigots angered by the success of the bus boycott movement launched here last winter.

According to a story in the Montgomery Advertiser, most of the telephone threats were made after midnight by persons who remained anonymous, saying:

"Isn't it about time you went and got your n----r maid?"

* * *

LETTERS HAVE been received by some white citizens in various sections of the city saying:

"Dear Friend: Listed below are a few of the white people who are still hauling their colored maids. This must be stopped. These people would appreciate a call from you, day or night. Let's let them know how we feel about them hauling colored domestics."

The list included a number of prominent Montgomery residents, the Advertiser said.

Afro-American

"SINCE THE callers and the hate-letter writers remain anonymous," said the Rev. Fred D. Gray, attorney for the Montgomery Improvement Association, which is spearheading the bus protest movement, "we cannot take steps against them, although we have a pretty good idea where the source of this evil emanates."

He pointed out that the maneuver was only another attempt to harass colored citizens because they "walk proudly" and refuse to ride in "segregation and degredation."

Almost 100 persons, including over a score of ministers, were arrested, fingerprinted and arraigned last March on charges of "disturbing the peace" by their advocacy of the bus protest movement.

Sat. 10-27-56

THE REV. MR. KING, MIA's president and the first of the group to be tried, was found guilty in an Alabama court of leading what the prosecution termed an illegal boycott against the Montgomery City Bus Lines.

He has appealed a sentence of a $500 fine and payment of $500 court costs. The Rev. Mr. Gray said the appeal would probably be heard during this court session, but the exact date has not been set.

* * *

OTHER EXAMPLES of harassment against colored citizens are overzealousness of traffic policemen in ticketing drivers, the imposition of extreme fines for petty violations, and the refusal of local auto insurance firms to reinsure vehicles of car pool drivers when their insurance lapses.

The Rev. Mr. King made his dissertation upon the "forces of evil" during a speech before the New York State Universalist Ministers Association in Cortland, N.Y., Tuesday night.

He pointed out that the protest against segregated buses is aimed at the "forces of evil," not at individuals.

* * *

THE TENSION in the Montgomery community is not between white and colored people, but "between justice and injustice," he said.

The 29-year-old minister said a "crisis" in race relations was precipitated by the Supreme Court decision outlawing segregation in public schools and by "a radical change in the colored citizen's evaluation of his nature and destiny."

The Rev. Mr. King said that violent resistance created social problems. It did not solve them. Non-violent resistance, he went on, seeks to win friendship and understanding, not to defeat and humiliate opponents.

MONTGOMERY PLANS BUS BOYCOTT AGAIN

Commercial Appeal 10-27

City To Seek Injunction To Bar Negro Protest

Sat. 10-27-56

CITIZEN MOVE SPURNED

Minneapolis Star

By The United Press

MONTGOMERY, Ala., Oct. 26. —The City Commission Friday rejected a citizen's proposal aimed at ending the 10-month-old bus boycott. The board stated, however, it will bring action of its own "for an injunction to stop" the Negro protest movement.

A legal spokesman for the editor of a labor union newspaper here cited a section of the state code to a commission meeting Friday. He said the law gave "sufficient legal right to break up" car pools hauling Negroes now boycotting city buses.

Attorney Cites Move

Attorney John Kohn also said his client, Jack Brock, editor of The Alabama Labor News, was prepared to swear out warrants "as a private citizen" against car pool operators if the city failed to act or requested him to do so.

In its prepared statement, several hours after the meeting, the commission said:

"We are glad for indivduals to take such action as they see fit in their own best interest. However, we believe the action planned by the city will be more effective than the action suggested by these citizens."

It said, "Regardless of whether such action is taken or not, the city will follow its plans of bringing action for an injunction to stop all activities which the city considers illegal at this time."

Mr. Kohn, retained by both Mr. Brock and Publisher Homer Welch, cited a section of the state constitution which forbids any "firm, association or corporation" from using the streets of any city "for the construction or operation of any public utility without first obtaining the consent of the City Commission."

Tells of Authority

He said it had ample authority to "stop this subterfuge that is sabotaging the franchises of the bus company and legally operated taxicab companies."

Some 25 station wagons, sponsored by Negro church groups, have hauled Negroes engaged in the boycott. Earlier this year, the city turned down the Negroes request for a charter to operate their own bus lines.

Mr. Brock, who sat in the meeting, said he was prepared "to sign warrants Friday" for the arrest of the car pool operators. He said, "Although we'll give the city time to see what it wants to do with our suggestion, we feel the warrants should be issued this afternoon."

He could not be reached for comment after it was learned the commission turned down his proposal.

The fleet of new station wagons has the backing of the Montgomery Improvement Association, a Negro organization formed soon after the racial protest began last December. Each station wagon bears the name of the church sponsoring it.

38b 1956 ALABAMA

FIVE NEGRO LAWYERS READY DEFENSE OF BOYCOTTERS (MONTGOMERY, ALA.

Five Lawyers Ready Defense Of Boycotters

Advertiser Montgomery Ala. Jan 3-18-56

By STEVE LESHER

Five Negro attorneys will defend 93 Negroes who stand trial here at 10 a.m. tomorrow on charges of advocating an illegal boycott of Montgomery City Lines buses by 40,000 Montgomery Negroes.

Among the 93 are 25 Negro ministers. At their arraignment here recently, 89 Negroes pleaded not guilty. Four others have been arrested since the grand jury returned 11 indictments naming 113 Negroes who allegedly have instigated the illegal boycott.

BEFORE JUDGE

Defending the Negroes will be Arthur Shores, Orzell Billingsly Jr. and Peter Hall, all of Birmingham, and Fred D. Gray and Charles Langford of Montgomery. Shores gained notoriety as the attorney for Autherine J. Lucy, 26-year-old Negro woman who twice was ordered admitted to the University of Alabama by a federal court, only to be expelled for unfounded charges she made against the university. Gray recently was cleared of charges of conducting an unethical practice.

The Negroes will appear before Judge Eugene W. Carter in Circuit Court. The attorneys for the defense have waived trial by jury and will allow the judge to rule in each case. Reasons for this move were not revealed yesterday by the defense

FREEDOMS VIOLATED

Carter, who had directed the grand jury to investigate the bus boycott, must rule on defense demurrers before the trials begin. The demurrers claim, in effect, that the freedoms of speech, wor- mitted no unlawful act, that the boycott law is unconstitutional and thatt he freedoms of speech, worship and peaceful assembly have been violated.

Advertiser

The law, which has been used only in labor disputes in the state, was upheld in 1942 by the Alabama State Supreme Court. The defense apparently plans to appeal to federal courts in the event of convictions by calling the law a violation of the U.S. Constitution.

P 2-A

Circuit Solicitors William F. Thetford, Robert Stewart and Maury Smith plan to meet today to discuss their strategy. Yesterday, they gave no indication as to which of the 93 they would call for prosecution first. Similarly, the defense would not reveal if the Negroes would call for separate trials, which would stretch the proceedings out over a period of several weeks, or if they would stand trial together. All defendants are charged with exactly the same misdemeanor, which carries a penalty of not more than $1,000 and not less than $100 in fines plus not more than six months in the county jail.

Circuit Clerk John Mathews said yesterday that subpoenas have been issued for 77 witnesses — 45 for the defense and 32 for the state. Included among those subpoenaed are City Commissioners W. A. Gayle, Clyde Sellers and Frank Parks; Police Chief G. J. Ruppenthal, the Rev. Robert Graetz, white pastor of an all-Negro church, and Montgomery City Lines Manager J. H. Bagley. Nine bus drivers also have been subpoenaed.

The boycott began last Dec. 5 after Rosa Parks, a Negro seamstress, was fined $14 for refusal to move to a Negro section when white passengers entered a city bus. At mass meetings in local Negro churches, Negro ministers and other leaders urged the city's 40,000 Negroes not to ride the buses.

They complied virtually 100 per cent and either walked, rode taxicabs or formed car pools. Boycott leaders at first did not demand an end to segregation but insisted that bus seating be on a "first - come, first-served" basis, starting with the back seats for Negroes and front seats for whites.

Company officials refused to drop a requirement that the 10 front seats be reserved for whites. Negro leaders also demanded Negro drivers for predominantly Negro routes.

Later, however, Atty. Fred Gray filed a petition in Federal District Court to declare bus segregation illegal. Gray was then accused of filing the suit without the consent of one of the five Negro women listed as plaintiffs. He was cleared by Judge Carter.

The boycotters here won support from Rep. Adam Clayton Powell Jr. (D-NY), pastor of the (Negro) Abyssinian Baptist Church in New York and leader of a civil rights bloc in the U.S. House. He urged federal protection for Montgomery Negroes involved in the boycott.

Powell proposed that Negroes throughout the U.S. support Montgomery Negroes by joining March 28 in a "National Deliverance Day of Prayer." He said no Negroes should work or attend school between 2 p.m. and 3 p.m. on that day.

Powell reniged when a spiritual leader of 5,000,000 Negroes said he would "not go along with a national economic boycott. Powell replied immediately that he had not intended a work stoppage but that he was "interested in prayer only."

So the boycott has raged for 16 weeks without noticeable violence on either side. Montgomery has become the center of political battles on local, state and national levels. It has been the congregating place for more than 50 newsmen from all over the globe.

The 16-week-old battle will reach its first climax in court tomorrow.

Negro Freed After Charge In Car Pool

Advertiser Sat. 2-18-56 Montgomery, Ala. P.1

A Negro service station operator who admitted selling gasoline for use in a car pool during the bus boycott here was excused of a contempt charge yesterday by Circuit Judge Eugene B. Carter as a tired grand jury made a partial report, then recessed until Monday.

The Negro, Clarence H. Adams, was summoned before the grand jury to testify yesterday but said he couldn't remember the names of persons conducting the car pool to whom he had sold gasoline. The station is located at 1031 W. Jeff Davis Ave.

GETS WARNING

Judge Carter, informing the witness he could be sent to jail for contempt or to prison for perjury for lying under oath, dropped the charge against Adams when the witness' memory suddenly "became refreshed."

Advertiser

Adams said that while he was before the jury testifying his "mind became a blank" and he couldn't remember the names of the customers. Judge Carter instructed the Negro to return to the grand jury Monday with records showing the names of persons in question. Adams said he would present the names. P.5A

Meanwhile, another Negro was sentenced to county jail for five days for refusing to testify before the grand jury in another case.

The grand jury, in its busiest session in the county's history, returned 114 true bills and six no bills yesterday, before recessing until 2 p.m. Monday. The past week the panel examined 232 witnesses, a record high number for Montgomery County.

Al Wells, foreman, read the jury report before Judge Carter, Circuit Solicitor W. F. Thetford, and Asst. Circuit Solicitor Robert Stewart.

The report states that the grand jury "cannot complete its duties and make a final report until sometime next week."

Montgomery Car Pool Showdown Delayed

Post Herald Sat. 11-3-56 Birmingham, Ala. P.1

MONTGOMERY, Nov. 2 (AP)—The refusal of state and federal courts to take immediate action delayed a showdown today on the city's attempt to halt a car pool used for 11 months by bus boycotting Montgomery Negroes.

City authorities went into state court with their promised request for an injunction to stop the car pool operations. Circuit Judge Eugene Carter, declining to rule immediately, set a hearing for Nov. 13.

A short time later, Judge Frank M. Johnson Jr., in U. S. District Court denied a previously filed motion for an emergency restraining order to prevent the city from interfering with the Negroes' transportation service.

Johnson ordered a hearing for Nov. 14, however, on a companion request for a temporary injunction against the city commission. A temporary restraining order, Johnson explained, could be issued in federal Court without hearing; an injunction cannot.

Explaining his decision, Johnson said the Negroes failed to show that refusal to grant the immediate restraining order would "subject the plaintiffs to immediate and irreparable injury, loss and damage."

City Atty. Walter Knabe asked Carter to outlaw the motor pool as a "public nuisance" and a "private enterprise" being operated without a license and without approval of the city.

The petition said the motor pool, which includes church-owned station wagons as well as private cars, is operated over regular and irregular routes; that the Negroes have purchased and hired vehicles, and that drivers and dispatchers are paid for their services.

Negro Attys. Fred Gray and Charles Langford, in their motion in federal court, said the car pool is a voluntary share-the-ride service provided without charge to the riders.

Any effort to break up the pool, they protested, would violate "the civil and constitutional rights" of the Negroes and is calculated to compel them to ride the segregated busses they are boycotting.

Defendants in the city's suit are the Montgomery improvement Assn., an organization formed to support the bus boycott when it started last Dec. 5; 14 Negro churches and 27 individuals.

Officers of the MIA have testified in state court last Spring that the organization financed the car pool and that drivers received $4 a day and car expenses. They estimated it cost $3,000 a week to provide the transportation service and that the money came from contributions.

In the first official indication of the economic impact of the long boycott, the city said in its petition today that it had lost $15,000 in revenue as a direct result of the mass refusal of negroes to ride the busses.

Although the bus company, Montgomery City Lines Inc., is a privately owned corporation and a subsidinary of National City Lines of Chicago, the city receives 2 per cent of the company's gross receipts in Montgomery.

Negroes halt car pool in Montgomery

News P.12 Birmingham, Ala. Sat. 10-27-56

MONTGOMERY, Ala., Oct. 27 —(AP)—Negro leaders suspended their bus boycott car pool Saturday after city officials announced they planned to seek an injunction to stop the car pool operations.

There was no immediate word from Negro spokesmen as to what further steps would be taken to provide transportation for members of their race.

Rev. Martin Luther King, pastor of the Dexter Avenue Baptist Church and a spokesman for the Montgomery Improvement Assn. which has worked closely with the 10-month-old bus boycott, was not available for comment.

STATION WAGONS sponsored by various Negro churches were noticeably absent from city streets Saturday. Many of the Negroes walked to work.

A Negro bystander at the car pool pickup station said he understood the transit setup would not function Saturday. He said he didn't know whether it was temporary or permanent.

The Rev. Robert Graetz, white minister of a Negro church who has supported the boycotters, said "It's news to me," when asked about the stoppage.

MONTGOMERY'S police commissioner, Clyde Sellers, said no new orders were given to the police force concerning the Negro car pool operations.

The city plan to seek a court order to stop the car pool was announced Friday after a labor union publication requested that legal steps be taken to that end.

City Attorneys Told To Seek Car Pool Halt

Advertiser P.1 Wed. 10-31-56 Montgomery, Ala.

By AL McCONAGHA

The City Commission yesterday instructed city attorneys to take legal action to stop Negro bus boycotters' car pool operations.

At the same time, a boycott leader announced the decision of Negroes to continue their transportation system as a part of the 11-month protest of segregation city buses.

Official sources pledged action in the next "two or three days." Informed observers predicted a petition seeking an injunction against car pool operations would be filed in Circuit Court tomorrow.

RESOLUTION PASSED

The commission unanimously passed a resolution instructing the city's legal department "to file" proper proceedings "to stop the operation of car pools or transportation systems growing out of the bus boycott."

A Negro spokesman, the Rev. Martin Luther King, said his people would continue their current car pool transportation system and that "only a distorted legal interpretation" would construe the car pool as a "jitney service or car-for-hire system."

King, president of the Montgomery Improvement Assn., added:

"We are simply offering free rides to the Negro citizenry of Montgomery through the services of our church."

King refused to the use of some 25 church-owned station wagons in the Negroes' motor pool.

The commission resolution also placed direct supervision of legal proceedings against the car pool under the control of Mayor W. A. Gayle and Commissioner of Public Affairs Clyde C. Sellers.

The move was explained as the fixing of administrative responsibility on the mayor as City Commission president and Sellers as head of the police department which has been gathering evidence against the motor pool activities. Advertiser P.2-A

In his prepared statement, King said:

"As far as we are concerned, the car pool will continue to exist. We feel that the cause for which we are struggling is just and the methods we are using are constructive, deeply rooted in the long tradition of our Christian faith.

'In the face of a threatened injunction, the Negro community is determined to struggle and sacrifice until the wall of injustice are finally crushed by the battering rams of surging justice."

38b 1956

Segregation Order Appealed By State

Post-Herald P. 1 Fri. 6-29-56

City Of Montgomery Plans Similar Step; Injunction Off Pending High Court Ruling

Birm. Ala.

MONTGOMERY, June 28 (AP)—With a formal notice of appeal, state officials took the first legal step today toward resisting a Federal Court order outlawing segregation on city buses in Montgomery.

Although the decision and subsequent injunction handed down by a panel in U. S. District Court applied only to Montgomery, it held that state as well as city bus segregation laws violate the U. S. constitution.

The notice of appeal to the Supreme Court was filed in the name of the Alabama Public Service Commission which administers state laws requiring separate seating of white and Negro passengers in all public transportation.

Montgomery city attorneys said they will hand the court a similar notice tomorrow.

That leaves the next move up to Negro attorneys who challenged constitutionality of the city and state laws.

The injunction against continued enforcement of the statutes has been suspended pending the Supreme Court appeal, but the Negroes can ask the high court to set the suspension aside and put the injunction into effect immediately.

Charles Langford of Montgomery, one of the lawyers who filed the anti-segregation suit, said "we haven't decided" what the next step will be.

Similar comment came from Robert Carter, an attorney for the National Assn. for the Advancement of Colored People, who also took part in the court fight.

Meanwhile, an order was issued in U. S. District Court formally suspending the injunction until the Supreme Court rules on the segregation appeal. The original suspension was for 10 days with the understanding it would be extended if an appeal were filed.

State's attorneys in their notice of appeal questioned the court's right to issue an injunction against the Public Service Commission which exercises no jurisdiction over city buses in Montgomery. The city has its own segregation ordinances.

The same argument was used at a hearing before the judges May 11, but the panel rejected it and extended the injunction to cover the state agency as well as city authorities.

PSC lawyers headed by Atty. Gen. John Patterson also challenged the federal court's right to act while another injunction from a state court still was in effect ordering the segregation laws enforced.

The Federal Court suit already was pending when Circuit Judge Walter B. Jones ordered the bus company, Montgomery City Lines, to continue the policy of separate seating for the two races.

White Cleric's Home Bombed in Alabama

Wired

By the Associated Press.

MONTGOMERY, Ala., Aug. 25.—An explosion early today damaged the home of a young white minister who has been active in Montgomery's 8-month-old Negro bus boycott. Police said it resulted from a dynamited bomb.

Bal. Sun 8-25-56

No one was injured, however, because the Rev. Robert Graetz and his family were away from home.

Newark N.J.

Mr. Graetz, 27, is pastor of the all-Negro Trinity Lutheran Church. His home adjoins the church in a Negro residential section.

The clergyman is a member of the Montgomery Improvement Assn., an organization composed mostly of Negroes supporting the bus boycott, and has used his car to give rides to Negroes.

ALABAMA

BUS BOYCOTT

Ala. board gets cold feet in Montgomery bus boycott

Afro-American Sat. 9-8-56 P. 12

Balti. Md.

WASHINGTON

Alabama Public Service commissioners say they never ordered or upheld segregation in the Montgomery bus boycott.

That announcement comes out of the brief filed in appealing this case to the Supreme Court on the part of Alabama officials.

District Federal judges outlawed bus segregation in the state in a 2 to 1 decision on June 5. The injunction against bus jim crow was suspended pending the appeal, which arrived last week in a brief to the clerk's office of the Supreme Court.

IN THESE papers, it is said, "The members of the Alabama Public Service Commission object to their joinder as parties defendant and move to dismiss the action against them."

Commissioners "never attempted or threatened to enforce the statutes and ordinances relating to the segregation of races on buses, operated by Montgomery City Lines, Inc.," they said.

Alabama Attorney General John Patterson and his assistants deny that Commissioners Jimmy Hitchcock and Sibyl Pool were aware of action by C. C. (Jack) Owen, president of the board.

MR. OWEN sent a telegram to the National City Lines of Chicago, of which the Montgomery lines is a subsidiary, on April 24:

"As president of the Alabama Public Service Commission, elected by the people of Alabama, sworn to uphold the segregation laws of this state, which include all forms of public transportation, I hereby defy ruling handed down by the U.S. Supreme Court . . .

"Alabama state law requiring segregation of the races on buses still stands. All public carriers in Alabama are hereby directed to strictly adhere to all present existing segregation laws in our state or suffer the consequences."

The lawyers said, "That telegram was sent without the knowledge or concurrence of the other two commissioners."

* * *

THE CASE is set for oral argument on the Supreme Court calendar for October. Alabama lawyers for the colored citizens are Charles D. Langford and Fred Gray, both of Montgomery.

Mr. Gray is scheduled to report for induction in the Army on Sept. 17. If drafted before October, he may not participate in the case which he helped to focus into headlines around the world.

In addition to state commissioners, other defendants named in the suit are City Commissioners Frank Parks and Clyde Sellers.

Also Goodwyn J. Ruppenthal, chief of police, and bus drivers James F. Blake and Robert Cleere.

Alabama holds that it has the right to exercise police power to maintain segregation for the sake of "peace and order."

Bus Protest Not To End, Minister Says

Daily Worker Atlanta, Ga.

Sun. 9-2-56

NEW YORK — (ANP) — "We will walk until there is not a single segregated bus left in Montgomery, Ala.," the Rev. Ralph D. Abernathy, vice president of the Improvement Association of that city, told 500 persons here last Monday. He was speaking at the testimonial Banquet for veteran church leader Allen Jordan in the Grand Ball Room of the St. George Hotel, Brooklyn.

Comparing the honoree with "the new Negro" who refuses to be an "Uncle Tom" and surrender his birthright for a pat on the back and special consideration but stands united for first class citizenship, he opinioned that Negroes throughout the United States were winning the fight for full citizenship.

Rev. Abernathy sighted the failure of desperate tactics of segregationists to end the eight month old boycott of jim crow buses. He stated that the Association is hopeful of a favorable decision by the United States Supreme Court in its injunction suit against the bus segregation by 1956. This would outlaw the practice throughout Alabama and also end the practice throughout every state in the union, he surmised.

The World War II veteran and pastor of First Baptist Church, cited the need for continued support of the boycotters. He stated that it requires $5,000 a week to operate the car pool.

He said the association now has nineteen brand new station wagons valued at $50,000 and 200 passengers cars in the pool. Five secretaries are employed in the operation of the pool.

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Montgomery bus boycott to continue until victory

Afro-American P. 5 Sat. 9-8-56

NEW YORK — (ANP)—"We will walk until there is not a single segregated bus left in Montgomery, Ala.," the Rev. Ralph D. Abernathy, vice president of the Improvement Association, told 500 persons here last Monday.

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Highest Court Asked To Upset Alabama Bus Segregation

Constitution Thur. 8-24-56 P. 2

Atlanta Ga.

WASHINGTON, Aug. 23 (UP)—The Supreme Court was asked today to overturn a decision that outlawed racial segregation on the city buses of Montgomery, Ala.

A boycott of the bus system by Montgomery Negroes has been in effect for many months. They won a decision in a special three-judge federal court last June 5 that state and city laws requiring separate seating of the races are unconstitutional.

The lower court ordered both the Montgomery Board of Commissioners and the Alabama Public Service Commission to stop enforcing the laws.

Today's appeals were filed by Walter J. Knabe, Montgomery attorney on behalf of the board and by State Attorney General John Patterson for the commission.

Patterson argued that the state commission has never sought to enforce segregation on Montgomery city lines because the state motor carrier law does not apply to vehicles operating wholly within city limits.

He said the lower court itself recognized this fact but said involvement of the state commission in the case "would be harmless . . . even if erroneous."

"We most emphatically disagree," Patterson said.

He contended that the commission has a right to be free of such court orders and the costs of appealing them.

Knabe argued that the federal court had no jurisdiction in the situation.

38b 1956

ALABAMA

SEGREGATION LAW
BUS BOYCOTT

KEY TO CLEAR-CUT DECISION

Advertiser Tues. 5-8-56

3-Judge Panel To Hear Segregation Challenge Here

Montgomery, Ala.

By REX THOMAS
Associated Press Writer

The lengthening Negro boycott of city buses in Montgomery may produce the first clear-cut decision from the Supreme Court on bus segregation. P. 1

A suit challenging constitutionality of Montgomery city and Alabama state segregation laws will be heard by three-judge panel in federal court her Friday.

The complaint, bearing the names of six Negroes and filed as an outgrowth of the mass boycott now in its sixth month, seeks a declaratory judgement holding the anti-race mixing laws invalid, and an injunction to stop the city and state from enforcing them.

Montgomery City Lines Inc., a privaely owned carrier which operates the city's only bus service, has already abandoned segregation for its part. Its drivers have been ordered to refrain from separating white and Negro passengers.

But there have been no reports of actual integration because most Negroes are still boycotting the bus line in protest against hreas city commissioners. Negroes who have continued to patronize the buses have kept to the rear seats where they always sat.

The City of Montgomery has asked Circuit Judge Walter B. Jones in circuit court for an injunction to compel the bus company to rescind the integration order. Jones may announce his ruling this week.

City attorneys contended at a hearing last Thursday that the continued exisence of the non-segregation policy has created serious Commissioner Clyde Sellers testified that in his opinion a breakdown in segregation would invite rioting and would make it "dangerous for people to walk the streets."

If the three-judge federal panel sitting here Friday takes juridciction and rules on the legality of the segregation laws as requested, the outcome either way is certain to be appealed direct to the Supreme Cour.

City and state attorneys have questioned the panel's jurisdiction, arguing that the Aorney General's office, alhough made a defendant, doesn't exercise jurisdiction over city buses in Montgomery. Advertiser

A three-judge panel is chosen to test constitutionality of state laws when stae officials enforce hem.

The Negroes contend the panel does have jurisdicion and are asking for an injunction to prevent either the city or state from enforcing bus segregation laws in Montgomery. P. 2-A

If the panel's decision goes direct to the Supreme Court, it probably will get there ahead of the case from South Carolina on which the high court acted April 23, since that case must be tried again on a question of damages.

The ruling two weeks ago was first interpreted as a decision outlawing bus segregation. But some attorneys have contended since then that the Supreme Court dismissed an appeal only because the case was still pending in the lower court.

It began as a calim for damages by a Negro woman forced to give up her seat on a bus in Columbia, S.C. A judge in U.S. District Court dismissed it; the fourth U.S. Circuit Court of Appeals reversed him, holding the segregation laws invalid, and sent the case back for trial.

The South arolina Electric & Gas Co. appealed otthe Supreme Court and the appeal was dismissed.

Lawyers are divided over the effect of the Supreme Court's order. Attorneys for Montgomery City Lines argued last Thursday that the decision merely sent the South Carolina case back for trial and wasn't a ruling on segregation itself.

There is no issue of damages in the case pending here. If the panel rules Alabama city and state segregation laws unconstitutional, for example, the next step would be an appeal to the Supreme Cour for the decision here to be upheld or reversed.

The South Carolina case hasn't been set for trial in distric court, so the issue here may reach the Supreme Court first.

In bus boycott test—

News P. 1

Segregation law faces U. S. panel

Fri. 5-11-56 B'ham, Ala.

BY HUGH SPARROW, News staff writer

MONTGOMERY, Ala., May 11—A three-judge Federal Court tribunal indicated today that it may be several days before a decision is handed down in the case in which several Montgomery Negroes are attacking the constitutionality of state and local bus laws.

Although Atty. Gen. John Patterson was ready at the outset to argue on a motion to dismiss the Alabama Public Service Commission as a joint defendant. The court made it clear that no action will be taken on any motions until the final decision is announced.

Judge Richard T. Reives, of the U. S. Circuit Court of Appeals, declared off the bench during the lunch hour that the decision would not be handed down immediately.

Judge Reives said that it was expected that the taking of testimony and arguments on motions would be completed by late afternoon. But he said that it may be a few days before final action is taken.

During the morning session Atty. Gen. Patterson laid a predicate for the motion asking that the Public Service Commission be dismissed as a joint defendant.

He placed Alabama Public Service Commission President Jack Owen on the stand to testify concerning state laws relating to the commission's jurisdiction in certain cases.

MR. OWEN TESTIFIED that the Public Service Commission does not have authority to regulate the Montgomery city buslines because the commission has no authority to intervene where bus companies operate within the city limits.

The commission, he said, does have authority over the Birmingham transportation system, which is granted by a special act of the Legislature, because several communities are served.

Because of the commission's asserted lack of jurisdiction in the Montgomery case, Patterson is expected to argue this afternoon that the commission be relieved as a defendant.

Such a decision, it was believed, would greatly simplify the case, and would presumably be to the advantage of those who favor retaining segregation laws.

Among the witnesses presented today were four Negro plaintiffs They were Aurelia S. Browder Susie McDonald, Claudette Corvin and Mary Louise Smith.

The latter two women are under the legal age and were represented by their next of kin.

BOTH WOMEN testified with what appeared to be a studied attempt to smear at the state and local segregation laws. One of them testified, with a shrug of the shoulders, that she had only contempt for the segregation laws, because she had been reared in an atmosphere where integration is an accepted practice.

At one time during the testimony of Mary Louise Smith, Presiding Judge Reives directed her to give direct answers to questions and to stop "trying to make speeches."

All four Negroes said they are opposed to segregation and that they would ride the buses again if they were allowed to choose their seats. They said they had refused to patronize the bus company since the boycott began last Dec. 5.

THE 16-YEAR-OLD Colvin girl told the court she was "drug off" a bus by two city policemen and taken handcuffed to city jail on March 2, 1955, after she refused three times to give up her seat to white passengers.

As she told of being locked in a cell and held until released on bond, an unidentified Negro woman in the courtroom screamed and broke into sobs. She left the courtroom a short while later although U. S. marshals didn't compel her to leave after she became quiet.

CITY ATTY. WALTER Knabe did most of the cross examination for the defendants and sought to show that the demand for an end of segregation arose after the bus boycott began. He asked the Negro witnesses why they waited until after Dec. 5 to take court action against segregation laws.

The Colvin girl had this explanation:

"Some of us just didn't have the guts to stand up."

The courtroom was filled mostly with Negro spectators at the outset of the hearing this morning. One of those in the

In June, 1954, a Negro sat in the white section of a bus in Columbia, S. C. News

The driver ordered her out. She said he struck her. She went into federal court, asking $25,000 damages from the company. She argued her case belonged in federal court because bus segregation is unconstitutional. P. 4

But Federal District Judge George Bell Timmerman Sr. ruled her suit did not belong in his court because the bus segregation law of South Carolina was not unconstitutional.

He said the Supreme Court ruling banning public school segregation didn't apply to buses within a state. So he did not let a jury consider her claim for damages.

SHE APPEALED to the U. S. Fourth Circuit Court of Appeals which reversed Judge Timmerman. It said the Supreme Court opinion on schools applied to buses, too, and ordered Timmerman to let the woman's damage suit go to trial.

This meant he would have to tell the jury—and, thereby, the State of South Carolina—that bus segregation was wrong.

The bus company appealed to the Supreme Court. That court simply dismissed the appeal. It cited a previous Supreme Court ruling that it would not consider an appeal from a case where there had been no final judgment.

SOME LAWYERS — and Southern officials—took this to mean the court hadn't ruled against bus segregation but was only throwing the case back to Judge Timmerman for trial of the damage suit.

Others argued the court had, in effect, upheld the Circuit Court in outlawing segregation since it let the appellate court's ruling stand. It's possible—but it's hard to see how it can happen—that in a later, fuller decision the Supreme Court may overrule the appellate court and hold bus segregation legal.

That was the beginning of the confusion. Southern bus companies—including the one in Montgomery—decided the Supreme Court had banned bus segregation and, despite state laws to the contrary, desegregated their buses.

THEN SOUTHERN state authorities stepped in. The South Carolina Public Service Commission ordered the Columbia buses to continue segregation. A state judge gave the same

ruling in Montgomery.

Their argument: The Supreme Court hasn't specifically banned bus segregation. But now the four Montgomery Negroes, by their appeal to the three-judge federal court there to order an end to bus segregation, are starting the machinery for an eventual ruling by the Supreme Court.

Ala. Bus Boycotters Tell of Smooth-Running Car Pool for Protestors of Jimcrow Travel

Bystander Thurs. 3-22-56 P. 1

Des Moines, Iowa

Montgomery Ala.—The mass trial of the 93 Negro citizens, including 23 clergymen, who were indicted as leaders of the 16-week-old boycott of Montgomery city line buses, began here Monday.

The Rev. Martin Luther King, Jr., one of the 93 arrested, Tuesday told how a smooth-running motor pool provides transportation for Negroes who boycott buses to protest racial segregation.

Other witnesses testified that a newly-organized Montgomery Improvement Association, which came into being the day the boycott started last Dec. 5, arranged for the car pool and has paid for gasoline and other expenses of the driver.

The Rev. Mr. King is president of the Association. The state is endeavoring to link to a "conspiracy" to hinder the operation of Montgomery City Lines, Inc., a privately operated bus company.

Motorists Volunteer

Rufus Lewis, chairman of the Improvement Association's transportation committee, told the court how the committee inauguarated the car pool soon after the Negroes stopped riding city buses in protest against segregated seating facilities.

Lewis said the committee arranged to pay volunteer drivers $4 a day for the use of their cars and bought gasoline for some. He said approximately some 200 Negro motorists volunteered for the assignments of getting other Negroes to and from work.

He said the committee worked out a detailed list of "dispatch" stations to get Negroes to work in the morning and "pick-up stations" to get them home at the close of the day.

Lewis said mimeographed lists of the stations have been distributed in Negro communities and read at mass meetings held twice weekly in Negro churches since the boycott started. One such list was introduced by the state as evidence.

High court may end need of bus boycott

Afro-American P. 1

Sat. 4-7-56

By AL SWEENEY
AFRO Special Writer

WASHINGTON, D.C.—On the agenda of the U. S. Supreme Court is a case that might ultimately bring an end to the bus boycott in Montgomery, Ala.

The case is listed merely as: Sarah Mae Flemming vs. South Carolina Electric and Gas Company.

Baltimore, Md.

THE CASE involves Mrs. Sarah Flemming of Columbia, S.C., who like Mrs. Rosa Parks of Montgomery, Ala., was forced by a bus driver to change her seat.

Columbia, S.C., like Montgomery, Ala., grants police power to the drivers to apply the so-called segregation laws as they see fit.

On July 14, 1955, the Fourth Circuit Court of Appeals, ruled the principle of the School Segregation Cases applied to Mrs. Flemming's complaint against the bus company.

The appeals court sent the case back to the District Court to be heard. The District Court had dismissed the case on the ground that the state statute under the doctrine of "separate but equal" was valid.

* * *

THE APPEALS court wrote in its July 14, 1955 ruling that the Supreme Court in its rulings on the school cases that the "separate but equal doctrine . . " can no longer "be regarded as a correct statement of the law."

The case has been appealed to the Supreme Court.

Since January, it has been listed on the agenda.

Baltimore, Md.

THE AGENDA contains a list of cases that members of the bench are expected to discuss at the Saturday conferences for the court.

It doesn't necessarily mean that all of the cases listed will be discussed at any particular conference, but the listing indicates that the case ranks high among those to be examined.

Court observers have a number of theories why there has been no decision in the Flemming case.

* * *

ONE IS that the Court might be waiting for the proper time to make its decision.

Secondly, there might be a dispute among its members on the ruling.

Thirdly, the calendar is too jammed with other cases that can be taken and settled easier than those involving the "red hot racial question."

* * *

AT ANY RATE, if the Supreme Court backs the Appeals Court ruling then segregation on a local level is doomed

Hence, the case in Montgomery, which may be heard in April before a three-judge court, might be settled before the parties set foot in court.

City To Ask Rehearing On Integration Decision

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

ORDER EXPECTED AFTER DEC. 10

Advertiser Wed. 11-21-56

Judge Says Court Ruling Affects Only Montgomery

Montgomery, Ala. P. 1

By JO ANN FLIRT

The Supreme Court decision declaring Alabama laws requiring segregation on buses unconstitutional will directly affect only te city of Montgomery, U.S. Circuit Judge Richard T. Rives said yesterday when questioned by The Advertiser.

The week-old decision has been the basis of much discussion and argument concerning its effect. It has been suggested by some that since the Alabama Public Service Commission was a party to the suit, the decision would affect the whole state.

This is not true, according to Judge Rives, one of the three-judge panel which rendered the original decision affirmed last week by the Supreme Court.

Judge Rives declined to comment on the constitutionality of a voluntary bus company rule requiring segregation if the rule was un-enforced by either city or state officers.

The terms or conditions of the Supreme Court decision need be no mystery, Judge Rives said, and explained that it can be "neither more nor less" than the judgment rendered here in the federal case last June.

That ruling declared Alabama ordinances requiring bus segregation in Montgomery unconstitutional and restrained the city commission and others from enforcing those laws.

UNLESS DELAYED

The mandate or judgment from the Supreme Court will be mailed to the Clerk of the U.S. District Court here probably sometime after Dec. 10, unless delayed by special ruling of the court or by petitions for rehhearings, Judge Rives said.

That judgment resulting from the decision will go to no other court and will directly affect no other city, he said.

Upon receipt of the official Supreme Court judgment, the district court will, without further order, issue writs of injunction against the defendants in the case ordering them to restrain from enforcing segregation laws on transportation facilities.

The judgment and written opinion of the district court setting out the reasoning behind the decision will then become, as do all court opinions, a precedent. The Supreme Court did not write an opinion, Judge Rives said.

AFFIRMED DECISION

The Supreme Court decision did nothing but affirm the June decision of the three-panel federal court here, Judge Rives stressed.

The panel was composed of Judge Rives and District Judges Seybourne Lynne and Frank M. Johnson Jr.

The case in uestion was a class action brought by Aurealia S. Browder and three other Montgomery Negro women in behalf of all Negroes "similarly situated." They asked the court for an injunction restraining officials from enfo segregation laws on buses.

Defendants were members of the Board of Commissioners, the city chief of police, members of the Alab Public Service Commission, The Montgomery City Lines, Inc. and two of its employed drivers, James Blake and Robert N. Cleere.

Advertiser P. 2-A.

The defendants maintained they were only upholding Alabama statutes and city ordinances while the Negroes claimed those laws violated the "eual protections" and "due process" clauses of the 14th Amendment to the U.S. Constitution.

The three-member court, reuired in all cases which seek to declare state statutes unconstitutional, ruled 2-1 that segregation laws were unconstitutional. Judge Lynne dissented.

LYNN DISSENTED

The decision declared the "ultimate uestion" in the case to be whether or not the segregation laws involved were constitutional. It then stated:

"In their private affairs, in the nesses, it is clear that the people themselves have the liberty to select their own associates and the persons with whom they will do budiness. Indeed, we think that such liberty is guaranteed by the due process clause of that (fourteenth) Amendment.

"There is, however, a difference, a constitutional difference, between voluntary adherence to custom and the perpetuation and enforcement of that custom by law."

In making the decision the court declared the separate but eual doctrine expressed by the Supreme Court in Plessy vs. Ferguson (a 1896 intra-state transportation case) could "no longer be safely followed as a correct statement of the law."

Two weeks later, on June 19, the three-judge panel handed down the judgment which the Supreme Court decision of last week affirmed.

After ruling segregation laws unconstitutional the judgment then declared:

"It is further ordered, adjudged and decreed that the defendants, their successors in office, assign, agent, nervants, employes and persons acting on their behalf, be and they are hereby permanently enjoined and restrained from enforcing the aforesaid statutes and ordinances or any other statutes or ordinances which may reuire plaintiffs or any other Negroes similarly situated to submit to segregation in the use of the bus transportational facilities in the City of Montgomery and from doing any acts or taking any action to reuire the Montgomery Bus Lines, Inc. or its drivers, or any other public transportation facility or its drivers, to enforce such statutes or ordinances reuiring the segregation of white and Negro passengers in the operation of public motor bus transportation facilities in the City of Montgomery."

An accompanying injunction was then granted and suspended pending the appeal to the Supreme Court. It will be this district court injunction which will go into effect upon formal notice of the Supreme Court's affirmance of the decision.

State And Bus Ruling

News P. 10

On two occasions in the past I wrote you concerning the appeal made by the state of Alabama for the Alabama Public Service Commission to the U. S. Supreme Court regarding the bus segregation case in Montgomery. These letters were dated 21 June and 24 August, 1956.

Among other things I stated the following:

Mon. 11-19-56

"It will be really interesting to wait and see what the next step will be by the defendants, if and when the Supreme Court declares in favor of (as it most certainly will, if past action is any judge of future action) and upholds decision of the three-judge lower court ruling."

Patterson

"I would like to ask Mr. Patterson just what the state and he will do if and when the decision is rendered against the appeal, i.e., against segregation on the buses. Will he abide by the ruling or will he again ignore the 'law of the land'? And he is asking specifically for a ruling which '. . . . will affect every city in the United States' which operates a bus system similar to the one in Montgomery."

I will be very curious to know the answer when it comes—and it should not be long in coming now.

JAMES H. M. HENDERSON,
Tuskegee Institute, Ala., Nov. 14, 1956.

BUS BOYCOTT PLEA TO U.S. COURT FAILS

Times P. 38-C

Thurs. 11-15-56

MONTGOMERY, Ala., Nov. 14 (AP) — United States District Judge Frank M. Johnson Jr. refused today to stop the enforcement of a state injunction against a car pool by Montgomery Negroes boycotting city buses.

New York

The city obtained the injunction yesterday against further use of the pool. The United States Supreme Court outlawed bus segregation yesterday in a case stemming from the eleven-month-old boycott.

J. H. Bagley, manager of the Montgomery Bus Company, said his drivers would continue to enforce segregated seating until a state injunction requiring it was dissolved.

He said an injunction issued in May stands despite yesterday's Supreme Court decision.

A spokesman of the boycotters, the Rev. Martin Luther King Jr., indicated that boycotters probably would end the anti-segregation protest .

Application Of The Bus Ruling

News

The comment of U. S. Circuit Judge Richard T. Rives as to the application of the Supreme Court's recent ruling against bus segregation should, we think, have careful attention. It seems to us to be usefully clarifying. Judge Rives was a member of the three-judge panel which in a two-to-one division handed down the ruling which the Supreme Court upheld. He said the ruling applies specifically to Montgomery and is not automatically

Birm. Ala.

Pub. 11-25-56

effective in the rest of Alabama and the South generally.

The decision of the court was that Montgomery and state bus segregation laws are unconstitutional. That, Judge Rives said, would set a precedent for similar cases in other places. But its direct result will be an injunction against the enforcement of the laws only in Montgomery, he said.

In Washington soon after the ruling a court attendant said that the transmission of the Supreme Court's decision to Montgomery should come about Dec. 12. Justice Black this week rejected an application to speed up delivery of the decision.

Meantime, the Montgomery City Commission announced Tuesday it would seek a rehearing on the Supreme Court decision.

While the principle involved in the ruling is broad and does, as Judge Rives said, set a legal precedent, it is desirable that there be clear understanding of the steps and the immediate scope involved in its application.

RACES

Time p. 20

Back with Humility

To the 50,000 Negroes of Montgomery, Ala., the week dawned (as one of them put it) "darker than a thousand midnights." For more than eleven months, in a mass movement combining Christian fervor with Gandhi-like passive resistance, they had mounted and sustained in the "Cradle of the Confederacy" an almost total boycott of the city's segregated buses (TIME, April 2). Led by a handful of well-educated and young Negro leaders—notably by the Rev. Dr. Martin Luther King Jr., 27, pastor of a local Baptist church—they had efficiently put together and operated a car pool of some 200 vehicles to ferry themselves to and from work. Now the leaders and lawyers sat glumly in the Montgomery County courthouse waiting for the state circuit court to outlaw the Negro car pool on the charge—made by the city commission—that it was actually a business enterprise operating without a franchise.

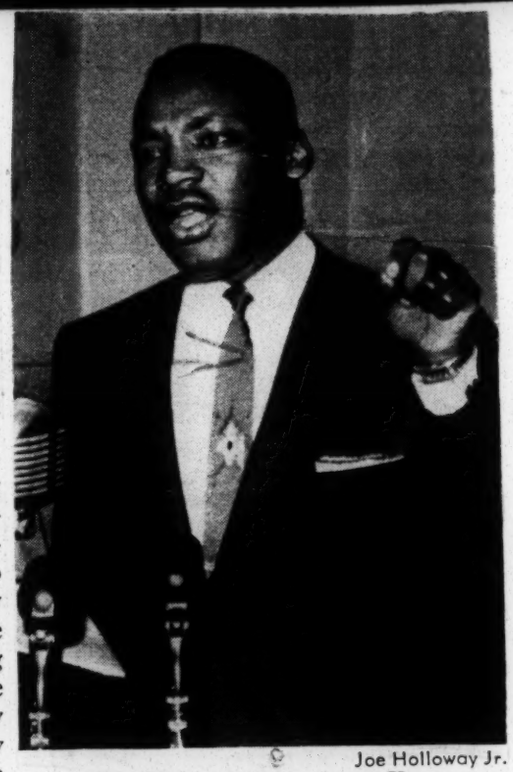
Chicago, Ill.

In the middle of the proceedings they saw an A.P. reporter hand a piece of paper to their white opponents, who promptly hustled outside. Minutes later the news was out: the Supreme Court, ruling on the Montgomery case, had unanimously upheld a district court's ruling that the "separate but equal" doctrine was now as legally dead for segregated public transportation as it had already been declared dead for public schools and public recreational facilities. The effect of the decision: to invalidate Alabama's intrastate Jim Crow bus laws and to set the grounds for invalidating similar laws in eleven other Southern states.

Mon. 11-26-56

"Joyous Daybreak." The next night 10,000 Negroes jammed two of Montgomery's largest churches and adjacent streets to savor their triumph. Appearing before each group in turn was the spiritual architect of that triumph, the Rev. Dr. King. He was too wise to be triumphant; he read to each congregation a statement that should loom large in the Negro's long, patient fight for equality:

"All along, we have sought to carry out the protest on high moral standards . . . rooted in the deep soils of the Christian faith. We have carefully avoided bitterness. [The] months have not at all been easy . . . Our feet have often been tired and our automobiles worn, but we have kept going with the faith that in our struggle we had cosmic companionship, and that, at bottom, the universe is on the side of justice. [The Supreme Court's decision was] a revelation of the eternal validity of this faith, [and] came to all of us as a joyous daybreak to end the long



Joe Holloway Jr.

MONTGOMERY'S REVEREND KING
Too wise to crow.

night of enforced segregation in public transportation."

"Just Sit Down." When the court order comes through, Dr. King urged his followers, act sensibly but without pride. On the one hand, "we have been going to the back of the bus for so long there is danger that we instinctively will go straight back there again and perpetuate segregation. Just sit down where a seat is convenient." On the other hand, "I would be terribly disappointed if any of you go back the buses bragging, 'We, the Negroes, won a victory over the white people' . . . I hope nobody will go back with undue arrogance. If you do, our struggle will be lost all over the South. Go back with humility and meekness."

* His successor as Red Cross president: NATO's retiring Supreme Allied Commander in Europe, General Alfred M. Gruenther.

Negroes Ask One-Hour National Work Stoppage

Evening Star P. 1-B Oct. 2-23-56

'Passive Resistance' Policy Urged As Protest on Alabama Arrests

Washington, D. C.

By the Associated Press

A Nation-wide passive resistance movement featuring work stoppages and mass fastings by the Nation's Negroes today appeared a possibility if the lengthy Alabama racial crisis is not resolved soon.

The first step toward development of such a program was taken yesterday when Representative Adam Clayton Powell, Democrat of New York, announced a call for a one-hour mass work stoppage by every Negro in the Nation on March 28 in support of the bus boycott at Montgomery, Ala.

Mr. Powell said Negro leaders meeting at the New York church where he is pastor agreed on the day of prayer March 28 which will be climaxed by a brief work stoppage. Members of all races and faiths were urged to join with the Negro demonstrators.

"Gandhi-Type" Program

The Negro pastor said it would be designated "National Deliverance Day of Prayer," with no Negro of any age attending school or working between 2 and 3 p.m.

A spokesman said this might be a forerunner to a possible "national Mahatma Gandhi-type movement." The late Indian leader made famous a passive resistance program of fasting and nonviolent opposition to British rule.

While plans for the work stoppage were being made in New York, Negroes walked the streets of Montgomery in a mass 24-hour pilgrimage to prove their willingness to walk if necessary to carry on their 11-week-old boycott in protest against segregation on city buses.

100 Defendants Listed

Ninety of them walked to the courthouse in Montgomery for arraignment on antiboycott indictments returned by a grand jury Tuesday. All pleaded not guilty and their trials were set to start March 19. A court officer said 10 more warrants were outstanding. This brings the number of defendants to 100.

Defense attorneys filed demurrers contesting the indictments which charged violation of Alabama's law against "illegal" boycotting. Maximum penalty under the law is six months in jail and a $1,000 fine.

Circuit Judge Eugene Carter withheld a ruling on the demurrers which said, in effect, that the State has failed to make out a case even if the facts alleged in the indictments are true.

Folsom Gets Support

At the State capitol, Gov. James E. Folsom of Alabama won support from about 75 newspaper editors and publishers and radio and television broadcasters for a proposed bi-racial commission to settle differences between the white and Negro races.

Afterwards the Governor said: "Anybody with any sense knows that Negro children and white children are not going to school together in Alabama any time in the near future . . . in fact, not in a long time."

At Charleston, S. C., Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, termed the indictment of 100 Montgomery Negro leaders "the Soviet communism method."

"Here we have the police knocking on doors and taking men away," he told the Southeast Regional Convention of the NAACP. "Here we have mass arrests. Here we have a grand jury delivering a general lecture on observance of the segregation line precisely like the Communists.

Mr. Wilkins added: "Montgomery whites claim not to be able to understand 'their' Negroes. Well, I'll be glad to explain. 'Their' Negroes are sick and tired of segregation, of the insults and mistreatment and daily humiliation. It is that simple. Their cups have run over."

Star P. 10-A

Other Developments

Other developments on the segregation scene included:

BALTIMORE—About 300 ministers attending the Baltimore and Washington conference of the African Methodist Episcopal Church protested what they termed the "humiliation, arrest and persecution" of Negroes in Montgomery. They adopted a resolution calling on the Federal Government to "exhaust every effort to give relief to these citizens whose civil rights have been violated."

NEW ORLEANS — Catholic Action of the South, official newspaper of the archdiocese, declared in a front-page editorial that Catholic members of the Louisiana Legislature who prepare bills to force segregation in private schools are subject to automatic excommunication if the laws are put into effect.

TAMPA, FLA.—An unidentified Negro who refused to move to the rear of a segregated bus assaulted the bus driver and then fled from the crowded vehicle. The white bus driver, Perry Coker, 50, received facial lacerations.

CLAYTON, ALA.—Nearly 300 residents of Barbour County organized a white citizens' council pledged to preserve racial segregation in the county, where Negroes outnumber white residents.

OXFORD, MISS.—Allen English, a Southern disc jockey for an Oxford radio station, said he planned to hire a plane and fly over Chicago Monday dropping 25,000 Confederate battle flags. Mr. English, 27, said he conceived the idea after Mississippi-born Disc Jockey Al Benson, a 48-year-old Negro, showered copies of the United States Constitution on Jackson, Miss., Wednesday.

Red Chinese Praise Montgomery Negroes

TOKYO, Feb. 25 (AP).—A Communist Chinese newspaper today praised "the heroic struggle of . . . Negroes in Montgomery, Ala.," in their dispute over seating on public buses.

The Tientsin Ta Kung Pao said the treatment received by the Negroes "is an insult to the United States Constitution and the memory of Abraham Lincoln."

Peiping radio, quoting the article, said:

"This struggle . . . has won the warm support of the American people, both white and Negro, as well as peoples throughout the world.

"The Montgomery incident is only one example of racial discrimination occurring daily in the United States. This outrage against basic human rights . . . has aroused indignation of all just people."

Work Stoppage Called

Nation-wide Leadership Approves

MONTGOMERY, Ala.—(ANP) — Negro leaders across the nation echoed their support last weekend for an hour-long nationwide work stoppage March 28 in sympathy with the 90 Montgomery Negroes indicted for their part in the 12-week-old bus boycott.

The plan, described as a forerunner to a possible "national Mohandas Gandhi-type movement," was suggested to a group of New York clergymen at a meeting called last Friday by Rep. Adam Clayton Powell (D., N. Y.), pastor of the 15-000 member Abyssinia Baptist church in New York.

Members of all races and faiths in the nation will be urged to join with Negroes in a "national deliverance day of prayer," with no Negro attending school or working between 2 and 3 p. m. Black Press

The demonstration suggested by Rep. Powell gathered momentum across the country.

Powell said he had received pledges of cooperation in the one-hour work lay-off from ministers in the South, North, East and West. He said he hoped to win the cooperation of employers and employees in halting all but vital services from 2 to 3 p. m. on Wednesday before Easter. Pitts. 3-8-56

Powell said unsolicited contributions of money have been pouring in to help the Montgomery boycotters in their legal defense.

In Boston, the Rev. Walter O. Davis, president of the city's interdenominational ministerial association, said 22,000 Negroes there would join in the work stoppage. Pittsburgh Courier

In Chicago, NAACP officials said they planned to go along with the "Deliverance Day" program.

And in New York, the National Council of Churches pledged its support to the Negroes of Montgomery in their fight against segregated public transportation.

A telegram from the Rev. Dr. Eugene Carson Blake of Philadelphia, president of the council, to the Rev. Solomon Seay, one of the 24 Negro ministers indicted in the boycott, restated the council's position that segregation is unnecessary and undesirable and a violation of the gospel of love and human brotherhood. Black Press

Two Negro leaders, both NAACP officials, said they favored a national protest against the Montgomery indictments but doubted the practicality of a one-hour work stoppage. Pitts. 3-8-56

James Stewart, president of the Oklahoma chapter of the NAACP, said special prayers and collections were being made for the Montgomery Negroes in 50 churches around the state, but that he does not believe the Oklahoma City branch of the NAACP will favor the "Deliverance Day" strike.

Negro Work Stoppage March 28 Ruled Out

Courier-Journal Wed. 2-29-56

New York, Feb. 28 (AP)—Sponsors of a nationwide prayer day March 28 in support of the Montgomery, Ala., Negro boycott of buses said today there will be no work stoppage. P. 16

"We are interested in prayer only," said Representative Powell (D., N. Y.), pastor of a 15,000-member New York Negro congregation.

Louisville, Ky.

After a meeting of New York Negro leaders Friday, it was announced that they had agreed no Negroes should attend school or work between 2 and 3 p.m. on the prayer day.

AMEZ bishops back 'Prayer Day' in civil rights statement

Afro-American Baltimore, Md.
Sat. 3-24-56

CHARLOTTE, N.C. — The Board of Bishops of the AME Zion Church issued a strong human rights statement from its headquarters here. P. 20

It urged the denomination to observe "Prayer Day" March 28 and another day of prayer to be set by the National Council of Churches.

The board is composed of Bish- W. J. Walls, secretary; W. C. Brown, R. L. Jones, H. T. Medford, H. B. Shaw, S. G. Spottswood, W. A. Stewart and D. C. Pope.

The statement reads:

"It has dawned upon us that the race of colored men has not been fully freed by the issue of the Civil War, neither has union Federal Government been fully saved in the United States. The race is still half free and half slave.

"Both North and South, politically, have consented to this partial and unsolved status of 16 millions of the population. Now the prosegregationists boast that they are, at last, winning the Civil War.

* * *

BY RESISTING the Supreme Court Decision, a new test of a national law, and by unlawful local and state enactments . . . and state practices of holding the colored citizen out of the privileges and prerogatives of citizenship, it is meant to destroy his full freedom status.

"The new factors against the advocates of these disruptionists of the American social order, are:

* * *

"1. THE WORLD CLIMATE of freedom combatting communism with its atheism and slavery;

"2. The colored man's claim of full citizenship and unbridled loyalty in the service of our country; and

"3. The changing South. This, indeed, presupposes that traditionalists and backward lookers in that section are still in the majority, but the star of hope shines all the same.

* * *

"THE LIFE of democracy itself has been attacked by these so-called free acting agents of democracy. Democracy is liberty, and as Pope says, Liberty like nature must be restrained by the same laws which first herself ordained.

"The Jeffersonians or states-rights who claim liberty on a local level forget that on a national level, there can be total liberty of freedom for the nation only by restraining some of the assumed liberty which the local group creates for itself.

"For liberty is not for the individual only, for one man's rights end when the other man's rights begin. This is the essense of democracy. Cooperation and adjustment are hence imperative for self-governing men:

"THIS IS the liberalism which holds democracy together, and we can term that Christianized Democracy. There never was enough freedom in democracy for segregation.

"Where segregation dominates, freedom is out. It enslaves both those who dominate and those they dominate. This was not discovered in the South until the world looked on and pointed it out after our global wars.

"Those who refuse to see it are standing in the way to block democracy and peace, not in America only, but in the whole world.

* * *

"WE DO NOT believe there will be any major civil strife or wide spread violence in working out the issues of freedom, for experience and Christian judgment will save us from such extremes.

"We counsel our people to beware of all wild talk of physical force or violence. There has been too much bloodshed and our religion tells us, freedom true and permanent, does not come through hatred and fight.

"Ours is the way of prayer, faith, and bloodless resistance. Our weapons are love and peace, patience and firm determination in the right, even to the point of suffering any consequence that love will lead us to in pursuit of freedom.

* * *

"THIS IS OUR theme and way to win. We offer all men this approach as salvation's way for our nation. We just must prove in America that Jesus' way will cause people to live and let live in the same geographic bounds.

"We regret that civil rights claims, in the Montgomery Bus Boycott, the Autherine Lucy contest to enter Alabama University as a student, the denial of the vote in Mississippi and other states South, have been met with violence and threatening, arresting of leaders, including ministers of the gospel who teach that the freedom of the gospel makes men free indeed, in the society of earth and heaven.

"The challenge to the religion of love and goodwill with firmness in the right, has come into its day in American life, brought by these messengers of God.

* * *

"THEY HAVE met in churches, prayed and resolved, and come forth to suffer together with Jesus Christ leading them on the divine way.

"They teach patience and persistence, and that no hand be lifted to fight, but held firm and relentless until relief they seek through walking, pooling means, and living out the hardship to a victorious end.

* * *

"THE MANIFESTO of southern members of the Congress presents the country again as being divided. This time not only by sectional strife but by government departments in meeting the provisions of the Constitution.

"Two departments (executive and legislative) have always been depended upon to curb the action of one going off in the extremity. We shall now see if the executive department will side with law and order.

"The denunciation of the Supreme Court by the southern legislators threatens to be a vote against the Constitution authority by a department of government,

* * *

"WE HAVE EVERY reason to believe that the President will break the tie for the government and thus fulfill his belief and campaign assurance that there shall be "No Second Class Citizens in This Country.

"Our prayers, our means and belief in the waking justice of our dear country, go with our brothers and sisters in Montgomery, and with those in the fight for integration in economics, industry, education and politics and human rights.

* * *

"WE THEREFORE, rally our church to pray on those prayer days, March 28th, anniversary of the passage of the Fourteenth Amendment to the Constitution, and on another day about to be set by the National Council of Churches for all Churches, white and black, to pray for freedom to triumph through goodwill of Christians and guidance of the followers of the Lord.

"We pray: God speed our brave sons and daughters who face the brunt in the acute areas where the enemy rages strongest. This is accomplished by the issues now in contest.

"We counsel that we shall know no rest from this faith with wroks, nor cease to pray until our rights every where are attained and we send material support where our prayers go. We are watching the scene for a guide to our voting in coming elections."

Prayers offered in segregation demonstration

News P. 6
By Atom, Ala.
Wed. 3-28-56

By The Associated Press

Today is "national deliverance day of prayer"—a demonstration stemming from the bus boycott by Montgomery Negroes.

Sponsors of the movement have urged whites as well as Negroes to offer up prayers.

The leader, Rep. Adam Clayton Powell Jr., New York Negro clergyman as well as Democratic congressman, said the prayers would be "for the deliverance of all who suffer from persecution and . . . for the salvation of all who are afflicted with racial prejudice."

AMONG CITIES LISTED by Powell for major observances were New York, Chicago, Los Angeles, Washington, Columbus, Ohio; Cleveland, Philadelphia and Galveston, Tex.

"It is impossible to estimate how many will take part," Powell said. "This is a movement, not an organization," he explained.

A New York City rally was set for today in Manhattan Center, with Protestant, Roman Catholic and Jewish participation.

Powell said some cities had been forced to postpone central rallies because meeting places were not available.

A rally in the Chicago Coliseum is set for April 11. The United Packinghouse Workers said its members in Chicago would pause from their jobs for five minutes today to join in prayer in "protest against segregation."

AMONG PHASES of the demonstration listed by Powell were:

A vote by the Massachusetts Legislature to halt work at noon to pray, and a gubernatorial proclamation in California designating today as a day of prayer.

Powell said backers of the day of prayer represent 10 million Negro churchgoers, and the meetings were interracial, interfaith and interdenominational.

Sponsors arranged to have a Negro from Montgomery attend meetings in the major cities.

Chicago Sets Hour Of Prayer

Daily World
Sun. 4-1-56

CHICAGO—(ANP)—The Chicago NAACP is expecting "thousands of persons" to attend a mass meeting and "hour of prayer" in connection with the Montgomery bus boycott on April 11. P. 1

Willoughby Abner, president of the Chicago NAACP, has called upon all Chicago citizens to attend the meeting.

WHITE HOUSEWIVES GET THREATS TO STOP 'HAULING' MAIDS (MONTGOMERY, ALABAMA)

PHONE CALLS, LETTERS

Advertiser p. 1

Housewives Get Threats To Stop 'Hauling' Maids

Wed. 10-17-56

Montgomery, Ala.

By BOB INGRAM

A sudden outbreak of anonymous telephone calls and letters have been reported in Montgomery in connection with the long boycott of buses by Negroes.

A large number of white housewives have received calls and letters urging that they cease their practice of driving Negro maids to and from work.

In several instances the callers have threatened physical violence and used profanity in talking with the housewives.

The letters, which contain no threats, merely suggest that persons identified in the letter as having continued the practice of workers be called "day or night" and urged to cease the practice.

As a result, the housewives identified in the letters have received calls at all hours of the night. In most cases the caller has uttered but one sentence, then hung up:

"Isn't it about time you went to get your Nigger maid?"

The letters, which were received in several sections of south Montgomery last weekend, said in full:

"Dear Friend: Listed below are a few of the white people who are still hauling their Negro maids. This must be stopped. These people would appreciate a call from you, day or night. Let's let them know how we feel about them hauling Negroes."

The most recent letter received listed the names and telephone numbers of 11 Montgomerians who were identified as hauling Negro maids. Included in this group were a number of prominent persons including a widely known eye, ear and nose specialist, the sales manager of one of the city's biggest firms, a South Montgomery school teacher and a well known engineer.

Advertiser

All 11 have since received a number of calls, most of them after midnight.

P. 2-a

One of the housewives listed in this letter, who protested when aroused by a midnight call, was told "You ain't heard nothing yet unless you stop hauling your Negro maid."

Meanwhile, there have been reports of housewives being called and threatened with violence if they did not cease transporting their maids. In one instance the caller identified himself as "Joe X," and in several other instances the name of Johnny Rebel" has been used.

All the persons called are in agreement that the callers have been white men.

Police Chief G. J. Ruppenthl confirmed yesterday he had received one report of such a call but that the report had come from a person who lived outside the city limits and thus out of his jurisdiction.

The same housewife who called Ruppenthal also indicated yesterday she intended to confer with local postal authorities to determine if the letter mailed out did not violate federal regulations.

Postmaster Charles Moore said yesterday he had received no reports of any threatening letters but promised that if such letters were being mailed he would see that a thorough investigation was made.

HOUSEWIVES GET THREATS TO STOP
HAULING 'NEGRO MAIDS'
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Anonymous Callers Harrassing Houeswives For Rides to Negro Maids in Montgomery

Constitution Wed. 10-17-56 Atlanta Ga.

P. 2

MONTGOMERY, Ala., Oct. 16 (AP)—A campaign of harassment by anonymous phone calls and letters is being conducted against white housewives who drive their Negro maids to and from work, The Montgomery Advertiser said tonight.

Negroes in Montgomery have been refusing to ride segregated city buses since December. Bus boycott leaders operate a car pool that provides transportation for many Negroes.

The Advertiser said male callers have threatened physical violence and used profanity in talking with housewives.

Most of the calls, received after midnight, were reported to have consisted of the single sentence:

"Isn't it about time you went to get your nigger maid?"

Letters reported received in several sections of south Montgomery last weekend, about the time the calls began, said in full:

"Dear Friend: Listed below are a few of the white people who are still hauling their Negro maids. This must be stopped. These people would appreciate a call from you, day or night. Let's let them know how we feel about them hauling Negroes."

A number of prominent Montgomery residents were listed in some of the letters.

The bus boycott began last December in protest to the arrest of a Negro woman for violating a segregated seating law.

38b 1956

What Des Moines Ministers Are Saying About Injustices In Montgomery, Ala.

REV. R. L. RYLES

REV. JESSE J. HAWKINS

The Rev. R. L. Ryles, pastor of the Philadelphia Seventh Day Adventist Church here delivered the following prayer in behalf of the citizens of Alabama at the massed prayer service held recently:

Bystander P. 1

"Oh, Thou Almightly God, Maker and Ruler of heaven and earth. Thou who has made us and koweth all about us, we come to Thee humbly beseeching that Thou would hear our cry and our supplications as they ascend to Thy throne today.

Thurs. 3-29-56

"Father in heaven, we are weak but Thou are mighty. We are not worthy to take Thy holy name upon our sinful lips. We thank Thee for Thy divine love, for the plan of Salvation, for Thou Son, Jesus Christ, who died that we might live. We thank Thee for the Holy Spirit and for Thy guarding angels. We thank Thee for the privilege of prayer.

Des Moines

"Father in heaven, Thou are acquainted with the affairs of nations.

"Frederick Douglass once said that he prayed for 40 years with his lips; but, that his prayers were most effective the morning he prayed with his feet, that was when he stole away from the south," spoke the Rev. J. J. Hawkins, a Christian Church minister here, in a meditation and massed prayers service for the citizens of Alabama.

Bystander P. 1

"For weeks in Montgomery, Ala., thousands of loyal Americans have left their homes happily 'Facing the rising sun of a new day begun;' singing, 'Let us march on till victory is won.' They realize that one day all of us will sing a new

Thurs. 3-29-56

Stony the road we trod
Bitter the chastning rod,
Felt in the days when hope had died;
Yet with a steady beat,
Have not our weary feet
Come to the place for which our fathers signed!

Des Moines, Iowa

"What place was it for which our fathers signed? The place of freedom,, liberty, justice and the pursuit of happiness.

"We are true Americans; we are loyal Americans; we are tired Americans—tired of waiting, just waiting. We are tired—tired of being used as clown on the stage; tired of being slaves to those who do not wish us well; tired of being footballs in the field of anthropology to be kicked around.

"There is an unrest in Montgomery, Ala., and the rest of the South today because the decent citizens of that section of America have discovered as one writer observed that the guarantees of the Constitution mean only what the local sheriff, newspaper, selfish businessman, or the plantation owners want them to mean.

Bystander P. 2

Deprive Citizens

"Their interpretations of the Bill of Rights are their own selfish interpretations which are enforced with a pistol, shotgun, the blackjack, and lately through the statewide Citizens Councils, with economic actions that deprive citizens of employment, credit and homes.

ALABAMA

"Any organization which advocates peace and Constitutional rights is immediately branded as 'subversive.' And yet, when other groups arise to subvert and to block our Constitutional and the principles on which this America stands, it appears that our Department of Justice sits on its hands and looks the other way.

"The above actions and attitudes have put at least 60,000 Americans in one community on the march for peace happiness and justice. And they will win through God's Spirit."

* * *

REV. R. L. RYLES

Thou knoweth the nature of men and how prone we are to be selfish and to forget Thee. We are so unlike Thee. We greatly need more of thy virtues. We want to rightly represent Thee in all our dealings one with another.

'God of Love'

"We know that Thou are a God of love, a God of peace and long-suffering and patience. Will Thou please help us to be patient with men as Thou are patient with us? We greatly need that kind of patience that will enable us to work and pray and then by faith patiently wait for Thee to do for us that which we cannot do for ourselves. We beg that Thou will give to us courage, fortiture, determination and patience of job. We pray that Thou wouldst direct in the affairs of the government. Grant that the men who rule might be led by Thy Spirit.

"Break down prejudice, bigotry, narrowness which are so unlike Thee. May men realize that 'Thou hast made of one blood all nations of men who live on earth' (Acts 17:26). May we dwell together in peace.

'Grant that we may live so patiently and kind together here upon this earth that Thou shalt be pleased to take us home with Thee when Thou shalt come; and, finally save us with Thee throughout the ceaseless ages of Eternity, we beg for Christ's sake."

PRAYERS

MONTGOMERY, ALABAMA BUS BOYCOTT

All Across Nation—

Post Herald Birmingham, Ala. Thurs. 3-29-56

Prayer Services Support Boycott

NEW YORK, March 28 (U.P.)—Special services were held in churches in various cities across the nation today in support of the 17-week-old Montgomery, Ala., Negro bus boycott.

Largest participation in the observance, called "The National Deliverance Day of Prayer" by its leaders, came in Chicago, where an estimated 28,000 persons attended services. The meetings were held primarily in 300 Negro Baptist churches, making up 60 per cent of the city's Negro houses of worship.

The largest single meeting was scheduled later in New York, center of the prayer day movement, where 3500 persons were expected to gather to offer prayer.

The day of prayer was called last Feb. 25 by New York Negro clergy leaders after the arrest of 90 leaders of the Montgomery boycott. Originally the prayer plans called for an hour-long work stoppage but those plans were dropped.

Most of the services held today occurred between noon and 1 p.m. to avoid conflicts with work schedules.

The Rev. Adam Clayton Powell Jr., Negro congressman and chairman of the minister's committee which called the day of prayer, said here the movement was organized to "pray for the deliverance of all who suffer from persecution; we will pray for the salvation of all who are, themselves, afflicted with racial prejudice."

In Washington, D. C., 600 Negroes attended a special service where one of the indicted boycott leaders, the Rev. E. N. French of Montgomery, said his city's 50,000 Negroes "decided almost simultaneously that we're tired, we can't take it tany more."

In Boston about 75 Massachusetts legislators left committee meetings in a demonstration of sympathy with the boycott leaders. The legislators were led by House Speaker Michael F. Skerry and Senate President Richard I. Furbush. Skerry said 'i't is entirely fitting and proper that we in Massachusetts . . . once again . . . strike the blow . . . for the oppressed people of the South."

Gov. Goodwin Knight of Californial and the Los Angeles City Council endorsed the day of prayer. Several churches in Hollywood and Los Angeles held special services.

In the South the Rev. Martin Luther King Jr., who was convicted last week for his part in leading the bus boycott, said the doors of his Montgomery church would be open for all who wanted t pray, but no special services would be held.

In Atlanta, King's father, the Rev. M. L. King Sr., scheduled a special service in his Ebenezer Baptist Church. In Winston-Salem, N. C., some 2000 Negroes were expected to attend services of the Interdenominational Ministerial Alliance. The olliance's 59 North Carolina churches planned daylong informal prayers.

Other services were held in Baton Rouge, La.

MANY CITIES PRAY TO END PREJUDICE

New York Times Thurs. 3-29-56

Services Held Across Nation to Emphasize Negro Bus Boycott in Montgomery

By STANLEY ROWLAND Jr.

Prayers for "deliverance from the evils of race prejudice" were offered in a number of communities across the country yesterday.

Protestants, Roman Catholics and Jews participated. In New York, a rally a was held at the Manhattan Center, Eighth Avenue and Thirty-fourth Street. The speakers included the Rev. Adam Clayton Powell Jr., who is minister of the Abyssinian Baptist Church and a United States Representative from Manhattan. He had initiated the "National Deliverance Day of Prayer."

Reform Jews gathered in prayer at the House of Living

Judaism, Fifth Avenue and Sixty-fifth Street. Rabbi Maurice N. Eisendrath, President of the Union of American Hebrew Congregations, asserted at the prayer meeting that "segregation is wrong, not only because it is illegal, but because Christianity and Judaism declare it to be immoral."

The meetings emphasized the Negro boycott of segregated buses in Montgomery, Ala. Many praised the "Christian spirit" in which the boycott was being conducted.

Friendship House, a Roman Catholic lay organization, called on its 40,000 members and friends to abstain from all solid foods yesterday in a fast to protest the treatment of leaders of the Montgomery boycott.

"Let us fast and pray for racial justice to be achieved in our time in every area of our country, in every sphere of life," the appeal said in part. Persons were urged to send the money for the day's food to Montgomery.

No special prayer meetings were held in Montgomery, though Negro churches there kept their doors open for meditation and prayer.

The ministers of fifty Negro Baptist churches in Queens and Long Island are holding special services at noon and 8 P. M. each day this week. Prayers are offered for reconciliation between the races. The money taken in collections is being sent to assist the protest in Montgomery.

Catholics, Protestant and Jewish groups held prayer meetings in Hartford. Archbishop Henry J. O'Brien of Hartford urged people to examine themselves in the light of Christian teachings, for "it must be remembered that the causes of racial tensions and conflicts are to be found within all men, and no one group of people or section of the country is solely guilty or guiltless."

The day of prayer was not organized by a nation-wide group. Rather, it was initiated by Mr. Powell and by clergymen in local areas scattered across the country.

In Chicago, 28,000 attended services. Most were held in 300 Negro Baptist churches. Services were generally held between noon and 1 P. M. so as not to conflict with work schedules.

In Washington, 600 Negroes and half a dozen white persons attended a special service. Five white clergymen joined seventeen Negro ministers in conducting the service. About seventy-five Massachusetts legislators in Boston walked out of committee meetings in a gesture of sympathy for the Negro cause.

Other major cities in which special services were held included Columbus, Ohio; Cleveland, Los Angeles, Baton Rouge, La.; Galvaston, Tex., and Atlanta.

The day of prayer was part of a growing response by religious groups to racial tensions in Montgomery and elsewhere. Various Roman Catholic, Protestant and Jewish groups are sponsoring special Holy Week or Passover prayers for reconciliation between the races.

600 Say Prayers Here For Alabama Boycotters

Star Thurs. 3-29-56
Washington, D.C. P.35-A

More than 600 Washington worshippers joined an unestimated number in other cities yesterday in a "National Deliverance Day of Prayer" in behalf of bus boycotters in Montgomery, Ala.

Speaking at services at the Vermont Avenue Baptist and the Metropolitan Baptist Churches was the Rev. E. N. French, one of 90 Montgomery citizens arrested on charges of leading a boycott of buses by Negroes of that city.

"We are relying solely on spiritual and moral forces and we believe that somehow God will give us victory," said Mr. French. "Whatever the price may be we are perfectly willing to pay it."

In Washington the services were sponsored by some 150 white and Negro ministers. Most of those attending the services were colored.

Harlem Hears Powell

The day of prayer was conceived as a brief work stoppage, but this idea was dropped in favor of the prayer meeting.

Representative Powell, Democrat of New oYrk, organizer of the movement, suggested to a crowd of 5,000 at his Harlem church that clergymen call their own conference on racial issues if President Eisenhower does not.

Churchmen of all sects joined in the meetings. In Hartford, Conn., Roman Catholic Archbishop Henry J. O'Brien said:

"It must be remembered that the causes of racial tensions and conflicts are to be found within all men, and no one group of people or section of the country is solely guilty or guiltless."

Struggle for Freedom

Episcopal Bishop Norman B. Nash told 800 Boston worshippers: "The guilty are not only 'they' but also 'we.'"

He said Boston must acknowledge responsibility in matters of housing, education, employment and church membership. In the same city, Rabbi Joseph S. Shubow said "the shame of segregation in the South . . . is proof that the struggle for freedom is never completely won."

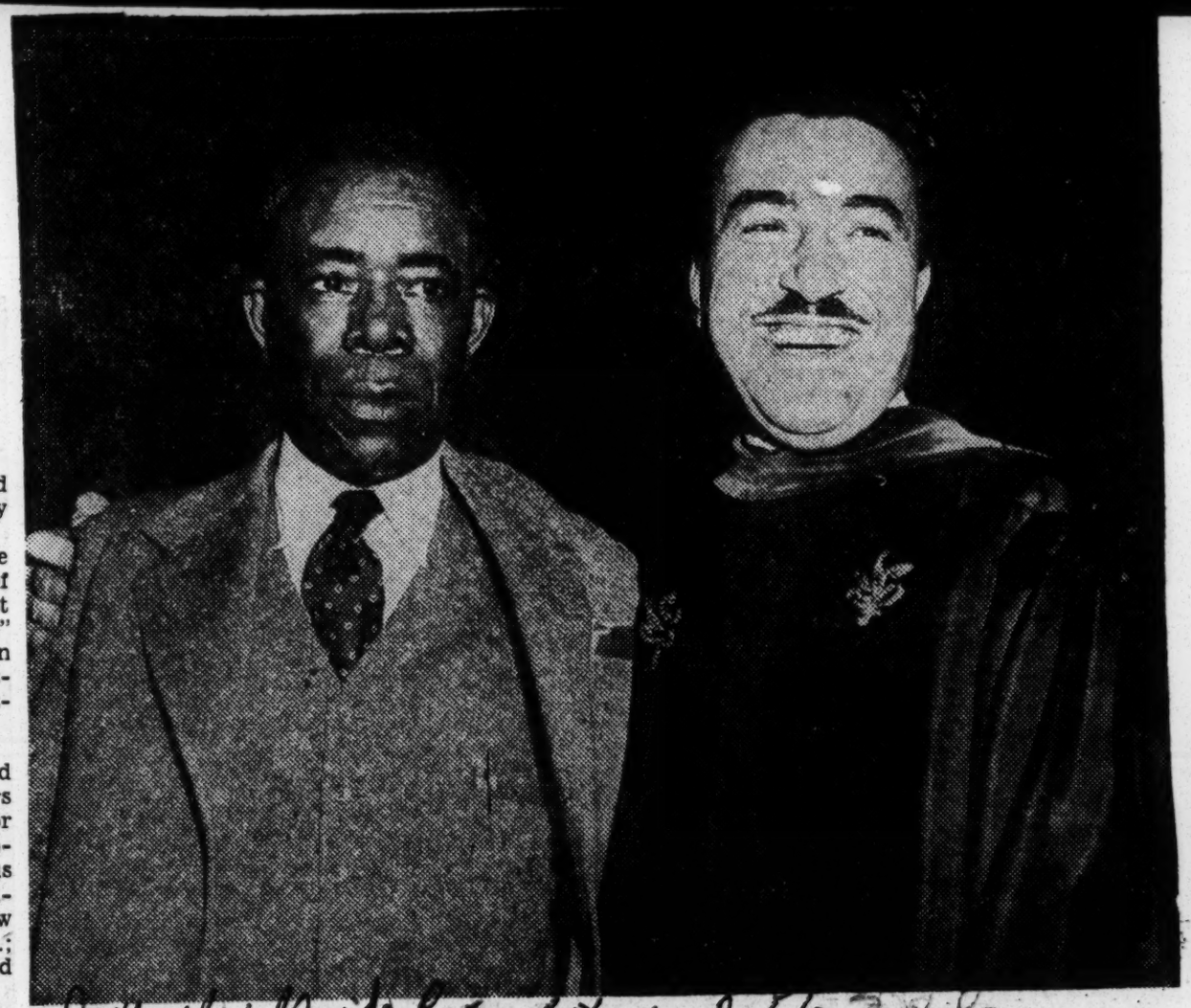
The Massachusetts State Legislature suspended activity for an hour at noon in "sympathy." Prayers for those arrested in Montgomery were offered in historic Old North Church in Boston.

Prayers in Montgomery

No special meetings were held in Montgomery itself, but doors of churches were open for prayer. Among other cities observing prayer were Columbus and Cleveland in Ohio, Philadelphia, Galveston, Tex.; New Haven, Conn.; Newark, N. J.; Providence, R. I.; Chicago and Los Angeles.

In Chicago 10,000 packing house union members stopped work five minutes for prayer. About 10,000 persons attended the Los Angeles meeting.

At Chino, Calif., nine Negro workers at the Pacific Airmotive Corp., an aircraft repair plant, were fired for stopping work for an hour of prayer. A plant spokesman said they were fired for insubordination.



Journal & Guide P.5 Sat. 4-7-56

DELIVERANCE DAY RALLY The Rev. Adam Clayton Powell, right, chairman of the National Deliverance Day of Prayer Movement, had his arm around the shoulder of Ed Nixon, treasurer of the Montgomery, Ala. Improvement Association, during a rally at Manhattan Center, Thursday night. Norfolk Va

The Deliverance Day rally was held in sympathy for the Montgomery bus boycott. Rev. Mr. Powell also is a Democratic member of the United States House of Representatives. (Photo by Sam Schulman) Norfolk V.

Call for Prayers Branded Politics

Herald Miami, Fla.
Sat. 3-17-56

NEW YORK —(AP)— A group of Negro pastors of more than 50 Long Island Baptist churches has charged Rep. Adam Clayton Powell, New York Democrat, was politically motivated in promoting a "national deliverance day of prayer."

Powell, a Negro, also is pastor of the Abyssinian Baptist Church in Harlem. He has called for a day of prayer March 28 in connection with race tensions and violence in the South.

The Baptist Ministers Fellowship, composed of ministers of churches in Negro communities in Queens, Nassau and Suffolk counties, reported Friday that the charge against Powell was made at a meeting of the fellowship Tuesday.

The Rev. James R. Moore, executive secretary of the group, said it was the general feeling among fellowship members that Powell was promoting the day of prayer "as an opportunist, for his own political prestige."

An Abyssinian Baptist Church spokesman denied the charge.

The Long Island ministers, who said their churches have congregations totaling 25,000 members, said the fellowship set March 26-30 for "fasting and praying for freedom from oppression of all minority groups throughout the world."

On each of these days, eight churches in central locations in the three counties will hold prayer services at noon and at 8 p.m. Collections will be taken up to further the efforts of clergymen in Montgomery, Ala., who are leading a bus boycott in protest against segregation policies.

Montgomery Bus Boycott Aftermath

Post + Times Herald P. 1

D. C. and Other Cities Hold Prayers For Victims of Racial Prejudice

Thurs. 3-29-56 Washington, D.C.

(Picture on Page 22)

By Liz Hillenbrand
Staff Reporter

Services were held here yesterday and in communities across the Nation in observance of "National Deliverance Day of Prayer" for all victims of racial prejudice and segregation.

The Day of Prayer stemmed from the bus boycott by Montgomery, Ala. Negroes. It began Dec. 5, when Rosa Parks was fined $14 for refusing to move to the colored section of a Montgomery bus.

New York Negro clergy leaders called the observance Feb. 24 after 90 leaders of the Montgomery boycott were arrested on charges of violating a 1921 law. Original plans called for an hour-long work stoppage, but this was dropped in favor of continuation of a policy of "passive resistance."

Most services were held at noon to avoid conflict with work schedules.

Rep. Adam Clayton Powell Jr. (D-N. Y.), chairman of the ministers' committee calling the Day of Prayer, said its purpose was to "Pray for the Deliverance of all who suffer from persecution . . . the salvation of all who are, themselves, afflicted with racial prejudice."

Local services were held at noon in Vermont Avenue Baptist Church and last night in Metropolitan Baptist Church. The Rev. E. N. French, one of the Montgomery ministers arrested for participating in the boycott, spoke at both services. He told those present, "We thank God for giving us this important role in world history. We are determined to keep on walking. Whatever the price may be, we are perfectly willing to pay it."

Highlights of observances elsewhere:

Post + Times

Chicago—An estimated 28,000 persons attended services, primarily in 300 Negro Baptist churches. Herald

New York—An interdenominational, iterracial observance was held last night in Manhattan Center. E. B. Nixon, scheduled to attend the meeting and one of those accused of violating the Montgomery boycott ordinance, told an INS reporter before the meeting, "Nobody knows how long the bus protest will last." He said the objectives of the boycott include improvement of "the whole of Montgomery."

Some 30,000 lapel cards calling for an end to "prejudice, injustice and segregation" were distributed at subway entrances. (These cards also were distributed in Washington.)

Montgomery—The Rev. Martin Luther King Jr., convicted last week as a leader in the bus boycott, said doors of his church would be open for prayer, although no special services were scheduled. Many of those arrested in connection with the boycott were elsewhere in the Nation speaking at Day of Prayer observances.

Boston—The legislature, in an official "expression of sympathy" suspended legislative activity for an hour at noon. This did not, however, conflict with any scheduled meetings. Senate President Richard I. Furbush and House Speaker Michael F. Skerry led about 75 legislators in a "march" down the steps of the State House. Skerry stated, "It is entirely fitting and proper that we in Massachusetts . . . strike the blow . . . for the oppressed people of the South." Special services were held in historic old North Church in Boston, and other Protestant churches. Catholic Archbishop Richard J. Cushing declared, "Whenever racial intolerance shows itself in any part of our nation . . . then Christ is crucified again."

California—Gov. Goodwin Knight designated the Day of Prayer by gubernatorial proclamation. Churches in Hollywood and Los Angeles, where the city council indorsed the observance, held special services.

Among other cities holding observances were Atlanta and Detroit. Powell said that Philadelphia, Cleveland, Columbus, Pittsburgh, Galveston and Honolulu also scheduled observances.

At the local service yesterday noon, attended by over 1000 persons, five white ministers joined 17 Negroes in conducting prayers. The meeting was organized by Methodist, Baptist and interdenominational groups.

The Rev. French told the congregation, "we are going to win this battle by love. We are determined not to relinquish our stand until heaven comes to our rescue. If they put us in jail. We are not afraid."

A spokesman said here that over $3500 had been collected for the Montgomery Improvement Association, organization backing the bus boycott.

Prayer Services on Boycott Spotty; None in Montgomery

Constitution Atlanta Ga. Thurs. 3-29-56 P. 6

By THE ASSOCIATED PRESS

Negroes and white sympathizers in scattered cities paused for quiet prayer Wednesday on behalf of Montgomery, Ala., bus boycotters.

The national demonstration apparently was spotty in nature. There was no estimate of the total number taking part.

In Boston, Episcopal Bishop Norman B. Nash told 800 worshipers—about a third of them Negroes—that discrimination exists "right here in Boston."

"The guilty are not only 'they' but also 'we,'" he said. "Right here in Boston, in matters of housing, education, employment and church membership, and in many other ways, there is a responsibility for each of us to acknowledge.

In Atlanta no special services were reported, but many Negroes visited their churches during the day for prayer.

"Ignorance cannot be pleaded. There is no excuse for that ignorance. The facts are undeniable. The facts begin at home, and not in Alabama or South Africa."

The "National Deliverance Day of Prayer" originally was conceived as a brief nationwide work stoppage accompanied by prayer. However, the work stoppage idea was discarded.

Rep. Powell (D-NY), Negro clergyman, was the leader of the passive demonstration. He said its backers represented 10 million Negro churchmen.

Some of the demonstrations were scheduled for Wednesday night, including those in New York and New Haven.

Protestant, Catholic and Jewish religious leaders backed the Massachusetts demonstration.

The Massachusetts Legislature suspended activity for an hour at noon in an official "expression of sympathy."

In Boston's historic Old North Church — where lanterns were shown for Paul Revere in 1775—prayers were offered for 24 Negro ministers and 47 laymen arrested in the Montgomery boycott.

Rabbi Joseph S. Shubow told Jewish worshipers at Temple B'nai Moshe that "the shame of segregation in the South . . . is proof that the struggle for freedom is never completely won."

More than 600 persons, mostly Negroes, took part in Washington's observance. The Rev. E. N. French, one of the indicted Montgomery clergymen, told this audience:

"We are relying solely on spiritual and moral forces."

19,000 STOP WORK

A Chicago Packinghouse union estimated that 10,000 of its members stopped work for five minutes of prayer at different periods during the day.

A prayer-protest rally Tuesday night in Los Angeles drew another 10,000 persons. The Rev. Ralph D. Abernathy, one of the leaders of the Montgomery boycott, told the meeting that within five years there would be a tangible improvement in the dispensation of justice in the South.

Thousands Participate In National Prayer Day

Call Fri. 4-6-56 P. 3 Kansas City, Mo.

MONTGOMERY, Ala. — (ANP) — Thousands of Negro and white sympathizers in cities from Boston to Atlanta and Los Angeles to Honolulu paused for quiet prayer last Wednesday on behalf of Montgomery bus boycotters.

The prayer meetings were part of a "National Deliverance Day Of Prayer" proclaimed by Negro leaders for "deliverance from the evils of racial prejudice."

Protestants, Roman Catholics and Jews participated.

The Massachusetts legislature suspended activity for an hour at noon as an "expression of sympathy' for the Montgomery bus boycotters, and a gubernatorial proclamation in California designated Wednesday as a day of prayer.

The demonstration originally was conceived as a brief nation-wide work-stoppage accompanied by prayer. However, the work-stoppage idea was discarded. There was no estimate of the total number taking part across the country.

Open All Day

Here in Montgomery, Negro churches kept their doors open all day so that anyone could offer prayers at his convenience. There were no special prayer meetings scheduled. Many of the Negro ministers who were indicted by a grand jury for violating Alabama's anti-boycott law were out of the city in connection with prayer services elsewhere.

The largest single meeting was held in New York, where more than 5,000 persons overflowed Manhattan Center. The grand ballroom of the Hotel New Yorker accommodated the overflow.

The Rev. Adam Clayton Powell Jr., New York clergyman and congressman, addressed the meeting. He had initiated the "National Deliverance Day Of Prayer."

An estimated 50,000 persons attended prayer services in more than 300 Chicago churches. And 17,000 members of the United Packinghouse Workers of America, AFL-CIO, paused on their jobs for five minutes to join in prayer in "protest against segregation."

In Boston, noon services had the support of Protestant, Catholic and Jewish leaders. Episcopal Bishop Norman B. Nash told 800 worshippers that "discrimination exists right here in Boston."

Deny Depot Chapel

At the Bayonne, N. J., Navy Supply Depot, civilian employes held prayer services at a nearby YMCA after Navy officials had denied use of the depot's chapel because of "political implications."

Fifty Negro churches in Newark, N. J., kept their doors open throughout the day. In New Brunswick, N. J., Negro and white ministers conducted a joint service at First Methodist church.

Episcopal chorches in the southern two-thirds of Indiana offered prayers of sympathy for the Montgomery boycotters.

In Washington, an estimated 800 to 1,000 persons participated in a meeting sponsored by 150 white and Negro ministers.

All the services in Louisville, Ky., drew a devotional reading from the ninth chapter of Daniel, in which the prophet confesses the sins of his people and asks for the restoration of Jerusalem.

"O my God," prayed Daniel, "incline Thine ear and hear; open Thine eyes and behold our desolations, and the city which is called by Thy name, for we do not present our supplications before Thee for our righteousness, but for Thy great mercies."

The interracial, interfaith and interdenominational meetings were punctuated with speeches calling for an end to segregation and racial prejudice.

Self-Examination Urged

Archbishop Henry J. O'Brien of Hartford, Conn., urged people to examine themselves in the light of Christian teachings, for "it must be remembered that the causes of racial tensions and conflicts are to be found within all men, and no one group of people

or section of the country is so guilty or guiltless."

Friendhouse House, a Roman Catholic lay organization, called on its 40,000 members and friends to abstain from all solid foods Wednesday in a fast to protest the treatment of Negro leaders of the Montgomery bus boycott.

"Let us fast and pray for racial justice to be achieved in our time in every area of our country, in every sphere of life," the appeal said. Persons were urged to send the money for the day's food to Montgomery.

In Boston's historic old North Church—where lanters were shown for Paul Revere in 1775—a special service was held to ask "Divine interposition" in the racial upheaval in Alabama.

Other major cities in which special services were held included Detroit, Minneapolis, Cleveland, St. Louis, San Francisco, New Orleans, Dallas, Philadelphia, Pittsburgh, Indianapolis, Cincinnati, Houston, Milwaukee, Memphis, Baltimore and Denver.

Order Taborians Calls Nationwide Prayer On Mar. 28

Advocate Pg
Sat. 3-17-56
Jackson, Miss.

A nationwide deliverance prayer has been set for March 28th by the International Order of Twelve Knights and Daughters of Tabor, one of the most ancient and respected of fraternal orders.

Word issued simultaneously from the two highest officers of the Order, Sir P. M. Smith, International Chief Grand Mentor, Mound Bayou, Mississippi, and Dtr. Mabel V. Gray, International Grand High Preceptress, Los Angeles, California, asks for prayer for brotherhood and against bigotry.

"May every Taborian speak to his or her spiritual advisor about setting aside March 28th as a Day of Prayer, and may every friend of our Order participate," states the call. It continues:

"Let the doors of our halls and of all places of worship stand open for group or individual worship and prayer on that day. Let there be group prayer from 2 to 3 p. m. if possible, but at another time if local circumstances indicate.

"We pray for our dear sisters and brothers of our own and other fraternal ,religious and civic organizations who bravely face the forces of darkness and evil; and we pray that our Heavenly Father will have mercy on the ones who commit the many offences of bigotry knowing that he who loveth is the conqueror.

Chain Calls Requested

"At daybreak, at noon and at sunset let each of us individually seek the Divine Presence. And let each member and friend call two individuals to participate in the Day of Prayer, asking them to call two individuals to do likewise, not breaking the chain. Thus we will weave the girdle of friendship, union, peace, harmony and love against which no backward force can prevail."

The Taborian Order, founded by Rev. Moses Dickson, was established first as the "Knights of Liberty," August 12, 1846. In 1856 its membership was 47,240. It became a fraternal body with its present name in 1872.

In some southern towns half of the adult citizens are Taborians.

The use of the chain technique is expected to develop tremendous support for the March 28th Day of Prayer.

The call closes with the first verse of the 46th Psalm: "God is our refuge and strength, a very present help in trouble."

Bus Boycott U.S. Prayer Day Is On

Constitution
Wed. 3-28-56
Atlanta Ga.

NEW YORK, March 27 (AP)—The "National Deliverance Day of Prayer," stemming from the bus boycott by Montgomery, Ala., Negroes, is tomorrow. Its promoters, headed by Negro Rep. Powell (D-NY), say thousands of whites and Negroes will join in prayer.

P. 7

"We will pray," Powell, himself a Negro minister, said today, "for the deliverance of all who suffer from persecution and . . . for the salvation of all who are afflicted with racial prejudice."

He said the meetings are to be interracial, interfaith and interdenominational. The Rev. Dan Potter, executive director of the New York Protestant Council, is to be chairman of the New York observance in Manhattan Center. A Catholic priest and a Jewish rabbi will participate.

Montgomery Negroes will attend meetings in the major cities, Powell said. E. D. Nixon, one of 93 charged with violation of the Alabama antiboycott statute, is in New York.

Nixon told a news conference today the boycott's objective has been expanded to improve the whole of Montgomery—that is the position of the Negro and the white."

Powell said major observances also will be held in Chicago, Los Angeles, Washington, Columbus, Ohio; Cleveland, Ohio; Philadelphia, Pittsburgh and Galveston, Texas.

Note Prayer Day at U. of Boston

Afro-American
Sat. 3-31-56
Baltimore, Md.

BOSTON — Boston University last Wednesday, observed a "Day of Prayer and Protest" in sympathy with the citizens of Montgomery, Ala., and their peaceful boycott of the city's buses.

P. 3

A quiet service of prayer and meditation held from 2 to 3 p.m. in the university's Daniel L. Marsh Chapel was sponsored and led by students from the Boston University School of Theology student council (Mount Vernon Student Association).

THE NATION-WIDE observance of a "Day of Prayer and Protest" to be held this Wednesday was proposed by New York Congessman Adam Clayton Powell several weeks ago.

The offering from the service was donated to the Montgomery Improvement Association to raise funds to provide legal aid and economic assistance to those who are in need during the boycott.

POWELL ACCUSED BY BAPTIST GROUP

Times
New York

L. I. Ministers Charge 'Day of Prayer' Promotion Is Politically Motivated

T. M. 3-16-56

A group of Baptist clergymen on Long Island has charged that the Rev. Adam Clayton Powell is politically motivated in promoting a "national deliverance day of prayer."

Mr. Powell is minister of the Abyssinian Baptist Church in Harlem and a Democratic Representative in Congress. The day of prayer, set for March 28, is being promoted by Mr. Powell in connection with race tensions and violence in the South.

The charge against Mr. Powell reportedly was made at a meeting on Tuesday of the Baptist Ministers Fellowship, composed of ministers of fifty churches in Negro communities in Queens, Nassau and Suffolk counties.

The Rev. James R. Moore, executive secretary of the group, said yesterday that it was the general feeling among members that Mr. Powell was promoting the day of prayer "as an opportunist, for his own political prestige."

A spokesman at the Abyssinian Baptist Church denied the charges.

The Long Island ministers at the Tuesday meeting planned a "week of fasting and praying for freedom from oppression of all minority groups throughout the world." The week is set for March 26-30, inclusive.

On each of the days, eight churches in central locations in the three counties will hold prayer services at noon and 8 P. M. Special collections will be taken, the mony going to further the efforts of clergymen in Montgomery, Ala., who are leading a boycott of the bus system there in protest against the city's segregation policies.

9 Who Stopped To Pray Are Rehired

Journal + Guide
Sat. 4-21-56

CHINO Calif.—(ANP)—The Pacific Airmotive Corp., which fired nine Negro workers who left their jobs to join in a national "day of prayer" on March 28, has hired them back.

P. 7

Norfolk, Va.

The union to which the men belong said they had been rehired with full seniority, vacation and sick leave.

They are members of the International Association of Machinists.

STEMMING FROM BUS BOYCOTT

Advertiser 4/1 Montgomery Ala.

'Day Of Prayer' Being Marked Today

Wed. 3-28-56

NEW YORK, March 27 (AP)—The "National Deliverance Day of Prayer," stemming from the bus boycott by Montgomery, Ala., Negroes, is tomorrow. Its promoters, headed by Rep. Adam Clayton Powell (D-NY), say thousands of whites and Negroes in cities from Boston to Atlanta and Honolulu will join in prayer.

"We will pray," Powell, himself a Negro minister, said today, "for the deliverance of all who suffer from persecution and . . . for the salvation of all who are afflicted with racial prejudice."

He said the meetings are to be interracial, interfaith and interdenominational. The Rev. Dan Potter, executive director of the New York Protestant Council, is to be chairman of the New York observance in Manhatton Center. A Catholic priest and a Jewish rabbi also will participate.

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Nixon told a news conference today the boycott's objective has been expanded to improve the whole of Montgomery—that is the position of the Negro and the white."

Nixon is president of the Montgomery Chapter of the Brotherhood of Sleeping Car Porters and is treasurer of the Montgomery Improvement Assn.

He said it is costing the association more than $3,000 a week to maintain an auto pool for Negro workers who shun the bus lines in protest against segregation.

It is being suggested in New York that contributions of an hour's pay be given to the association.

Powell said major observances also will be held in Chicago, Los Angeles, Washington, Columbus, Cleveland, Philadelphia, Pittsburgh and Galveston.

"It is impossible to estimate how many will take part," he said, "because this is a movement, not an organization."

Some cities, he said, have had to postpone central rallies because meeting places were not available for tomorrow. Chicago's, in the Coliseum, will be held April 11.

Powell listed these high lights for the movement:

Wed. 3-28-56

A vote by the Massachusetts Legislature to stop work at noon to pray.

A gubernatorial proclamation in California designating tomorrow a day of prayer.

Angeles, as well as a prayer meeting tomorrow.

Powell said backers of the deliverance day represent 10 million Negro churchgoers.

The facts begin at home, and not in Alabama or South Africa."

The "National Deliverance Day of Prayer" originally was conceived as a brief nationwide work stoppage accompanied by prayer. However, the work stoppage idea was discarded.

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Rabbi Joseph S. Shubow told Jewish worshipers at Temple B'nai Moshe that "the shame of segregation in the South ... is proof that the struggle for freedom is never completely won."

Catholic Archbishop Richard J. Cushing in a Holy Week message said that "Whenever racial intolerance shows itself in any part of our nation . . . then is Christ crucified again.''

More than 600 persons, mostly Negroes, took part in Washington's observance. The Rev. E. N. French, one of the indicted Montgomery clergymen, told this audience:

"We are relying solely on spiritual and moral forces, and we believe that somehow God will give us victory. Whatever the price may be we are perfectly willing to pay it."

P. 2-A

Some 150 white and Negro ministers sponsored the Washington observance.

Thurs. 3-29-56

Episcopal churches in the southern two-thirds of Indiana offered sympathy prayers at Masses. Illness prevented Episcopal Bishop Richard A. Kirchhoffer from carrying out his intention to pray in the diocese's only all - Negro church.

38b

In Montgomery, itself, there were no special prayer meetings. However, Negro churches kept their doors open throughout the day for anyone wishing to offer prayers.

Many of the Montgomery Negro ministers indicted on charges of violating a state antiboycott law were appearing at observances in other cities.

A Chicago Packinghouse union estimated that 10,000 of its members stopped work for five minutes of prayer at different periods during the day.

A prayer-protest rally Tuesday night in Los Angeles drew another 10,000 persons. The Rev. Ralph D. Abernathy, one of the leaders of the Montgomery boycott, told the meeting that within five years there would be a tangible improvement in the dispensation of justice in the South.

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At the Bayonne, N. J., Naval Supply Depot, civilian employes held a prayer meeting at a YWCA nearby after an employe spokesman said Navy officials had denied use of the depot's chapel because of "political implications."

FOR BOYCOTTERS HERE

Advertiser 4/1

Scattered U.S. Points Observe 'Day Of Prayer'

Montgomery Ala.

Thurs. 3-29-56

By THE ASSOCIATED PRESS

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The national demonstration apparently was spotty in nature. There was no estimate of the total number taking part.

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"Ignorance cannot be pleaded. There is no excuse for that ignorance. The facts are undeniable.

Negro Ministers Assert Segregation On Way Out

Montgomery, Ala.
Mon. 2-27-56

Negro ministers indicted last week in the bus boycott predicted from their pulpits yesterday that the protest against racial segregation would continue.

The Rev. Martin Luther King Jr., pastor of Dexter Avenue Baptist Church, told his congregation that "segregation can't survive because God is against it."

King said he recently visited Nashville, Tenn., and 90 per cent of the white students with whom he talked at Vanderbilt University said they were for integration.

He added: "We are in a great struggle and the consequences will be world-shaking."

Another indicted minister, the Rev. R. W. Hilson, declared from the pulpit that the bus boycott "has become a spiritual movement for us."

CITES PROTEST

He cited the protests made in Washington Saturday by bishops of his church and by other Negro church officials.

Hilson said his congregation at St. John's AME Church indicated the members strongly favor continuing the 12-week-old boycott.

King, preaching to a capacity crowd, urged Negroes to "just keep loving" the "enemies and don't lose faith in man."

"Our Christian faith says you can be changed," he said, declaring that "exploiting" and "prejudiced" men can be "lifted up to justice and fair play" by those who practice brotherly love.

NEW DUTY SENSE

During a visit to Vanderbilt University in Nashville last week, King said, 90 per cent of the students with whom he came in contact said they were "willing to accept integration."

He said some of the white students at Vanderbilt told him they were glad to see desegregation even though their communities and their parents are against it.

"Thank God there are people who can rise above their communities," King said.

The young Negro minister said Negroes through their boycott of city buses, have already won a victory that has given Negroes "a new sense of duty."

The boycott began last Dec. 5 after Rosa Parks, a Negro seamstress, was fined $14 for refusing to move to the segregated section in the back of a bus. State and city laws require segregated seating facilities for whites and Negroes.

A two-car collision Sunday six miles east of Tuskegee claimed the life of Rosie Dukes, 53, of Grantsville, Ga.

Ohio Negroes Collect Funds For Boycotters

COLUMBUS, Ohio, Feb. 26 (AP)—More than 1,000 Columbus Negroes gathered today to raise funds for the defense of Negroes arrested in the Montgomery, Ala., bus boycott.

A spokesman for the local chapter of the National Assn. for the Advancement of Colored People, which sponsored the rally, said $2,128.38 was collected.

The money came from persons attending the indoor rally and also from Sunday Service church congregations in Columbus, said Barbee William Durham, executive secretary of the chapter.

GRAETZ SPEAKER

Principal speaker at the rally was the Rev. Robert S. Graetz, 27-year-old white pastor of Montgomery's Trinity Lutheran Church. He said he was "pleasantly surprised" at the number of Southern white people who have come to the support of Montgomery's Negroes in protesting segregation on city buses.

Rev. Graetz, who graduated last June from Capital University seminary here, is the leader of an all-Negro congregation.

He said since the start of the boycott Dec. 5, there were 99 Negroes indicted. He has received nearly 100 letters, he said, "most of them from white people," commending him for his stand on the matter of racial segregation.

Some letters, he added, contained money totaling more than $200—some of it given in behalf of the boycott but mostly as donations to his church.

State Racial Trouble Laid To 'Reds, Devil'

MOBILE, Ala., Feb. 26 (AP)—Rep. Frank Boykin (D-Ala) said today that "Communists and the devil" are responsible for Alabama's current racial troubles, and that he will reveal the names of 56 Communists back of racial disturbances in the state.

The Mobile congressman spoke to an audience of 500 or more at the dedication of a church sanctuary in suburban Prichard, Ala.

He referred to the recent troubles at Tuscaloosa, where rioting broke out when a Negro student was enrolled at the University of Alabama, and the bus boycott by Negroes at Montgomery.

Boykin said he plans to turn over the names of the alleged Communists to the Mobile Press Register on Monday. He said he hopes the papers will publish them.

(Alabama law places the responsibility for proof of such charges on newspapers which publish such names at their own initiative.)

The congressman, who is seeking reelection mentioned no specific organization or group in connection with the troubles or the list of alleged Communists. He declared that "We believe in colored persons who believe in God," but added, "The devil is behind the things going on in Montgomery and Tuscaloosa."

His Home Was Bombed

Herald 8.10-A
Miami, Fla.
Fri. 2-24-56

24th Negro Pastor Seized in Boycott

MONTGOMERY, Ala. —(AP)— The Rev. Martin Luther King Jr., a Negro minister whose home was bombed while he was actively leading the Negro bus boycott in Montgomery, was arrested Thursday for boycotting.

The 27-year-old pastor of the Dexter Ave. Baptist Church in downtown Montgomery, was among those indicted by a grand jury Tuesday on charges of violating Alabama's anti-boycott law.

King's indictment was kept secret under Alabama law until he was arrested.

He returned Thursday from a series of speaking engagements in Tennessee and Sheriff Mac Butler said the minister surrendered voluntarily. He was released on $300 bond after being booked and fingerprinted.

He was the 24th Negro minister taken into custody as sheriff's officers rounded up the defendants named in the wholesale indictments. More than 50 other Negroes also have been arrested.

The total number of defendants named in the grand jury indictments was first announced as 115, but the sheriff's office said Thursday it would be about 90.

Some of the defendants were listed by initials on one writ and by their full names on another, making it appear at first that they were different persons.

King's home was damaged by a dynamite explosion the night of Jan. 30. He was away from the house but his wife, their 7-week-old daughter and a neighbor were there at the time. None was injured.

Those arrested included Mrs. Rosa Parks, a seamstress, who appealed a $14 fine levied in City Court Dec. 5 for refusing to move to the back of a bus. That appeal was turned down Wednesday by Circuit Judge Eugene Carter and she was sentenced to 14 days in jail. It was her case that touched off the racial protest movement.

MINISTERS HELD IN BOYCOTT CASE

Times-Picayune
Fri. 2-24-56

Negro Religious, Political Leaders Rounded Up

New Orleans, La.

By REX THOMAS

MONTGOMERY, Ala., Feb. 22 (AP)—Negro religious and political leaders, including 10 ministers, were arrested on boycotting charges today in a wholesale round-up of defendants indicted by a grand jury for their mass protest against bus segregation.

The grand jury returned indictments late yesterday against 115 defendants accused of taking an active part in the 11-week-old racial boycott against Montgomery City Lines buses.

Dates for their trials will be taken up Friday at their arraignment.

Thousands of Negroes have refused to ride the buses since Dec. 5, the day a member of their race, Mrs. Rosa Parks, was fined $14 for refusing to move to the colored section of a bus. City and state laws require segregation.

Sentenced to Jail

Mrs. Parks was sentenced to 14 days in jail in lieu of the fine today after Circuit Judge Eugene Carter, the jurist who ordered the grand jury investigation, turned down her appeal from the previous conviction in City Court.

She appealed Judge Carter's decision to the Alabama Supreme Court, and immediately afterward was arrested on a boycotting indictment.

Judge Carter upheld city and state segregation laws when the issue was raised in Mrs. Parks' defense. He imposed the jail sentence after she refused to pay the fine and announced she planned to appeal the conviction. All of the defendants brought to the county jail and fingerprinted were released as soon as they put up bond of $200 each. They were charged with violating a state law against organized, illegal boycotting. Maximum sentence for violation is six months in jail and $1,000 fine.

Other Developments

As the roundup of boycott defendants continued, there were these other developments:

Gov. James E. Folsom invited newspaper editors and publishers to a conference in his office here Friday to discuss racial problems.

Fred D. Gray, 25-year-old unmarried Negro attorney under indictment on a charge of unlawful practice growing out of the bus boycott, lost an appeal from a draft board order reclassifying him 1-A. He had been deferred from military service as assistant pastor of a Negro church.

City attorneys filed an answer in U. S. District Court along with a motion to dismiss a pending suit seeking to outlaw city and state laws which require bus and railroad segregation.

It was that lawsuit that brought Gray's indictment by the grand jury here last week. He was charged with filing the complaint without the consent of one of the five Negro women whose names were signed to the antisegregation petition.

Local Board Upheld

Whether Gray planned to appeal his draft classification to higher authorities wasn't known. The appeals board of the Middle Alabama District announced late yesterday it had upheld the local board decision to put the attorney in 1-A.

Two of Montgomery's most active Negro political leaders were among those arrested on boycotting warrants today. They were E. D. Nixon, former state president of the National Assn. for the Advancement of Colored People, and Mrs. Jo Ann Robinson, a teacher at Alabama State College for Negroes in Montgomery.

Nixon, a Pullman porter, is president now of the Montgomery Progressive Democratic Assn., a politically active organization, and Mrs. Robinson heads the Women's

Political Council.

A small dynamite bomb exploded in the front yard at Nixon's home the night of Feb. 1 but no one was injured.

Arrested Ministers

The Negro ministers arrested were:

Dr. S. S. Seay, a leading figure in the African Methodist Episcopal Zion Church and former executive secretary of its Home Missions Board.

The Rev. Ralph D. Abernathy, pastor of the Negro First Baptist Church and head of a negotiating committee which has conferred with city officials and bus company spokesmen in unsuccessful attempts to settle the boycott.

The Rev. Joshua William Hayes, presiding elder of the West Montgomery district of the AME Zion Church.

The Rev. A. W. Wilson, pastor of the Holt Street Baptist Church where the first Negro mass meeting was held at the outset of the bus protest.

The Rev. Joseph H. Cherry (no church specified).

The Rev. R. James Glasco, director of the Alabama Negro Baptist Center in Montgomery.

The Rev. Aaron Hoffman, pastor of the Shiloh Baptist Church.

The Rev. H. H. Hubbard pastor of the Oak Street Baptist Church.

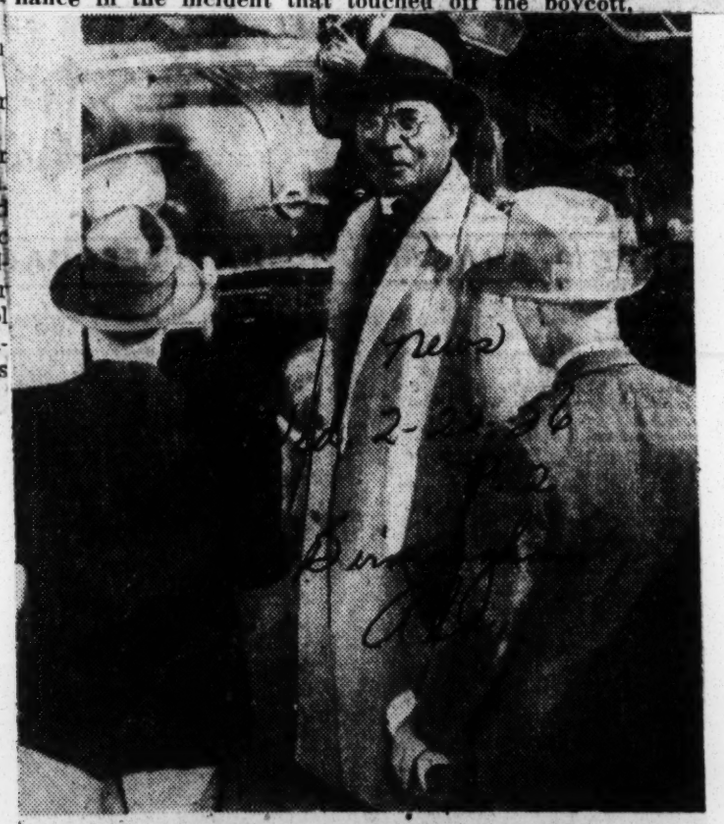
The Rev. L. R. Bennett, pastor of the Mount Zion AME Church.

The Rev. W. J. Powell, pastor of the Old Ship Methodist Church.

Although they weren't identified in each indictment, Sheriff Mac Butler said many of the defendants were drivers who used their automobiles in a huge car pool which has furnished transportation to Negroes during the bus protest.

—WIREPHOTO by The Associated Press

A CENTRAL FIGURE in the Montgomery, Ala., bus boycott, Mrs. Rosa Parks, Negro seamstress, is fingerprinted after her arrest Wednesday on an indictment charging her with taking part in the boycott. She was arrested immediately after leaving circuit court where she had been sentenced to 14 days in jail for violating the city's bus segregation ordinance in the incident that touched off the boycott.



PLACES HIS FAITH IN THE BIBLE
. . . Rev. L. R. Burnett after boycott arrest

Enter Grand Jury
Times P.2-E

The anger of the Negroes mounted. Then, two weeks ago, the whites moved to break up the boycott. A grand jury was instructed to determine whether it was legal.

Last week events moved quickly. On Monday the embittered Negroes rejected the whites' compromise offer on bus seating.

On Tuesday the grand jury began indicting 100 Negro leaders, including twenty-four clergymen. They were charged with violating a 1921 Alabama law that bars organized boycotts without a "just cause or legal excuse." Trials will begin March 19.

Wednesday, Mr. Gray lost an appeal from the draft board order that had reclassified him 1-A. Mrs. Parks lost her appeal from her conviction for violating the bus segregation law and, on leaving the courthouse, she was arrested on the boycotting charge.

Thursday at a mass meeting Montgomery Negroes pledged to continue "passive resistance." A Negro minister told the meeting that the boycott was not directed against a single incident but against things that "go deep down into the archives of history."

Friday Gov. James E. Folsom held a conference on racial tensions with the state's publishers and editors and decided to establish a biracial commission to try to resolve Negro-white differences.

Yesterday in New York and other Northern cities, Negro leaders issued a call for a nation-wide one-hour work stoppage March 25 to protest the wholesale arrests in Montgomery.

93 Persons To Be Tried Separately

Kansas City, Mo.

Rev. M. L. King First; State Case Hits Snag

Fri. 3-23-56

DENY CAR POOL

By ROBERT H. DENLEY

MONTGOMERY, Ala. —(INS) —A Montgomery leader denied Tuesday that an organized car pool was operated for the purpose of preventing anyone from riding the city's buses.

Rufus Lewis, chairman of the transportation committee of the Montgomery Improvement association, testified for the state and described details of the pool established soon after a bus boycott began last Dec. 5.

Asked directly if the pool was not set-up to keep Negroes from using buses, Lewis said:

"It is not to keep them from riding buses—it is to give transportation to those who don't wish to ride the buses."

The state was attempting to connect operation of the pool to an alleged conspiracy of Negro leaders to boycott Montgomery city lines' buses.

The Rev. M. L. King Jr., is on trial, the first of 90 to be tried on a charge of violating an old state anti-boycott law.

Lewis said his committee arranged to borrow cars, pay drivers $4 per day, and set up dispatch stations and pick-up stations.

Earlier, the state's case ran into a snag when its key witness turned "hostile" during direct questioning.

The witness, the Rev. U. J. Fields, conceded that he was recording secretary of the Montgomery Improvement association, but remembered practically no pertinent details about the organization.

The state contends that the organization was created solely to

Cleric's Boycott Trial to Resume

Evening Star
Washington, D.C.

Negro Financial Aide Due to Be Recalled

Sun. 3-20-56

MONTGOMERY, Ala., Mar. 20 (AP).—The State planned to present new testimony today in an effort to show that a 27-year-old Negro minister conspired to clamp a crippling boycott on city buses here.

On trial in Circuit Court is the Rev. Martin Luther King, jr., the first of 90 Negro leaders called to answer indictments resulting from the 16-week-old protest against racial segregation.

Mrs. Erna Dungee, the last witness to testify at the opening of the trials yesterday, is expected to be called to the stand today.

Mrs. Dungee is financial secretary of the Montgomery Improvement Association, a newly-formed Negro organization which the State says is headed by Mr. King. Prosecuting attorneys are trying to establish the organization's role in the bus boycott.

The trial of Mr. King may well run through tomorrow. It may be weeks or even months before the trials of all 90 defendants can be completed.

$5,000 Paid for Gasoline

The Negroes have all exercised their right to demand separate trials. All have waived the right to trial by jury, leaving it up to Circuit Judge Eugene Carter to decide on their guilt or innocence.

Mrs. Dungee yesterday identified bank deposits totaling about $30,000 made out in the name of the improvement association. She also identified photostats of checks totaling almost $5,000 signed by herself and Mr. King in payment for gasoline.

When the prosecution sought to bring out whether the gasoline money was used to provide rides for Negro bus boycotters, Judge Carter ruled out the question at the request of defense attorneys.

The Negro woman said drivers of the automobiles used in a car pool to transport Negroes received a standard wage of $24 a week.

A previous Negro witness, the Rev. A. W. Wilson, a member of the improvement association's executive committee, testified that as far as he knew the organization had done nothing except to seek "better treatment" for Negroes on buses.

Negro Riders Cut 90 Per Cent

J. H. Bagley, manager of Montgomery City Bus Lines, Inc., and the first witness called yesterday, identified Mr. King as one of the Negro leaders who told him they thought the boycott would end if certain demands were met.

Among the 89 defendants scheduled for trial after Mr. King is Mrs. Rosa Parks, the seamstress whose conviction for refusing to move to the rear of a bus brought on the boycott.

Negroes generally have stayed off the buses since Mrs. Parks was fined $14 on December 5 for violating State and city segregation laws.

Evening Star

Mr. Bagley testified that 90 to 95 per cent of the Negroes who formerly used buses have stopped riding them.

Mr. King is pastor of the Dexter Avenue Baptist Church. His parsonage home was slightly damaged by a dynamite explosion in January. No one was injured in the blast.

Sun. 3-20-56

3 Indictments Dropped

The number of defendants was reduced to 90 yesterday when Circuit Solicitor William P. Thetford dismissed three indictments because he said further investigation has thrown "considerable doubt on their guilt."

He dropped charges against Alfred Ellis, Booker T. Holmes and the Rev. M. C. Cleveland, a Baptist an done of 25 clergymen included among the Negroes indicted.

The indictments against Mr. King and the others were returned under a State law which provides a maximum penalty of $1,000 fine and six months in jail for unlawful boycotting "without just cause or legal excuse."

93 NEGROES FACE TRIAL IN DIXIE BUS BOYCOTT

Tribune P.21

Montgomery, Ala., March 17 (AP)—Raising the issue of free speech, 93 Negroes, including 25 clergymen, face trial here Monday for the mass refusal of their race to ride segregated city buses.

Sun. 3-18-56

They have waived the right of jury trial, choosing instead to let Circuit Judge Eugene Carter decide their guilt or innocence. Maximum penalty is six months in jail and a $1,000 fine.

Chicago, Ill.

The Negroes were indicted by a predominantly white grand jury Feb. 21 as leaders and active participants in the 16 week old boycott of Montgomery City lines buses which has continued without pause since Dec. 5. Some of the defendants, particularly the ministers, were charged with lending encouragement and leadership to the protest. Others were indicted for using their automobiles in a precisely organized car pool which has enabled thousands of workers to get to and from their jobs.

90 Separate Trials Set in Bus Boycott

World-Telegram + Sun P.5

Mon. 3-19-56

By the United Press.

MONTGOMERY, Ala., March 19.—Circuit Judge Eugene Carter today overruled defense demurrers in the bus boycott trials and directed that individual trials of the 90 defendants get under way at once.

Defense attorneys had asked that the conspiracy charges be thrown out of court without trial on grounds that the 1921 ani-boycott law under which they were brought was unconstitutional.

New York, N.Y.

Lack of Evidence.

As the court session opened, charges against three of the Negro defendants were dismissed for lack of evidence, reducing the defendants to 90. The Negroes are accused of conspiring to boycott the Montgomery Bus Co. because they objected to its segregation regulations. They have waived jury trial but will be tried individually before the judge.

The coourtroom was crowded as the trials began. Judge Carter warner the spectators, all Negroes except for some newsmen, that no talking would be permitted.

"If you came here to be entertained, you came to the wrong place," he said. A moment later he gave a second warning, saying "the jail across the street has plenty of room."

The three whose cases were dismissed were Alfrad Ellis, Booker T. Holmes and M. C. Cleveland.

Leader Called.

Solicitor William Thetford called as the first defendant the Rev. M. L. King, recognized leader of the boycott and one of 25 ministers listed among the defendants.

Judge Carter indicated the trials might take a long time. He said he might finish one trial a dav.

TRIAL IS OPENED IN BOYCOTT CASE

Times-Picayune

Montgomery Case Upheld as Constitutional

Sun. 3-20-56

By REX THOMAS

MONTGOMERY, Ala., March 19 (AP) — Grand jury indictments against 90 bus-boycotting Negroes withstood their first court test today, and a young minister went on trial shortly afterward as the first defendant.

New Orleans, La.

Circuit Judge Eugene Carter overruled a defense petition which sought to invalidate the indictments as unconstitutional. Then state's attorneys called the Rev. Martin Luther King Jr., before the court to begin what could become a prolonged series of trials.

Each of the 90 defendants, exercizing his right, asked for a separate hearing.

P. 12

King, 27, whose home was bombed in the early weeks of the mass Negro protest against segsingled out by Circuit Solicitor William F. Thetford as one of the boycott leaders.

'Conspiracy' Charged

But Thetford ran into difficulty at the outset of the trial in trying to link the pastor of the Dexter Ave. Baptist Church to a "conspiracy" to hinder operations of Montgomery City Lines buses.

Carter allowed the first witness, bus company Manager J. H. Bagley, to identify King as one of several Negroes he conferred with at the onset of the boycott last December, but he sustained defense objections to some other questions.

He refused to permit Thetford to introduce two documents as state's exhibits although he permitted Bagley to identify them as papers he had received shortly before and immediately after the bus protest began Dec. 5.

One document was described only as a "resolution;" the other was not identified to any degree except that it was a paper the bus

line manager said he received two days before the boycott started.

Objections Upheld

Carter upheld defense objections when Thetford asked Bagley what caused a "falling off" of his company's business since Dec. 5. The bus line official said 90 to 95 per cent of the Negroes who formerly rode city buses have stopped using them.

Bagley was allowed to testify that King and another defendant, Mrs. Jo Ann Robinson, told him they thought the Negroes would resume riding the buses if certain demands were met. Mrs. Robinson, awaiting trial with the other defendants, is a teacher at Alabama State College for Negroes at Montgomery and president of the Women's Political Council, a Negro group.

Eight Negro attorneys represented the defendants, including Robert Carter of the legal staff of the National Assn. for the Advancement of Colored People in New York.

93 On Trial

Montgomery Boycotters Are Being Tried

Dispatch Thurs 3-22-56 P.1

MONTGOMERY. — (ANP) — The State of Alabama Monday began the trials of 93 Negro leaders, including 25 clergymen, accused of being leaders in a boycott of segregated city buses.

Defense attorneys laid the groundwork for possible appeal as far as the U. S. Supreme Court, by asking Circuit Judge Eugene Carter to dismiss the charges on the grounds that the boycott law is unconstitutional.

Judge Carter refused to dismiss the complaints and the hearings proceeded. The cases are being heard without a jury since all the defendants waived their right to a jury trial.

Dispatch P.2

Late Monday, testimony had been heard in only one case, that of the Rev. M. L. King, unofficial leader of the boycott. Seventeen other cases had been nol prossed

Each of the defendants will be for lack of evidence.

Thurs. 3-22-56

One witness had been heard before the court recessed so that Judge Carter could attend a funeral.

tried separately, and the defense has gathered some 46 witnesses while the state plans to call 34 witnesses.

Observers here are predicting that the trials might last weeks.

The Montgomery bus row began last Dec. 5 when Mrs. Rosa Parks, a Negro, was arrested and fined for refusing to move to the rear of a segregated bus.

In protest, Negro riders vowed to boycott the buses for one day. But the movement mushroomed and the protest has lasted over three months.

It has been a quiet protest for the most part. Feelings reached a boiling point when Rev. King's home was dynamited, but calm action by the minister averted a possible racial clash.

Negro Ministers' Trial Starts in Bus Boycott

Star Mon. 3-19-56 P.1

MONTGOMERY, Ala., Mar. 19 (AP).—Twenty-five Negro ministers and 68 others of hteir race were called into court today to answer for the prolonged mass Negro boycott of segregated city buses.

Washington, D.C.

The cases were docketed for 10 a.m.

But before the trials could proceed, Circuit Judge Eugene Carter had to rule on a defense petition attacking validity of the anti-boycotting indictments returned by a grand jury February 21.

Say Rights Are Violated

Negro attorneys filed pretrial demurrers protesting that the prosecution under a seldom used State law violates the defendant's rights of free speech, freedom of worship and peaceful assembly, and equal protection under the law as guaranteed by the Constitution.

A demurrer is a legal device which argues simply that no unlawful offense has been committed.

By raising the question of constitutional rights, the defense lawyers built the framework for a possible appeal to the United States Supreme Court if the boycotting Negroes are convicted. But they declined to comment on their plans before the trials opened.

The anti-boycotting law, enacted in 1921 as a weapon against labor strife, prohibits any conspiracy or agreement to hinder the operation of a lawful business "without just cause or legal excuse." The grand jury said the bus boycott is illegal.

Maximum penalty for violating the law is six months in jail and a $1,000 fine.

The indicted Negroes have waived the right of jury trial, electing instead to let the trial judge decide their guilt or innocence.

The Rev. Robert S. Graetz, white pastor of an all-Negro church who has attended some of the boycott rallies, is one of 77 witnesses subpoenaed for the trials. Mr. Graetz also testified before the investigating grand jury.

City Heads Testify

Other witnesses include Mayor W. A. Gayle and Police Commissioner Clyde Sellers, two of Montgomery's three city commissioners who have publicly affiliated with the pro-segregation Montgomery County Citizens' Council since the boycott began.

Although the bus dispute started as a demand for better seating arrangements even if still segregated, it spread ultimately to an outright attack on city and State travel segregation laws. A suit challenging their constitutionality is on file in United States District Court.

The mass protest began last December 5 after a Negro seamstress, Mrs. Rosa Parks, was arrested and fined $14 for refusing to obey a driver's order to move to the colored section of his bus. Bus operators have authority under a city ordinance to enforce segregation.

The bus-boycott trial found its way smoothly into the sermons of every Negro minister with special emphasis placed on the justness of the cause for which their leaders face prosecution, and the slogan "Forward March" wove its way through the intense theology.

Not At Any Price

And from the severely plain pulpit of historic Dexter Avenue Baptist church, Dexter Avenue and Decatur Sts., Montgomery's diminutive little "Moses," the Rev. Martin Luther King, served notice that the Negroes of Montgomery have no intention of buying "peace at any price."

To a jam-packed congregation, including 100 "visitors," among them reporters from as far away as India and France, Rev. King preached on "When Peace Becomes Obnoxious."

"We are faced with a conflict between the deadening old order and the dawning of a new order" Rev. King declared as he carefully drew a picture of the Southland's latest ordeal.

"Peace," he continued, "is not necessarily the absence of war, Peace can be the presence of some positive force; the presence of justice, the presence of respect, and of love, and of goodwill. Unless the Negroes of Montgomery can win such a peace, there can never be any peace.

"Many of our white friends deplore the conflict and tensions that have developed during recent months. They point out that Montgomery has always been such a peaceful town, and that it enjoyed such good race relations until "outsiders" began coming in and tearing it down.

Call P.4

'Should Stay in Places'

What they really mean is that Montgomery can again be "peaceful" if Negroes stay in their places, accept domination, and continue to accept exploitation, to accept the status quo, and accept segregation.

"Such a peace would be an obnoxious peace. It is a type of peace that stinks in the nostrils of Almighty God. I hate that type of peace. It is obnoxious.

Real Christians do not strive for this kind of peace. Jesus told his Disciples, "I have come not to bring peace, but I come to bring a sword."

Not the sword of violence, he cautioned his listeners — not a physical sword, but a renewed spiritual crusade against "a negative peace; not escapism, but an active fight against evil."

"Christianity is for the strong men and women. It is no soothing lemonade of escapism. We shall not engage in violence in any form, but as Christians we must be fighting pacifists."

Instructions on Behavior

Earlier the congregation had received precise instructions regarding the Monday trial which unquestionably will overtax the capacity of the court. Here are some of them:

Be courteous. Open your homes to visitors, many of them coming to give us encouragement and support. Be as hospitable to our white friends as you are to our colored friends.

Those who must bear witness or stand trial will tell the truth at every point. Don't twist anything. We think we are right and that God is with us in our cause.

And, as a final telling gesture Rev. King proudly acknowledged his connection with the "untouchable" NAACP by announcing that the Board of Trustees of his church had voted to take out a life ($500) membership in the national association and that he and the Rev. Ralph D. Abernathy of First Baptist church are serving as co-chairmen of the annual membership drive of the Montgomery Branch which has set its goal at 10,000 members.

At 3 p.m. in the same auditorium, with Rev. J. W. Hayes, presiding elder, AME Zion church, delivering a stirring challenge that Montgomery Negroes continue their "Forward March," the quest for 10,000 members began.

On Sunday night, capacity crowds overflowed into the streets in front of Bethel Baptist and Hutchinson Street Baptist churches for prayer services.

Montgomery Negroes then placed the outcome into the hands of God and a battery of five lawyers: Arthur Shores, Orzell Billingsly, Jr. and Peter Hall, all from Birmingham; and Fred D. Gray and Charles Langford of Montgomery.

They seemed quite ready to face Circuit Court Judge Eugene W. Carter, and the vagueries of Dixie justice.

Sunday Services Prepare Montgomerians for Trial

Call P.1 Kansas City Mo. Tim. 3-23-56

By CHARLES H. LOEB
NNPA Correspondent

MONTGOMERY, Ala.—Negroes of Montgomery spent Sunday in quiet, well organized preparation for the trial of their leaders now going on in the Montgomery circuit court.

It was a two-phased preparation, spiritual and legal.

Little children in the Sunday school classes of every Negro church, among other things, learned that they were expected to be especially well behaved during the

More witnesses called—

Many indictments expected in boycott

Birmingham, Ala. Herald 2-20-56

MONTGOMERY, Ala., Feb. 20—(AP)—A Grand Jury report expected late today or tomorrow may bring scores of indictments growing out of Montgomery's prolonged bus boycott by Negroes.

Dozens of witnesses have been called for testimony since Circuit Judge Eugene Carter charged the Grand Jury last week to investigate the boycott and determine if it violates the law.

A NEGRO ATTORNEY, Fred D. Gray, 25, was indicted by the Grand Jury last Friday for unlawfully representing one of the five Negro women who have challenged constitutionality of state laws requiring segregation on public transportation facilities.

The Grand Jury report is expected at the outset of Brotherhood Week in the cradle of the Confederacy, which Mayor W. A. Gayle noted is marred by "tension which should not exist."

THE MAYOR AND the other two members of the city commission joined the pro-white Central Alabama Citizens Council several weeks ago after announcing disgust at the repeated rejection by boycott leaders of "all reasonable offers" for a compromise.

The 12-week-old protest movement by Negroes began Dec. 5 when Mrs. Rosa Parks, a seamstress, was fined $14 for refusing to move to the segregated section of a city bus. Since then thousands of Negroes have refused to ride buses, cutting the bus company's business an estimated 50 per cent.

The state statute under which indictments would be returned against boycotters makes it unlawful for two or more persons to organize a boycott "without a just cause or legal excuse."

The Rev. Martin Luther King Jr., Negro Baptist minister and one of the most outspoken boycott leaders, called Gray's indictment" a subtle and insidious attempt" to have the attorney disbarred and hinder racial integration. If convicted, Gray could be fined $500 and suspended from practice.

Thurgood Marshall, chief council for the National Assn. for the Advancement of Colored People, said in Atlanta yesterday that the NAACP will defend Gray.

Mayor Blocks Future Talks About Boycott

Advertiser P. 2 Montgomery, Ala. Wed. 2-22-56

Mayor W. A. Gayle said yesterday all negotiations with boycotting Negro bus patrons have ceased and no more are planned.

Commenting on the Negroes' rebuff Monday of a compromise seating plan, Mayor Gayle said:

"We had 10 meetings with the Negroes. We offered them equal spaces on buses, an arrangement just as fair to them as to the whites, and they turned it down.

"No further negotiations by the City Commission or any other committee we know of is anticipated."

OTHERS ENDORSED

Mayor Gayle's remarks were endorsed by the other two commissioners.

Said Sellers: "As far as I'm personally concerned I'm through with it (the boycott)".

Said Parks: "Amen."

A compromise plan calling for reservation of the front 10 seats of each bus for white passengers, the rear 10 for Negroes, and the middle section to be seated on a "first come, first served" basis, was resoundingly turned down by Negroes Monday night.

A Negro clergyman, the Rev. R. D. Abernathy, pastor of the First Baptist Church, said the vote was "3,998 to 2" in favor of continuing the boycott.

The city officials made their remarks during a regular meeting of the City Commission.

TAXI PERMIT

A request by Williford Montgomery for a permit to operate a Negro taxi with the Dependable Taxi Cab Co., was taken under consideration.

Commissioner Sellers suggested that relative figures on white and Negro taxis be made available to the commission before any action was taken on the application.

"We don't want to become overburdened with them," he said.

In other business yesterday, the commission:

Authorized the Board of Education to purchase for $10,000 a house and store from Edith Green, adjacent to the Booker Washington School playground.

Approved the education board's request to close an alley running from Union street 250 feet on school property.

DESPITE PROTEST

Granted, despite a protest from members of Capitol Heights Baptist Church, a retail license for off-premises sale of beer to G. A. Canterbury, operator of IGA Store at Capitol Heights.

Approved other retail beer licenses for J. T. Weldon, 706 Mobile St.; Southside Pharmacy, 701 S. McDonough St. and denied the application of George Giles, 2128 Stephens St.

The commission okayed a liquor license application from the Acme Red Fez "D" Society, located on the roof garden of the Ben Moore Hotel.

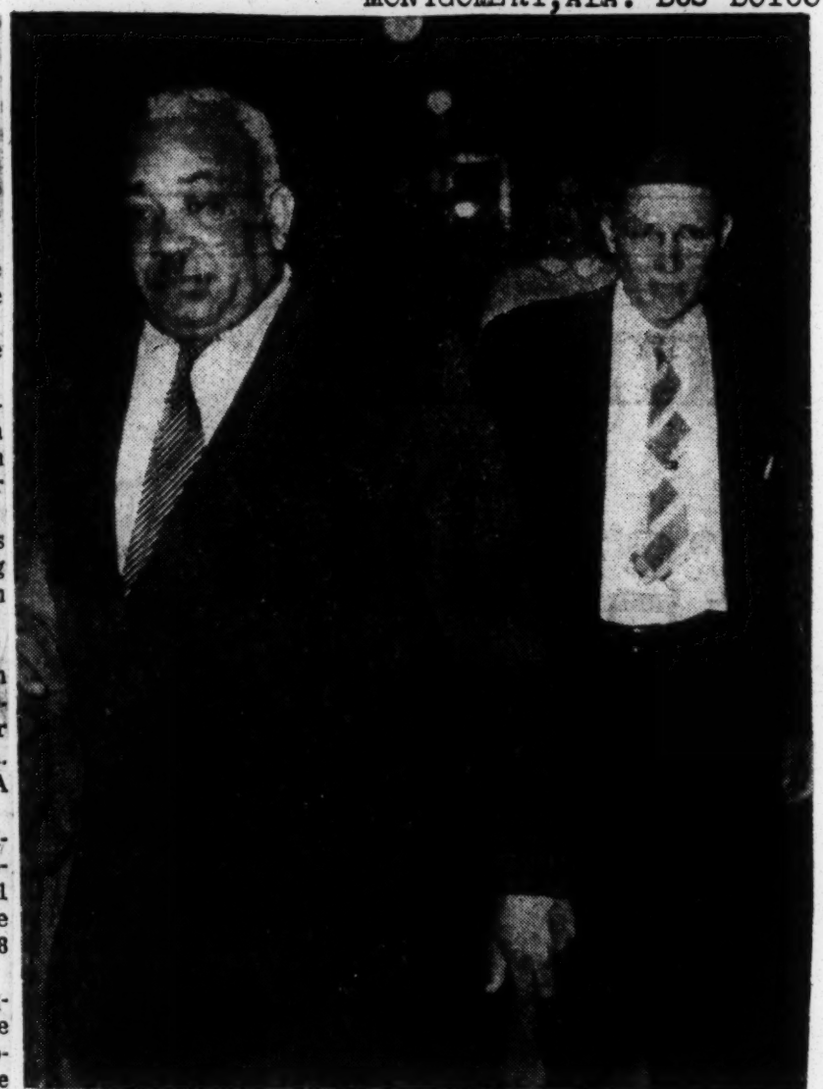
Montgomery Iron and Metal Co. was granted permission to vacate part of Orange street between blocks 28 and 32 in Irmadale.

Without opposition, the commission approved rezoning of lots 50, 51 and 52 of Ashley Plat between Foshee road and Flack road from Residential "B" to "heavy industrial."

Robert C. Newman was leased the city-owned land near the gavel pit for $150 a year.

Sewer assessments on the Wildwood Allendale project, up for final hearing, drew no opposition.

MASS INDICTMENT
MONTGOMERY, ALA. BUS BOYCOTT



Advertiser P. 2 Montgomery, Ala. Wed. 2-22-56

NEGRO BOYCOTT JUROR

E. T. Sinclair, left, the only Negro on the 18-man grand jury panel, walks from the courtroom with an unidentified fellow juror yesterday after the investigating group named 115 persons on indictments growing out of the 11-week-old racial bus boycott. Sinclair is head waiter at the Montgomery Country Club.—**Photo by AP**

Alabama Indicts 115 Negroes Over Boycott of Buses

Herald Tribune P. 1

Wed. 2-22-56 New York, N.Y.

White Offer Of Accord Is Rejected

1921 Law Used In Montgomery

By Robert S. Bird

MONTGOMERY, Ala., Feb. 21.—The Montgomery County grand jury returned eleven true bills here late today, indicting on misdemeanor charges 115 Negroes, including most of the leaders, in the twelve-week-old Negro mass boycott against the city buses.

Coming on top of a breakdown last night of efforts by city officials and other white leaders to effect a compromise settlement of the boycott, the result is this capital city of Alabama tonight has tightened the racial lines on both sides to a near breaking point.

The boycott resulted from Negroes' complaints about an increased fare, bus employment practices and the method of segregation of passengers.

Watched by South

Since this biggest organized mass defiance yet undertaken by Negroes on a segregation issue any place in the South, the crisis is being watched with interest elsewhere. This is true in Mississippi, Georgia and South Carolina, the other three states of the Deep South which are most similarly situated in their determination to prevent desegregation.

Last night it became apparent here in this birthplace of the Confederacy that the boycott to modify the segregation rules on bus riding had reached a deadlock beyond any immediate hope of solution. Both sides now expect economic reprisals to begin.

Compromise Rejected

A Negro mass meeting held in a Baptist Church last night attended by 4,000 persons considered the compromise offer made by the white leaders and with only two dissenting votes turned the offer down.

Their position is that the compromise would give them no advantages and they will continue the boycott as long as necessary to win their original demands.

The settlement effort appeared to have no chance from the start because while negotiations were going forward the grand jury was hearing testimony looking to the indictments. The Negroes regarded this as coercive, and the actual handing up of the indictments now makes a settlement unlikely in the foreseeable future.

The boycott began Dec. 5 and has been carried on by nearly all of the city's 42,000 Negro population, with the aid of a highly organized car-pool arrangement and a great deal of walking.

Herald Tribune P. 13

The grand jury wrote a report which said in part:

"The grand jury finds that there is a growing tension between the races in this community; the bus boycott is but one manifestation of this feeling. Distrust, dislike and hatred are being taught in a community which for more than a generation has enjoyed exemplary race relations. Small incidents have been magnified out of their true importance and ugly rumors are being spread among both races. produces distrust and hate breeds hate.

"It is the feeling of this grand jury that if we continue on our present course of race relations, violence is inevitable. The leaders of both races are urged to take a long and thoughtful look into the future.

N. A. A. C. P. Blamed

"Segregation laws and the N. A. A. C. P. attack on segregation are the primary cause of the unrest and increasing tension between whites and Negroes in Montgomery. In this state we are committed to segregation by custom and by law; we intend to maintain it.

"The settlement of differences over school attendance, public transportation and other public facilities must be made within those laws which reflect our way of life. During the past 100 years no racial group has progressed so rapidly as the Negro, and no minority group has received so much in material aid and encouragement as the Negro."

"All of us recognize that change and progress are inevitable; however, every part of the country and every racial group must approach its own unique problems with determination to face facts and make decisions which are in the best interests of all, now and in the years to come."

Based on 1921 Law

The indictments are based on a 1921 state law enacted by the Legislature after a bitter labor crisis in Birmingham. This crisis resulted in violence, including murder, in the calling out of the state National Guard and the then Gov. Thomas E. Kilby convincing the Legislature to pass a law which makes "conspiracy, combination or agreement to interfere with or hinder business, unlawful."

The section adds: "Two or more persons who, without a just cause or legal excuse for so doing, enter into any combination, conspiracy agreement, arrangement or understanding for the purpose of hindering, delaying or preventing any other persons, firms, corporation or association of persons from carrying on any lawful business, shall be guilty of a misdemeanor."

The penalty provided is a "fine of not less than $100 nor more than $1,000" and also provides for the imprisonment of any convicted person for "not more than six months for the first conviction, at the discretion of the court."

A Federal court action to declare illegal segregation in the buses was recently filed by the Negroes and is now pending.

Attorney Arrested

The Negro attorney who brought that suit, Fred D. Gray, was soon afterward arrested and charged with a fraud in connection with papers he prepared in that action. This arrest was one of the arousing factors which solidified Negro sentiment against settlement of the boycott.

Then the grand jury began calling Negroes in the present case eight days ago. The efforts of the citizens committee calling itself "The Men of Montgomery" to effect a compromise went forward in this atmosphere of Negro resentment and feeling of provocation.

Yesterday afternoon the committee met for the last time with the Negro leaders. They offered a compromise, first, guaranteeing the Negroes courteous treatment on the buses and a modification of the segregation rule. This would have provided a section of ten seats in the rear reserved for Negroes only, ten seats in the forward part of the bus for whites only, and a middle section of sixteen seats to be filled on a first-come first-served basis, starting at the rear for the Negroes and at the front for the whites.

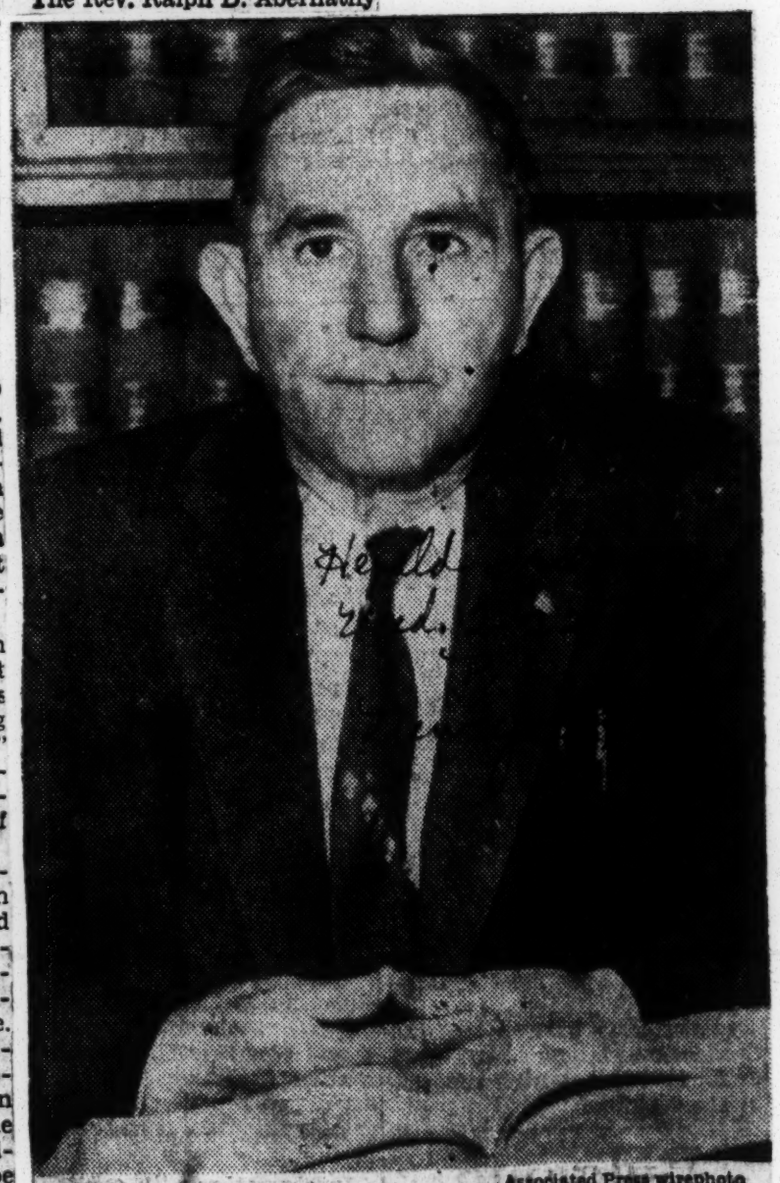
Would Cut Fares

Also the offer contained an agreement for a scaling down of the 50 per cent bus fare increase put into effect after the boycott began.

The Negroes are holding out for a return to the old fare, for employment of Negro drivers on mainly Negro routes, and for a flexible segregation arrangement.

The one they want is to fill buses on a first-come first-served basis, with the Negroes starting to fill the buses from the rear and the whites from the front seats. Under this arrangement, the segregation line would be flexible, since it would allow the imaginary segregation line to move either forward or back depending on the relative proportion of Negroes and whites boarding the bus as it moved along its route.

The Rev. Ralph D. Abernathy



Associated Press wirephoto

Circuit Judge Eugene Carter, in his chambers at Montgomery, Ala., yesterday. A grand jury returned to Judge Carter yesterday indictments against 115 Negroes in the boycott of the city's buses.

38b 1956

ALABAMA

MASS INDICTMENTS
MONTGOMERY, ALA. BUS BOYCOTT

MONTGOMERY ARREST DRIVE

Daily Herald Thurs. 2-23-56

Atlanta, Ga. P. 1

Over 50 Undergo Arrests; All Win Freedom With Bond Of $300

BY PAT J. McDONNELL

MONTGOMERY, Ala. — (INS) — Negro ministers, political leaders, volunteer car-pool operators and the woman whose arrest touched off a mass boycott against Montgomery city bus lines were the victims of mass arrest Wednesday.

By mid-afternoon 53 Negroes, including 14 ministers, had been taken into custody or had surrendered on Grand Jury indictments, charging violation of an anti-boycott law. In the indictments issued Tuesday, the grand jury branded the Boycott illegal and an incitement to "racial tension and violence." At 11 P. M. Wednesday, all those arrested were out on bond.

Among those picked up Wednesday afternoon were P. M. Blair, unofficial "Mayor" of the city's Negro population; Jimmie Parks, head of a Negro High School and Dr. M. C. Cleveland, of the Day Street Baptist Church.

Dr. Cleveland is also chairman of the Foreign Mission Board of the National Baptist (Negro) Convention.

Mrs. Rosa Parks, whose arrest last Dec. 1 over her refusal to change seats in a city bus at the driver's request touched off the 12-week-old boycott, was among those taken into custody.

The arrests were to continue into the night.

Sheriff Hamilton Butler said that while there were 113 separate boycott charges, he estimated "about 80 individuals" would have been booked when the work was completed.

The boycott, which began Dec. 5, continued in full force on Montgomery's bus lines as the victims were booked.

AMONG THOSE ARRESTED

Hundreds of Negroes and whites lined the driveway leading to the jail as the following persons were arrested or surrendered:

Rev. Ralph D. Abernathy, pastor of the First Baptist Church, the first man to be apprehended.

E. D. Nixon, president of the County Negro Democratic Association, whose home was bombed during the boycott.

Rev. M. L. King, whose home was also bombed, was out of town and reportedly not among those indicted.

Rev. J. W. Hayes and Dr. S. S. Seay, respectively presiding elder and executive secretary of the Home Missions Board of the A. M. E. Zion Church.

R. James Glasco, secretary of the Negro Ministerial Alliance, where the grand jury charged the boycott originated.

Rev. Leroy Bennett and Rev. A. W. Wilson, of the Holt Street Baptist Church, where the first boycott meeting was held.

Rev. Aaron Hoffman, a Baptist minister.

W. J. Powell, pastor of the Old Ship Methodist Church.

Mrs. Joan Robinson, president of the Women's Political Action Council of Montgomery.

LABOR LAW ARRESTS

The Montgomery County police carried out the arrests under a 1929 labor law banning boycotts, the law carries jail sentences of six months and fines of $1,000.

Meanwhile, across the street, at the Montgomery Court House, Circuit Judge Eugene Carter upheld the original traffic court fine which launched the boycott.

Police announced Tuesday night that 115 persons had been indicted by the grand jury but it was not yet certain whether all of them will be arrested in connection with the boycott. Under Alabama law names are kept secret until arrests are made.

LAW OF THE LAND

Dr. Abernathy, who with others made bond of $300 and was released, said:

"We are law abiding citizens. We are ready to be governed by the law."

Asked if he referred to Alabama's segregation laws, he snapped:

"Oh, No. No. By the law of the land."

Tearful women embraced Dr. Abernathy as he emerged from the jail with cries of:

"God bless you. God bless you."

Dr. Abernathy declared that "only the people" could halt the boycott and Negroes in the crowd confirmed his views with such opinions as:

"This will not stop it. It's ridiculous putting people in jail for a ten cent bus ride."

Bus Boycott Leaders Arrested In Alabama

News + Observer Thurs. 2-23-56 P. 1

Raleigh, N.C.

MONTGOMERY, Ala., Feb. 22 (AP)—Negro religious and political leaders, including 10 ministers, were arrested on boycotting charges today in a wholesale round up of defendants indicted by a grand jury for their mass protest against bus segregation.

The grand jury returned indictments late yesterday against 115 defendants accused of taking an active part in the 11-week-old racial boycott against Montgomery City Lines buses.

Dates for their trials will be taken up Friday at their arraignment.

Thousands of Negroes have refused to ride the buses since Dec. 5, the day a member of their race, Mrs. Rosa Parks, was fined $14 for refusing to move to the colored section of a bus. City and state laws require segregation.

Mrs. Parks was sentenced to 14 days in jail in lieu of the fine today after Circuit Judge Eugene Carter, the jurist who ordered the grand jury investigation, turned down her appeal from the previous conviction in City Court.

She appealed Judge Carter's decision to the Alabama Supreme Court, and immediately afterward was arrested on a boycotting indictment.

Judge Carter upheld city and state segregation laws when the issue was raised in Mrs. Parks' defense. He imposed the jail sentence after she refused to pay the fine and announced she planned to appeal the conviction. All of the defedants brought to the county jail and fingerprinted were released as soon as they put up bond of $200 each. They were charged with violating a state law against organized, illegal boycotting. Maximum sentence for violation is six months in jail and $1,000 fine.

As the roundup of boycott defendants continued, there were these other developments:

Gov. James E. Folsom invited newspaper editors and publishers to a conference in his office here Friday to discuss racial problems.

Fred D. Gray, 25-year-old unmarried Negro attorney under indictment on a charge of unlawful practice growing out of the bus boycott, lost an appeal from a draft board order reclassifying him 1-A. He had been deferred from military service as assistant pastor of a Negro church.

City attorneys filed an answer in U. S. District Court along with a motion to dismiss a pending suit seeking to outlaw city and state laws which require bus and railroad segregation.

It was that lawsuit that brought Gray's indictment by the grand jury here last week. He was charged with filing the complaint with the consent of one of the five Negro women whose names were signed to the antisegregation petition.

Whether Gray planned to appeal his draft classification to higher authorities wasn't known. The appeals board of the Middle Alabama District announced late yesterday it had upheld the local board decision to put the attorney in 1-A.

MONTGOMERY, Ala., Feb. 22—Negro religious and political leaders, including sixteen ministers, were arrested on boycotting charges today. The arrests were made in a wholesale round up of defendants indicted by a grand jury for their mass protest against bus segregation. The indictments were returned yesterday against 115 defendants accused of taking an active part in the eleven-week Negro boycott against Montgomery's buses. The dates for their trials will be taken up Friday at their arraignment. Thousands of Negroes have refused to ride the buses since Dec. 5, the day a member of their race, Mrs. Rosa Parks, was fined $14 for refusing to move to the Negro section of a bus. City and state laws require segregation.

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bus boycott, lost an appeal from a draft board order reclassifying him 1-A. He had been deferred from military service as assistant pastor of a Negro church.

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Two Political Leaders Held

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Whether Mr. Gray plans to appeal his draft classification to higher authorities is not known. The Appeals Board of the middle Alabama district announced late yesterday that it had upheld the local board decision to put the attorney in 1-A.

Two of Montgomery's most active Negro political leaders were among those arrested on boycotting warrants today. They were E. D. Nixon, former state president of the National Association for the Advancement of Colored People, and Mrs. Jo Ann Robinson, a teacher at Alabama State College for Negroes here.

Mr. Nixon, a Pullman porter, is now president of the Montgomery Progressive Democratic Association, a politically active organization, and Mrs. Robinson heads the Women's Political Council.

A small dynamite bomb exploded in the font yard at Mr. Nixon's home the night of Feb. 1, but no one was injured.

Sheriff Mac Butler said that a mistake in his office had caused another Negro polical figure, Rufus Lewis, to be brought in, but that he was not indicted. Mr. Lewis, who was a witness before the grand jury, is president of the Citizens Club, an organization of Negro voters.

The Sheriff said that Mr. Lewis' name was on a list of those to be brought in, but that when Mr. Lewis arrived at the jail, the error was discovered and he was released.

Mr. Butler said that he has sent word to Mr. Lewis to come to the jail, and that he had appeared voluntarily.

Arrested Ministers Listed

The Negro ministers arrested were:

Dr. S. S. Seay, a leading figure in the African Methodist Episcopal Zion Church throughout the world and former executive secretary of its Home Missions Board.

The Rev. Ralph D. Abernathy, pastor of the Negro First Baptist Church and head of a negotiating committee that had conferred with city officials and bus company spokesmen in unsuccessful attempt to settle the boycott.

The Rev. Joshua William Hayes, presiding elder of the West Montgomery District of the African Methodist Episcopal Zion Church.

The Rev. A. W. Wilson, pastor of the Holt Street Baptist Church, where the first Negro mass meeting was held at the outset of the bus boycott.

The Rev. Joseph H. Cherry (no church specified).

The Rev. R. James Glasco, director of the Alabama Negro Baptist Center in Montgomery.

The Rev. Aaron Hoffman, pastor of the Shiloh Baptist Church.

The Rev. H. H. Hubbard, pastor of the Oak Street Baptist Church.

The Rev. L. R. Bennett, pastor of the Mount Zion African Methodist Episcopal Church.

The Rev. W. J. Powell, pastor of the Old Ship Methodist Church.

The Rev. Sirberia Heard of the Bryant Street Baptist Church.

The Rev. W. F. Alford of the Beaulah Baptist Church.

The Rev. B. J. Simms of St. Marks Baptist Church of Tuskegee, Ala.

The Rev. Fred Davis of Triumph Holiness Church.

The Rev. B. M. Averhart of the Love and Peace Baptist Church of Wetumpka, Ala.

The Rev. M. C. Cleveland of the Board of Missions of the National Baptist Convention.

Although they were not identified in each indictment, Sheriff Butler said that many of the defendants were drivers who used their automobiles in a huge car pool that had furnished transportation to Negroes during the bus protest.

Negro Leaders Arrested in Alabama Bus Boycott

Associated Press Wirephoto

Mrs. Rosa Parks, Negro seamstress, being fingerprinted yesterday in Montgomery, Ala. Her arrest last December for refusing to move to rear of a bus led to the Negro boycott of segregated city bus lines for which she and 114 other persons were arrested yesterday.

38b 1956

ALABAMA

MASS INDICTMENTS
MONTGOMERY, ALA. BUS BOYCOTT

Montgomery 115 Indictments

Daily World

Wed. 2-22-56 P.1

Cites "Tension, Distrust" In Current Race Relationships

Atlanta, Ga.

MONTGOMERY, Ala. — (INS) — A Montgomery Grand Jury — which declared there is "a growing tension" between Negroes and whites — indicted 115 persons for participating in the bus boycott and warned that "if we continue on our present course of race relations, violence is inevitable."

The Grand Jury completed a study of the 12-weeks-old boycott by Negroes of the city's transit system.

The Negro population was protesting "jim crow" seating laws.

The 18-man grand jury —which included one Negro—announced that it was returning 11 true bills and declared that "there has been an illegal boycott."

Under Alabama law, identity of persons indicted is kept secret until they are arrested. The jury did not say whether all 115 indictments were in connection with the bus boycott.

JURY REPORTS "DISTRUST"

In its report on race relations in Montgomery, "the Cradle of the Confederacy," the grand jury declared:

"Distrust, dislike and hatred are being taught in a community which for more than a generation has enjoyed exemplary race relations."

The jury said Alabama's segregation laws and the attack on segregation by the National Association for the Advancement of Colored People "are the primary cause of the unrest and increasing tension between white and Negroes in Montgomery."

The jury added, however:

"In this state we are committed to segregation by custom and by law; we intend to maintain it."

The bus boycott began December 5 after a Negro woman, Mrs. Rosa Parks, was fined in police court for refusing to move to the rear of a bus and give a white man her seat. The grand jury said the boycott was "but one manifestation" of the growing racial tension.

"VIOLENCE INEVITABLE"

Commenting further, the grand jury said:

"Small incidents have been magnified out of their true importance and ugly rumors are being spread among both races. It is axiomatic that distrust produces distrust and hate breeds hate.

"It is the feeling of this grand jury that if we continue on our present course of race relations, violence is inevitable. The leaders of both races are urged to take a long and thoughtful look into the future."

The grand jury found that the boycott began with 18 members of the Interdenominational Ministers Alliance which it said was composed mainly of Negro ministers.

The jury found the ministers created the Montgomery Improvement Association and in the past 12 weeks spent some $18,000 in maintaining the boycott.

The jury launched its investigation under court instructions to determine if the bus boycott came under a seldom used law designed to halt boycotts in labor disputes.

Conviction under this law carries a maximum $1,000 fine and six months in jail.

PROTEST DEVELOPMENTS

Since the arrest of Mrs. Parks, there were these developments:

1. The home of the Rev. M. L. King, Jr., a leader in the boycott, was bombed.

2. The constitutionality of Alabama's segregation laws pertaining to transit systems was attacked in a federal court action.

3. An attorney who filed the constitutional test, Fred D. Gray, was indicted last Saturday, charged with undertaking to represent a woman in this case who did not realize she was participating in the suit.

CITY TO ANSWER TODAY

The City of Montgomery is due to file an answer today to the constitutional challenge which accuses city officials of seeking to break the boycott by "threats, force, violence, intimidation or harrassment."

Daily World

Negroes have been arrested, jailed and fined and taxi drivers have been subjected to a "harassing" questioning by police, the complaint charges, in a "conspiracy to prevent...(Negroes)...from refusing to use the bus facilities.

REPRISALS FEARED

P. 6

The federal court action charges police questioning of taxi drivers was for the purpose of obtaining information which could be used in "bringing pressure upon employers to discharge the Negro employes... and otherwise subject them to economic reprisals."

Mayor W. A. Gayle and Montgomery's two other city commissioners announced publicly their affiliation with the White Citizens' Council "as part of their plan of intimidation," the suit filed by Gray declares.

The White Citizens Council is pledged to maintaining the South's traditional pattern of racial segregation.

75 PER CENT EFFECTIVE

Leaders of the boycott claimed that 75 per cent of regular Negro bus riders had joined in the movement.

The Rev. Ralph D. Abernathy, pastor of the Negro First Baptist Church, said Negroes voted down a "compromise" suggested by a white civic committee.

The compromise would have retained segregation, but would have assured Negroes the 10 seats from the rear of each vehicle.

White people have occupied the 10 front seats, with the bus driver authorized to assign passengers to 16 other seats in a "no-man's land" in the center of the bus. Presently Alabama state law requires white passengers to seat from front-to-rear and Negro passengers from the rear toward the front.

TEXT OF JURY'S REPORT ON BUS BOYCOTT PROBE

Advertiser

Montgomery, Ala.

"In accordance with your honor's charge, this grand jury has conducted an extensive investigation into the local bus situation. We find that there has been an illegal boycott existing in this county since the early part of December, 1955. Indictments have been returned where guilt was shown.

Wed. 2-22-56

"We find that the bus boycott originated on Dec. 5, 1955, with 18 members of the Interdenominational Alliance, most or all of whom are Negro ministers. They created the Montgomery Improvement Association, elected its officers, created its executive board and set up its committees. This association has financed the bus boycott to the extent of some $18,000.

"The grand jury finds that there is a growing tension between the races in this community; the bus boycott is but one manifestation of this feeling. Distrust, dislike and hatred are being taught in a community which for more than a generation has enjoyed exemplary race relations. Small incidents have been magnified out of their true importance and ugly rumors are being spread among both races. It is axiomatic that distrust produces distrust and hate breeds hate.

"It is the feeling of this grand jury that if we continue on our present course of race relations, violence is inevitable. The leaders of both races are urged to take a long and thoughtful look into the future.

"Our segregation laws and the NAACP attack on segregation are the primary cause of the unrest and increasing tension between whites and Negroes in Montgomery. In this state we are committed to segregation by custom and by law; we intend to maintain it. The settlement of differences over school attendance, public transportation and other public facilities must be made within those laws which reflect our way of life. During the past hundred years, no racial group has progressed so rapidly as the Negro, and no minority group has received so much in material aid and encouragement as the Negro. All of us recognize that change and progress are inevitable; however, every part of the country and every racial group must approach its own unique problems with the determination to face facts and make decisions which are in the best interest of all, now and in the years to come.

"The grand jury would like to take this opportunity to commend William F. Thetford, the solicitor, and his staff for their excellent help through the entire week.

"We would also like to thank the sheriff, the bailiff, the police of Montgomery and the state and county officers for their efficient services. We would particularly like to commend City Detectives E. W. Jone and Jack Shows for their services to this grand jury.

"And now, having completed investigation of all cases brought before us, we ask to be recessed according to law and rules of this court."

Bus Boycott By Negroes Indicts 115

Constitution Wed. 2-22-56 Atlanta Ga.

Montgomery Jury Asks Racial Accord

P. 1

MONTGOMERY, Ala., Feb. 21 (AP). A grand jury indicted 115 persons involved in Montgomery's Negro bus boycott today.

The grand jury warned that violence is inevitable unless race relations improve.

Only 11 indictments were returned, but an official source said 115 defendants were named, several of them on each indictment.

Under state law, names of the defendants and the specific charges against them must be kept secret until the accused are in custody.

ARRESTS WEDNESDAY

Sheriff MacButler said no arrests on the indictments will be made until tomorrow.

One indictment growing out of the boycott was returned by the grand jury last week when a Negro attorney was charged with unlawful practice growing out of an anti-segregation suit filed in U.S. District Court.

Fred D. Gray was accused of filing the suit against bus segregation without the consent of one of the five Negro women whose names appeared on the complaint.

ANTI-BOYCOTT LAW

The grand jury report said the boycott is a violation of Alabama law gainst boycotting without "a just cause or legal excuse."

The jury said the boycott originated with 18 members of what it called the inter-denominational alliance composed mostly of Negro ministers. Those 18 members created the Montgomery Improvement Assn. which has financed the boycott to the extent of some $18,000, the report continued.

The grand jury which included 17 white men and one Negro warned that "if we continue on our present course of race relations, violence is inevitable. The leaders of both races are urged to take a long and thoughtful look into the future."

VOWS SEGREGATION

Segregation laws and the attack on them by the National Assn. for the Advancement of Colored People have been the primary cause of racial tension in Montgomery, the jury continued, adding that "we intend to maintain" separate facilities in schools, public transportation and elsewhere.

A state law enacted in 1921 and originally aimed at labor disputes makes an organized boycott unlawful without "a just cause or legal excuse." Violations are punishable by a $1,000 fine and six month.

Mass Indictments

World P. 8

A Montgomery Grand Jury has done what anyone following the protest against alleged racial mistreatment on city buses should have expected — use political power to curb economic resentment. Political power took the form of the indictment of 115 persons on charges of allegedly violating Alabama's boycott laws.

For about 11 weeks a substantial segment of Montgomery's population stopped riding the buses after a woman was arrested and fined for allegedly refusing to spring out of her seat, push back into the crowded section of the bus, and let a man who board the bus after she was seated, take her seat. Buses which move human traffic for pay in Montgomery have a monopoly. Hence the laws of economic competition do not apply.

Perhaps this is the first time in the history of America that a segment's whole leadership has been indicted. This reflects desperation, frustration and retaliation. All of these are unhealthy signs in a civilization, to say nothing about a democracy. This is what concerns us most for the movement.

It should also be observed that some bus company officials, some city officials, and some others have been summoned to court to answer certain charges. The legality of certain mean and cruel laws are being challenged. Still it is far better that these issues be tugged at in court action rather than by tossing bombs, or through use of violent propaganda, or by high-handed intimidation.

Birmingham, Ala.

When it is mentioned that Montgomery, Alabama has had friendly relations, the full record is not exposed. Some persons with obvious qualifications to vote do not always find the way clear to get their names on the poll lists. One elected public officials campaigned on a platform designed to hold one segment beneath the other. Three top city officials allegedly joined an organization dedicated to rebel against at least one decision of the United States Supreme Court.

Fri. 2-24-56

The ballot is a good barometer of race relations. Take any city, county or state in America where racial restrictions are placed on the ballot and there you find group relations poor, even if subdued. Listen to some politicians exclaim that they were elected without carrying this vote, or that vote, and you get a proper perspective of community relations. Where civic relations are favorable one hears no such talk.

Indictments are not automatic convictions. Often they appear to be almost the case in some spots in America where prejudice strong arms justice. Fortunately the state courts in America are not the last resorts. And the indictments of the 115 alleged protest participants may be the initial step on a long legal journey.

Both sides are now in court. A friendly suit on the constitutionality of the bus segregation laws could have, we believe, made many of the other developments unnecessary. Bad publicity again spotlights Alabama.

Negroes in Alabama City Refuse to End Bus Boycott

Star P. 12-A Tues. 2-21-56

MONTGOMERY, Ala., Feb. 21 (AP).—In the face of possible grand jury indictments, Montgomery Negroes continued their bus boycott with new determination today after overwhelmingly rejecting a compromise settlement.

The Montgomery County grand jury was expected to make its final report today, climaxing an eight-day investigation of the mass segregation protest now in its 12th week.

Washington D.C.

Indictments could be returend under an old Alabama law which makes unlawful boycotting punishable by a fine of $1,000 and six months in jail.

With a vow to "walk on," an offer to end the South's first mass use of economic force in the battle over racial segregation was rejected at a Negro rally last night.

Only Two Dissents Reported

Only two dissenting votes were cast, said the Rev. Ralph D. Abernathy, chairman of the Negotiating Committee and pastor of the Negro First Baptist Church.

Mr. Abernathy said about 4,000 persons attended the rally.

Representatives of the Montgomery City Lines and the city commission previously had agreed to the proposals submitted by a newly formed civic organization, the Men of Montgomery.

Conforming to "existing (segregation) laws," the compromise plan proposed that the first 10 seats in the front of each bus be reserved for white passengers and the first 10 seats in the rear for Negroes.

Remaining seats in the center would be filled by Negroes from the rear toward the front and white customers from the front to the rear. Negroes would be pomised courteous treatment, and extra buses would be used during peak hours of travel.

Assured Against Retaliation

The compromise sought to assure the Negroes that there would be "no retaliation whatsoever resulting from the bus boycott."

Mr. Abernathy said after the meeting, from which newsmen were barred, that Negroes would gain virtually no concessions and would have to "return to the buses with increased fares besides" (the single fare rate has gone up from 10 to 15 cents during the boycott). "We have walked for 11 weeks in the cold and rain Now the weather is warming up. Therefore, we will walk on until some better proposals are forthcoming from our city fathers"

At the outset, the Negroes asked for "courtesy" from bus drivers; a "first come, first served" arrangement with Negroes seated from the rear toward the front, and employment of Negro drivers on routes serving predominantly Negro areas.

The protest against segregated bus transportation began December 5 after a Negro woman, Mrs. Rosa Parks, was arrested and fined $14 for refusing to move to the colored section of a bus. City and State laws require separate facilities on all public transportation.

OPPOSING 3,998

Negro Minister One Of Pair Voting To Halt Bus Boycott

Advertiser Montgomery, Ala. Mar. 2-23-56

By STEVE LESHER

A tall Negro minister who was arrested on charges of advocating a boycott revealed yesterday he was one of the two men who voted to end the bus boycott last Monday night.

The Rev. L. R. Bennett, 721 S. Holt St., said he and his assistant parson voted against an estimated 3,998 Negroes who overwhelmingly decided to ignore the city's final attempt at compromise.

But he added, "I believe in the will of the majority and I will stand with my people throughout this protest despite my own opinions."

Bennett divulged this information while he was standing with a group of Negro ministers in front of the Montgomery County Jail.

Bennett, minister of a Methodist Church at Holt and Stone streets, said he had officiated at the very first protest meeting held prior to the boycott at the Dexter Avenue Baptist Church.

Bennett said when he entered the Negro Methodist Church at which the mass meeting was held he was "cheered by my people until I had to tell them to 'stop this foolisnness.' Then when I told them to vote in favor of the compromise, I was booed and jeered."

Bennett listed his reasons for advocating the return of Negroes to the city's buses.

"I told them that I felt we had accomplished our purpose in this protest. I feel we have brought our situation to a head. I feel that now the NAACP, our legal arm whom we have kept out of the picture so far, may now take steps to test the legality of our demands."

Bennett would not say if the NAACP had been called in to aid in the defense of the Negroes charged with advocating a boycott. In a telephone interview with Atty. Arthur D. Shores of Birmingham, The Advertiser learned he will assist in the defense of those charged.

Shores, attorney for Autherine Lucy and Pollie Ann Hudson, two Negroes who have been seeking entrance to the University of Alabama, said that he "didn't know if the NAACP would assist us in the defense."

"I have been called in to assist in the defense," Shores said. "I don't know who will lead the defense, but I assume it will be Fred Gray and Charles Langford. We haven't planned our case and strategy yet and I don't think we'll have proper time to prepare the case."

The hearings are scheduled for this Friday. Shores said he "might" be in Montgomery today to confer with Gray and Langford.

Meanwhile, Bennett said he feels the "white people know now that the Negro wants to be able to sit on a bus when there is an empty seat." He added "there were plenty of people mad at me when I said we should end the protest."

Advertiser P. 2-A

"We are a proud race of people," Bennett said, "and this protest has served to cement us together as a people striving for self-improvement."

Speed Marks Mass Arrests Of Boycotters

Advertiser Montgomery, Ala. Mar. 2-23-56

By JOE AZBELL
Advertiser City Editor

(Joe Azbell, Advertiser city editor, was the only reporter allowed inside the county jail while arrests of the Negroes in the bus boycott was taking place. He acted as contact reporter between the sheriff's forces and the press corps.)

It was like an army recruit line, and as speedy.

Two deputies were handed a batch of warrants.

They drove off. In 15 minutes they were back.

In the rear seat was one of the 115 Negroes accused of boycotting Montgomery City Lines buses.

The deputies hurriedly ushered the Negro inside.

At a desk, a deputy sheriff checked the warrant against a four-page list.

"You're one," he would say in confirmation of the warrant.

THAT WAS IT

He took down the Negro's name, age, weight and height.

That was the booking.

"Okay. Next." he would say. Another pair of deputies waiting at the door would line up the next arrested Negro.

From the desk, the Negroes would be sent unescorted to the fingerprint and photographic room. It was informal and yet efficient.

The Negroes passed the normal booking desk, passed through a swinging gate, detoured down a dark hall and went into an illighted room where two young policemen were taking fingerprints and pictures. The room was crowded with cameras and printing apparatus. There was a waiting line of five or six all day. As each Negro was fingerprinted, the policeman would pour alcohol from a bottle on the inked hands and hand the Negro a paper towel.

NUMBERED EACH

The other policeman would pin up a number, hang it on the Negro and photograph him.

They were handed the three fingerprint cards and shown to an adjoining room where a deputy sheriff, seated at a desk, took down information about each — age weight, characteristics, teeth markings, next of kin, occupations, date and place of birth.

Completing this, they squeezed their way through the crowded fingerprint room and hall back to the main booking desk. Standing at the booking desk always were three or four Negroes ready to sign bonds for those arrested.

Once the $300 bonds were signed, the Negroes went outside. Few left. Most waited for other Negroes to arrive.

OLD HOME WEEK

The outside atmosphere, rather than being tense, was much like "old home week." There was laughing and joking, casual conversations, and handshaking as new figures came out of the jail.

In small huddles, they would join in the joking.

"Man, you're late. I've been here an hour."

Advertiser

As a car approached the jail, a Negro would be heard saying: "Well, here comes my preacher."

P. 2-A

As the day began, those arrested were brought in by deputies, but late in the morning the procedure became predominantly volunteer arresting. Those who had been booked would bring in others standing in the crowd who would check to see if they were among the indicted. Many were. A few weren't. By noon more than half of those arrested had volunteered.

CROWDS OF NEGROES BLOCK STREET

Crowds of Negro onlookers blocked Washington street at one point yesterday and were moved to the south side of the street by Sheriff Mac Sim Butler and his deputies. Onlookers, both white and Negro, were estimated to total 200. They came to witness the bookings of at least 70 Negroes charged with advocating a boycott.—**Photo By Kraus**

Alabama Jury To Study Negroes' Bus Boycott

Courier-Journal P. 4
Tues. 2-14-56

Montgomery, Ala., Feb. 13 (AP)—Circuit Judge Eugene Carter charged a grand jury today to determine whether Negroes who are boycotting Mongomery City Lines buses are violating the law.

Louisville, Ky.

E. T. Sinclair, a waiter, was the only Negro seated on the Montgomery County grand jury which began its work after Carter concluded his instructions. The jury contained 17 white men.

Declaring "the doctrine of hate has no place here," the Judge told the jurors that "a person's business is property and, if lawfully conducted, is entitled to protection from unlawful interference."

Fine Started Boycott

Negroes have boycotted Montgomery City Lines buses since last December 5, the day a Negro, Mrs. Rosa Parks, was fined $14 in City Court for refusing to move to the Negro section of a bus.

State and City laws require segregation on all public transportation. Since the boycott began, a suit has been filed in United States District Court seeking to have those laws declared unconstitutional.

Circuit Solicitor W. F. Thetford said anyone taking part in a conspiracy to boycott the bus lines could be indicted under a State law that makes boycotting punishable by six months in jail and a $500 fine.

Conspiracy Illegal

A section of the Alabama Code says:

"Two or more persons who, without a just cause or legal excuse for so doing, enter into any combination, conspiracy, agreement, arrangement, or understanding for the purpose of hindering, delaying, or preventing any other persons, firms, corporations, or associations of persons from carrying on any lawful business shall be guilty of a misdemeanor."

Even if the grand jury finds the boycott illegal, Solicitor Thetford said, the City or State can do nothing to compel Negroes to ride buses again. But he said the jury could indict boycott leaders if there is evidence of unlawful acts.

Jury to Rule on Legality Of Negroes' Bus Boycott

Herald Tribune P. 5
Tues. 2-14-56

MONTGOMERY, Ala., Feb. 13 (AP).—A county grand jury composed of seventeen white men and one Negro was told by Circuit Judge Eugene Carter today to determine whether the ten-week-old Negro boycott of City Lines buses here is illegal. If it is illegal, the judge declared, the boycott must be stopped.

New York

E. T. Sinclair, a waiter, was the Negro seated on the grand jury.

N. Y.

Judge Carter also told the grand jury "no court, whether it be Federal court, state court or city court, can interfere with your investigation. You are the supreme inquisitorial body."

Second Reminder

It was the second such reference within a week in Alabama to the powers of a county grand jury. Circut Judge George Wallace told the Bullock County Grand Jury at Union Springs last Monday that he would jail any Federal agents caught investigating his court or grand jury.

Judge Wallace spoke in protest against the action of the F. B. I. in investigating the way grand juries in Cobb County, Ga., were drawn.

Judge Carter, continuing his reference to the bus boycott in Montgomery, declared "the doctrine of hate has no place here, and particularly has no place in the churches."

He said Montgomery "has been a city that both races have had pleasure living in. I say to both black and white, let's continue to live as neighbors."

Protection of Business

Directing the jury to determine the legality or illegality of the organized refusal of Negroes to ride Montgomery City Lines buses, the court declared:

"It is recognized under the Constitution, state and Federal, that a person's business is property and if lawfully conducted is entitled to protection from unlawful interference.

"The essential idea of boycotting . . . is a confederation, generally secret, of many persons whose intent is to injure another by preventing any and all persons from doing business with him, through fear of incurring the displeasure, persecution and vengeance of the conspirators."

The boycott started Dec. 5 in protest against the arrest of a Negro woman who refused to move to the colored section of a bus. The woman, Mrs. Rosa Parks, was fined $14 in City Court. State and city laws require segregation on all public transportation.

Subject to Jail Term

Circuit Solicitor W. F. Thetford said Alabama law makes participation in an unlawful boycott a misdemeanor punishable by six months in jail or a fine of $500. He said any one taking part in an illegal boycott is subject to prosecution.

City officials weren't available for comment on what the city might be able to do if the grand jury found the boycott illegal.

But Solicitor Thetford said the jury could indict boycott leaders if they had evidence of unlawful acts. At the same time, he said, the jury couldn't compel Negroes to ride the buses again.

Appeal Sent Folsom

Herald P. 10 A
Miami, Fla.

Arrest of several Negro Baptist ministers in the bus boycott dispute in Montgomery, Ala., drew the fire Thursday of the president of the National (Negro) Baptist Convention of the U.S.A., Inc., vacationing in Miami.

Jn., 2-24-56

Dr. J. H. Jackson, visiting here from Chicago, wired this message to Alabama Gov. Jim Folsom.

"Regret to learn of developments in Montgomery which have resulted in arrest of at least nine ministers of religion whom I know personally as some of the most loyal Americans who love their nation dearly and their own people most passionately.

"If they have broken any laws, they have done it without knowledge.

"In the name of this American republic, and the 5,000,000 Baptist of our country, I pray you and your good offices to do all within your power to achieve the following:

"1—A just settlement of the problems in the dispute.

"2—The release of these ministers of religion from the toils of the law.

"3—And help to continue the growth of good will among the people of both races within your state.

"We of the National Baptist Convention are anxious to cooperate with you in any constructive measure."

Bus Boycott Arrests Scored

Arrests Hit As Red Methods

Daily World
Sun. 2-26-56
Atlanta, Ga.

CHARLESTON, S. C. — (Special to the Atlanta Daily World) — The mass arrests of 115 Nearoes

MASS INDICTMENTS
MONTGOMERY, ALA. BUS BOYCOTT

in Montgomery, Ala., was described here as "Soviet Communism method," during c heated declaration that Southern whites, not the NAACP are creating additional tension between Negroes and whites.

Roy Wilkins, Excutive Secretary of the National Association for the Advancement of Colored People, made the charge Friday in Charleston o ly hours after Montgomery's colored citizens held a mass "Walking Day" in protest over the segregated bus situation.

P. 1

PROBLEM OF SOUTH

"Probably noth ng illustrates the problem of the South so well as the Montgomery bus protest." Mr. Wilkins declared. "And Montgomery city officials, all of whom belong to the White Citizens Councils have met the situation in the customary Southern manner.

"The police state has come out in the open at Montgomery. The grand jury has ind cted 115 persons under a state anti-boycott law."

Mr. Wilkins held that "This is the Soviet communism method. Here we have the police knocking on doors and taking men away. Here we have mass arrests. Here we have a grand jury delivering a general lecture on observance of the segregation line. Prec sely like the Communists."

QUOTED REPORT

The speaker, who was addressing the Southeast Regional Convention of the NAACP, quoted the Montgomery Grand Jury's report which is based as reason for the 115 arrests.

Interpreting the statement, Mr. Wilkins declared:

"What the grand jury said is: Here in Montgomery we don't care a hoot about any law except our law; don't get any notions about the Supreme Court or the Constitution, or the United States; this is Montgomery, Alabama, and this is what we say black people must do—or else."

POWER STRUGGLE

Mr. Wilkins termed attacks on Negroes cowardly, and added "to appreciate the scope of the cowardice, one must remember that none of the victims threatens the power structure of the South. Negroes own no great industries, publ sh no daily papers, sit in no legislatures have only a fingernail hold in financial circles, are not sheriffs, sit on no court benches, and hold only a few scattered and minor polit cal offices. Their industrial employment is limited to unskilled

categories.

"What threat do they pose? Are these Citizens Council members these industrial executives, bankers, educators, ministers of the gospel and other respectable white community leaders any safer or happier because some Negro family is made to face sudden disaster?

"Does it make a textile executive more secure to know that a Negro widow with four children over in Clarendon County is thrown off the land and has to beg bread and milk for the "sin" of assuming she is a human being?"

Daily World P. 4

Mr. Wilkins declared the school desegregation problem can be solved if the "South will begin by recognizing Negro citizenship, unreserved citizenship."

"The time has come for freedom," Mr. Wilkins declared. "We have been patient—God knows!—but the time is here. Who can say with truth that we want to go too fast? Ninety years is a long time to wait no man who waits that long is going too fast."

MASS INDICTMENTS
MONTGOMERY, ALA. BUS BOYCOTT

Leader In Bus Boycott Indicted By Grand Jury

Calif Tri. 2-24-56 P.1 Kansas City, Mo

Attorney Accused Of Fraud

For Client Without Says Lawyer Acted Proper Consent

MONTGOMERY, Ala. —(INS)— A Negro attorney active in efforts to end racial segregation in public transportation at Montgomery was indicted Saturday for representing an individual without his consent.

Attorney Arthur Gray was arrested and freed upon posting $300 bond.

The grand jury that returned the indictment will resume its study of a boycott of city buses by Negroes on Monday.

The action brought from a Negro leader the pledge that members of his race will be more determined than ever to maintain their refusal to ride city buses until "Jim Crow" seating is abolished.

There was no sign if other indictments have been returned in the racial controversy since Alabama law does not permit announcing names of accused until they are served with the indictments.

Gray and Charles Langford were the attorneys in a suit filed two weeks ago in federal district court at Montgomery seeking an end to segregation in public transportation.

Five plaintiffs were listed in the suit. One of them, Jenetta Reese, later withdrew because, she said, of the threats made against her.

It was believed she was the individual Gray was accused of representing without her consent.

The law reportedly has brought only one previous indictment in Alabama history. That one resulted in the conviction in 1940 of a Montgomery Negro lawyer who was active in opening voter registration lists to Negroes. P. 4

If convicted, Gray would be automatically barred from law practice and would face a minimum fine of $500. No maximum fine is set by the law. Gray, a native of Montgomery, has been practicing law for 18 months. He is a graduate of Western Reserve at Cleveland, Ohio. Kansas City, Mo.

Of the attempts to end racial segregation in Montgomery, Gray said:

"The suit will go on regardless of what happens to me as long as there is one plaintiff. I think the other four will stick."

The grand jury began its study last Monday into the bus boycott that was launched Dec. 5, in protest of "jim crow" regulations. The long boycott has been marked by tensions that reached a peak two weeks ago when the homes of two Negro leaders were bombed.

One of those leaders, the Rev. M. L. King, a Baptist minister, said of the Gray indictment:

"It seems to me our boycott has grown more effective instead of losing effectiveness as time goes on and this might make our people more determined than ever."

King, visiting his father, also a Baptist minister, in Atlanta, said the Montgomery grand jury is "seeking to declare the boycott illegal, but there is no way to make people ride the buses."

He estimated that "less than one per cent" of the city's usual number of Negro bus riders is still riding them.

Declaring the Gray indictment as a "subtle and insidious attempt" to have Gray disbarred King added:

"Montgomery's 50,000 Negroes are standing behind him with all the strength and influence they have, as well as many white friends of good will."

The Rev. King said he felt the grand jury activity "will increase tension" in the city, but added:

"I believe these tensions ultimately will lead to greater harmony between the races in Montgomery. None of us enjoys the tensions."

The Rev. Mr. King said that he would not be surprised if the grand jury "indicted a few more of us."

King, one of the leaders of the boycott, said the action was part of a world-wide revolt of oppressed peoples.

"It's part of something that's happening all over the world," Rev. King said.

"The oppressed people of the world are rising up. They are revolting against colonialism, imperialism and other systems of oppression," he said.

When reminded that Alabama law prohibits boycott without just cause, Rev. King said that Negroes in Montgomery feel they have a just cause.

Stating there was a possibility of the boycott being called off pending court action, King said:

"But I doubt that more than 50 per cent of our people would go back to the system of segregated seating."

King described the boycott as a "movement of passive resistance," stating that "we have kept violence out of the picture from our standpoint."

He said bombs which were exploded at his home and the home of another Negro leader in Montgomery were probably "not intended to harm anyone, but were a symbol of intimidation."

"I'm well guarded everywhere I go in Montgomery, by my friends," he said. "I asked the sheriff for personal protection, but that was denied."

115 ARE INDICTED IN BUS BOYCOTT

Times-Picayune

Montgomery Jury Warns of Violence Danger

Wed. 2-22-56

By REX THOMAS

MONTGOMERY, Ala., Feb. 21 (AP) — With an ominous warning of violence unless racial relations improve, a grand jury Tuesday indicted 115 persons for participating in Montgomery's lengthening Negro bus boycott. P. 1 New Orleans

Names of the defendants and the specific charges were kept secret until the accused persons were taken into custody.

The grand jury, whose 18 members included a Negro waiter, E. T. Sinclair, said in its written report that "distrust, dislike and hatred are being taught in a community which for more than a generation has enjoyed exemplary race relations.

'Ugly Rumors Spread'

"Small incidents have been magnified out of their true importance and ugly rumors are being spread among both races . . ."

And "if we continue on our present course of race relations," the jurors admonished, "violence is inevitable."

Sinclair, the Negro juror, is head waiter at the Montgomery Country Club. How he voted on the indictments wasn't disclosed since grand jury ballots are taken in close-kept secrecy.

Only 11 true bills were returned in the grand jury's final report, but an official source who wouldn't be quoted by name said 115 defendants were named in the multiple indictments.

He also said all of them were involved in the bus boycott.

Filing of Suit Involved

One indictment growing out of the boycott was returned by the grand jury last week when a Negro attorney was charged with unlawful practice growing out of an antisegregation suit filed in US district court.

The lawyer, Fred D. Gray, was accused of filing the suit against bus segregation without the consent of one of the five Negro women whose names appeared on the complaint.

The grand jury in its written report said the bus boycott which has continued without a break since Dec. 5 is a violation of Alabama law which prohibits boycotting without "a just cause or legal excuse."

The jury's report said the boycott originated wth 18 members of what it called the inter-denominational alliance composed mostly of Negro ministers.

Financed Boycott

Those 18 members created the Montgomery Improvement Association which has financed the boycott to the extent of some $18,000, the report continued.

The jury also said "there is a growing tension between the races in this community" and the bus boycott is "but one manifestation of this feeling." Times-Picayune

"Distrust, dislike and hatred are being taught in a community which for more than a generation has had exemplary race relations," the repotr said. P. 3

"Small incidents have been magnified out of their true importance and ugly rumors are being spread among both races . . ."

Violence Inevitable

Ominously, the grand jury warned that "if we continue on our present course or race relations, violence is inevitable. The leaders of both races are urged to take a long and thoughtful look into the future."

Segregation laws and the attack on them by the National Association for the Advancement of Colored People have been the primary cause of racial tension in Montgomery, the jury continued, adding that "we intend to maintain" separate facilities in schools, public transportation and elsewhere.

The settlement of differences, "must be made within these laws which reflect our ways of life," the jury declared.

Grand Jurors Give Warning Of Violence

Post-Herald Wed. 2-22-56 P. 1

Hit At Growing Race Hatred

Birmingham

MONTGOMERY, Feb. 21 (AP)—A grand jury returned indictments against 115 persons today, most if not all of them involved in Montgomery's Negro bus boycott.

Only 11 indictments were returned in the grand jury's final report, but an official source said 115 defendants were named, several of them on each indictment.

Under Alabama law, names of the defendants and the specific charges against them must be kept secret until the accused persons are in custody.

An official source who wouldn't be quoted by name said most, if not all, of the defendants were indicted for the boycott, during which Negroes by the thousands have refused to ride Montgomery City Lines buses for the past 11 weeks.

One indictment growing out of the boycott was returned by the Grand Jury last week when a Negro attorney was charged with unlawful practice growing out of an anti-segregation suit filed in U. S. District Court.

The lawyer, Fred D. Gray, was accused of filing the suit against bus segregation without the consent of one of the five Negro women whose names appeared on the complaint.

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The settlement of differences "must be made within these laws which reflect our ways of life," the jury declared.

The bus boycott investigation began eight days ago when Circuit Judge Eugene Carter charged the regular February Grand Jury to determine whether the mass protest against racial segregation facilities was illegal.

Jury Indicts Atty. In Ala. Bus Boycott

Weekly P. 1 Sat. 2-25-56 New Orleans, La.

Montgomery, Ala. (ANP). — Negro leaders of the 11-week-old boycott of Montgomery buses said the indictment of Atty. Fred D. Gray, their top level advisor, will make them more determined than ever to continue their fight against segregated seating facilities.

Atty. Gray, 25, who filed a federal court suit seeking to end Jim Crow on city buses recently, was arrested Saturday under a grand jury indictment charging he filed the suit unlawfully and without being employed by one of the plaintiffs.

He was released on $300 bond.

Five plaintiffs were listed in the suit. One of them, Mrs. Jeanetta Ross, an elderly housemaid, later said she did not know what she was doing when she signed and asked that her name be withdrawn.

Gray denied the charge and said several persons were present in his office when the woman signed the suit. He said he explained the implication of the action at the time.

The grand jury, which has been investigating the legality of the bus boycott, returned 114 indictments Saturday as it made a partial report.

However, Gray's indictment was believed to be the only one directly connected with the boycott. The grand jury will make a final report later this week, in which further boycott indictments are expected to be presented.

If convicted, Gray would be required to pay a $500 fine and would be prohibited from practice in any state court.

The law reportedly has brought only one previous indictment in Alabama history. That one resulted in the conviction in 1940 of a Montgomery Negro attorney who was active in opening voter registration lists to Negroes.

Gray has been a leader in the boycott, which has resulted in an estimated 80 to 90 per cent of the regular Negro bus passengers refusing to ride the segregated buses.

New Orleans, La.

A native of Montgomery, Gray has been practicing law for 18 months. He is a graduate of Western Reserve University, Cleveland, Ohio.

He was recently reclassified 1-A by a local draft board. He had been exempt as a minister with 4-D classification.

Hold Montgomery Lawyer On Violation of Boycott Law; Protested City Bus Bias

Bystander P. 1 Thurs. 2-23-56 Des Moines, Iowa

MONTGOMERY, ALA. — A Negro attorney who filed an antisegregation suit growing out of Montgomery's bus boycott was arrested Saturday on an indictment returned by a grand jury investigating the boycott.

The grand jury may write other indictments early this week charging actual violation of Alabama's boycott law, a statute originally aimed at labor disputes.

Fred Gray, 25, Montgomery attorney, was among the defendants named in 114 true bills handed in by the jury late Friday.

"Without Consent"

Gray was charged with unlawfully filing an anti-segregation suit in U. S. district court last month without the consent of one of the five Negro women whose names appeared on the complaint.

Out on Bond

The suit, an outgrowth of the racial boycott against Montgomery buses, seeks to knock out city and state laws which require segregation on all public transportation.

The attorney was released on $300 bond. The indictment was returned under a state law which makes it a misdemeanor to file a court suit without authority. Violation is punishable by a $500 fine and suspension from practice.

Gray was exempt from the military draft when the boycott began, being classified 4-D as a "practicing minister."

Rarely Used Law

Buthis draft board reclassified him 1-A last month without mentioning the racial disturbance. Officials said he forfeited his right to deferment when his church acquired a full-time minister.

If the grand jury of 17 white men and one Negro finds the bus protest was organized and carried on without "just cause or legal excuse," it can return indictment under a state law rarely used before except in labor strife.

The statute was enacted in 1921 as an outgrowth of labor unrest in Birmingham which included boycotts and blacklisting along with physical violence in the strike-ridden coal fields there.

Thurs. 2-23-56 Des Moines, Iowa

Law Prohibits

The law prohibits two or more persons "without a just cause or legal excuse," from entering into "any combination, conspiracy, agreement, arrangement or understanding for the purpose of hindering, delaying, or preventing any other persons, firms, corporations or associations from carrying on any lawful business."

Maximum penalty for violation is 6 months in jail and $1,000 fine.

SEGREGATION

Sunday Star Washington, D.C.

Alabama Walkathon Continues Despite Leader's Conviction

A Montgomery (Ala.) judge last week convicted the 27-year-old Negro minister who, with soft words and fervent prayer, has led a four-month walkathon by members of his race protesting segregation and what they regard as shabby treatment on city buses.

The Rev. Martin Luther King, jr., Thursday appealed his conviction on charges of violating Alabama's anti-boycott law. A few hours later, Mr. King told a cheering audience in a packed Negro church:

"Freedom doesn't come on a silver platter. Some of the things we have to go through are a necessary part of our campaign. There can never be growth without growing pains."

Sunday Star

But besides the growing pains, there were also some sore feet. Montgomery's 34,000 walking Negroes were still staying off the buses. They vowed the boycott would continue indefinitely. After the four-day trial ended, the State agreed to postpone the trials of 89 other Negroes facing similar charges pending Mr. King's appeal. P. 28-A

Move in Congress

Meanwhile, in Congress, a bipartisan group of House members began efforts to send to the floor a catch-all civil rights bill. A discharge petition requiring 218 signatures was introduced in an attempt to bypass consideration by the Judiciary and Rules Committees In recent years, civil rights measures have had relatively easy going in the House, which has passed several, only to see them die at the hands of Southern filibusterers in the Senate.

Star 3-25-56

On Wednesday, President Eisenhower gently prodded the South to get on with integration in public schools. He repeated the appeal for moderation he had made the pervious week at his news conference, but this time he reminded the South that the Supreme Court's desegregation decision was the law of the land and that "it is incumbent on all the South to show some progress." Mr. Eisenhower said that much of the responsibility for starting the process of desegregation belongs to the clergy of the South.

The President did not indicate that he had any plans to call a White House Civil Rights conference, a course urged upon him from many quarters, including the camp of Adlai Stevenson.

Progress in Texas

In other developments on the segregation front:

- The city council in San Antonio, Tex., in five minutes ended a century of segregation in municipally-owned facilities. The councilmen unanimously repealed an ordinance requiring racial segregation in city swimming pools and then anounced an "open door" policy for all city facilities to "all persons on an equal basis."
- The University of Tennessee in Knoxville denied a group of white students permission to organize a chapter of the National Association for the Advancement of Colored People on the campus.
- Arkansas joined the list of Southern States on the interposition bandwagon when a Governor's committee announced that it would present an interposition resolution before the Legislature. Legislators will be asked to consider a version of Virginia's pupil assignment plan.

PRAYERS AT MEETING

Boycott Leaders Arraigned Today

Advertiser p. 1

Montgomery, Ala.
Fri. 2-24-56

Mass Gathering Called At Church On Eve Of Appearance In Court

Negro leaders of Montgomery's bus boycott will be arraigned in Circuit Court today on charges of advocating an illegal boycott.

Ten thousand Negroes are expected to shun all vehicles and make a pilgrimage to the courthouse this morning, according to Rev. Ralph D. Abernathy.

Some 3,000 Negroes roared and applauded their approval to speeches last night at a mass meeting at the First Negro Baptist Church. Speeches were made by Abernathy, the Rev. M. L. King, E. D. Nixon, the Rev. E. H. French and other Negro religious and political leaders.

At least 90 defendants of 115 indicted by the grand jury will appear for arraignment starting at 9 a.m.

They are charged with violating Alabama's anti-boycott law which provides a maximum penalty of six months in jail and $1,000 fine.

Last night's mass meeting which the Rev. Ralph D. Abernathy hoped would draw at least 10,000 Negroes, was called to "pray for justice to prevail" in the wholesale prosecution of boycott participants.

ABERNATHY INDICTED

The Rev. Abernathy, pastor of the Negro First Baptist Church, was among those indicted.

All "race-loving" Negroes also were urged to shun all forms of auto transportation, including their own cars, for 24 hours today in a "great pilgrimage" to demonstrate that they can walk if they have to.

They have used a highly organized motor pool to get to and from work throughout the boycott.

The Rev. Abernathy emphasized, however, that there is no planned demonstration during the arraignments today despite rumors that the Negroes would "march" on the courthouse.

"There will be nothing like that," he declared.

Another spokesman for the boycotting Negro community, the Rev. Martin Luther King Jr., surrendered to sheriff's officers yesterday morning on an anti-boycott indictment returned against him.

TENNESSEE TRIP

He was in Tennessee conducting a religious emphasis program at the time the grand jury made its report on the bus protest Tuesday, and his indictment was kept secret until he returned.

King, who had predicted earlier that he would be indicted, appeared at the county jail with his father, the Rev. M. L. King Sr., of Atlanta. He was fingerprinted and released on $300 bond.

He was the 24th Negro minister taken into custody in the wholesale roundup of boycott defendants. More than 90 defendants in all have been arrested.

The exact number of Negroes named in the 11 indictments was still undetermined although it was originally announced as 115. Sheriff Mac Sim Butler said there were some duplications of names on the writs that would lessen the total number.

For example, some defendants were listed by their full names on one writ and by their nicknames or initials on anotner making it appear they were separate individuals until the sheriff's office checked them.

Meanwhile, a team of five Negro defense attorneys conferred with Circuit Solicitor William F. Thetford, who will prosecute the boycott charges for the state. Neither Thetford nor the Negroes would say afterward what was discussed.

BOTH SIDES MUM

They did disclose, however, that they talked about today's arraignments at which the defendants will ask how they plead to the indictments.

The Negro lawyers were led by Arthur D. Shores of Birmingham, who has represented Autherine Lucy, the Negro coed whose admittance to the University of Alabama touched off riotuous demonstration there earlier this month. The Lucy woman was barred from class "until further notice" because of the vollence.

Shores has asked U.S. District Judge Hobart Grooms in Birmingham to order the university to readmit her immediately. A hearing on that peitition is scheduled next Wednesday.

Another of the attorneys hired to represent the boycott defendants here was Fred D. Gray, who himself was indicted last week on an unlawful practice charge growing out of the mass protest.

Gray was charged with filing an anti-bus segregation suit in federal court without consent of one of the five Negro women whose names were signed to the complaint.

Shores said signed retainers will be obtained from all the boycott defendants so there will be no cause for doubt in the coming trials.

BEGAN DEC. 5

The boycott began last Dec. 5 after a Negro woman, Rosa Parks, was fined $14 in city court for refusing to move to the colored section of a bus. Her conviction was upheld Wednesday in circuit court, but she filed notice of appeal to the State Supreme Court.

City and state laws require segregation on all public transportation.

At first the Negroes demanded only a "first come, first served" seating arrangement on Montgomery City Lines buses, with Negroes seating from the rear and white passengers from the front until all seats were filled.

Under the existing system, the seating is left to the discretion of each bus driver.

Later, as the boycott grew, Gray filed the suit in U.S. District Court asking that bus segregation be declared unconstitutional.

The mass arrests briught a demand from Rep. Powell (D-NY) yesterday for "White House" protection.

TELEGRAM SENT

The Negro congressman, in a telegram to President Eisenhower, called the arrest of the ministers a "new low in American barbarism.'

At Thomasville, Ga., Mr. Eisenhower's vacation headquarters, White House Press Secretary James C. Hagerty said no telegram had been received there from Powell as far as he knew. He said it might have gone to the White House in Washington.

The congressman's telegram said:

"Behind the dark curtain today in Montgomery, Ala., another ghastly victory for communism is scored. As a clergyman and congressman, I wish to state that from this moment on the White House is responsible for safeguarding the lives, physical security and civil liberties of the 115 Negroes arrested for peaceably and nonviolently trying to obtain what the Constitution promises and local state and federal law enforcement officials refuse to give.

"The arrest of my fellow clergymen is a new low in American barbarism. I request, therefore, that they and their followers be protected immediately by the White House."

FIVE REMAINING

Approximately five Negroes remain to be arrested after deputies apprehended 16 yesterday to bring the total number to more than 90.

Arrested yesterday in addition to Rev. M. L. King, were L. C. Walker, 3269 Liles Ct., district manager of North Carolina Mutual Life Insurance Co.; P. E. Conley, 62, 1502 Harriet St., retired government employe; W. H Johnson, 51, 1120 Broughton St., a laborer; Eddie Bradford, 25, Hunter Station, chemical worker; Arthur Bibbins, 48, 649 Smythe St., employe of First National Bank and Alabama Gas Co.; Fred Morris, 26, 573 N. Union St., plasterer; George H. Jordan, 30, 1837 Dixie Ct., employe of Venetian Blinds Service Co.; E. M. Williams, 33, 440 Bainbridge St., employe of Smith and Gaston Funeral Parlor; Calvin Varner, 51, 819 Cleveland Ave., woodyard operator; Mose W. Richburg, 29, 682 Columbia Ave., student; John Green Hill, 3340 E. Tuskegee Circle, L&N Railroad freight handler; Henry A. McLain, 725 Tuscaloosa, mail carrier; Louis Boswell, and Eddie Lee Posey, addresses and employment not available.

Bus Line Answers Segregation Suit

Attorneys for Montgomery City Lines yesterday filed an answer in U.S. District Court here to a suit seeking an end to segregated travel.

The bus company said it was governed by the laws of Alabama and the ordinances of the city of Montgomery.

Two bus drivers named in the suit—James F. Blake and Robert Cleere—also filed answers that they were acting under the orders of their employer.

The bus company denied that it had conspired to commit an illegal or unlawful act and de-

nied further that it holds an exclusive franchise in the city.

The suit was filed on behalf of five Negro women—one of whom later disavowed any part in the action.

Besides the bus company and the two drivers, defendants are the City Commission and Police Chief G. J. Ruppenthal.

City attorneys filed an answer earlier this week, with a motion for dismissal of the suit.

King Pleads Guilty To Speeding Charge

The Rev. M. L. King, who appealed a $10 and costs speeding fine from Recorder's Court last month, agreed through his attorney yesterday to waive jury trial in Circuit Court plead guilty and pay a fine of $5 and costs.

The original fine was $10 plus $4 court costs.

Although the fine was cut in half, circuit court costs sent the total amount up to $25.70.

Englehardt Praises Indictment Action

State Sen. Sam Englehardt of Macon County, Chairman of the Central Alabama Citizen's Council, today praised the Montgomery County grand jury for its recent action in indicting leaders of the bus boycott.

"It is the sworn duty of the grand jury and the officials of the county." Englehardt said, "to indict and arrest any person who voilates the law. The law concerning boycotts has been flagrantly violated here and I am happy to see that the grand jury and the county officials have taken action which was forced on them."

"The Citizens' Council is 100 per cent behind the grand jury and its officials," Englehardt said.

The Citizens' Council Chairman also pointed out that boycott leaders are urging Montgomery Negores to break the law, regardless of what they say about their intentions.

"If these people succeed in getting the Negroes of Montgomery to break this law, and get away with it, then who's to say what unlawful act they will advocate next?"

Sen. Englehardt is also Executive Secretary of the newly-organized Association of Citizens' Councils of Alabama.

'. . . NOT A ONE MAN SHOW'

Advertiser, Ala. Montgomery, Ala. Fri 12-24-56

Negro Boycott Leader Rev. Ralph D. Abernathy tells an estimated 3,000 Negroes that "our protest against the seating arrangements of the city's buses is not a one-man show. It is a show for Negroes all over the country." Some 35 newsmen were present at the huge meeting at which Abernathy and a dozen boycott leaders were cheered wildly when they entered the First Baptist Church at Ripley and Columbus streets.—**Photo By AP**

38b 1956

ALABAMA

BOMBING

Daily World

Incident Called Aftermath Of Official's "Get Tough" Speech

Wed. 2-1-56 P.1

Atlanta, Ga.

MONTGOMERY, Ala. — (SNS) — Mayor W. A. Gayle of Montgomery apologized for the "Get-Tough" policy he announced early last week and promised protection for the family of Atlanta-born Rev. M. L. King, Jr. whose home was bombed Monday night, according to the minister's wife.

Mayor Gayle, in an effort to ease the pressure of a boycott initiated by Negroes protesting "unfair treatment on city buses," had announced last week that the City Commission was through "pussyfooting around with boycotters." Following his statement Rev. King, pastor of Dexter Ave. Baptist Church and president of the Montgomery Improvement Association, was arrested last Saturday and fined $14 on a charge of speeding 30 miles per hour in a 25 mile zone.

"GET TOUGH" POLICY IN ACTION

The bombing of Rev. King's home Monday was interpreted by some observers as an aftermath of the Mayor's so-called "invitation to violence." Rev. King also blamed his arrest o nthe speeding charge as "intimidation" triggered by the mayor's avowal of war against boycotters.

The boycott began nearly two months ago when a Negro woman was arrested and fined for refusing to move so a white man could sit down when ordered to do so by a white bus driver. Negroes organized a cooperative transportation service and refused to ride public buses.

Since then, numerous Negroes reportedly were arrested, but the most serious of related incidents occurred when a hand-made bomb was tossed on the porch of Rev. King's residence. The explosion shattered windows, ripped a hole in the cement porch and narrowly missed injuring the young minister's family.

Mrs. King, the former Miss Coretta Scott of Marion, Ala., said she and a neighbor, Mrs. Roscoe Williams were in the living room of her home when they heard a loud thud "like a brick hitting the front porch." As they ducked into a back room, the explosion cracked a porch column and literally shook the house, she said. The couple's 10-week old baby was sleeping in a third room near the rear of the house and was unhurt.

Mrs. King said, news of the bombing brought a milling throng of nearly 400 Negroes some of whom came armed —— apparently prepared to protect their leader. It took a dramatic "peace speech" by her husband, she said, to quiet the people who gathered outside.

AFTER BOMB — PROTECTION

Before the smoke of the bomb cleared, Mayor Gayle and Police Commissioner Sellers arrived to make "flowery speeches on protection" for the Kings, the minister's wife continued, but the "people were not going to listen to them. "It was then that my husband spoke," she said.

The 27-year-old minister was quoted as saying:

"We believe in law and order. Don't get panicky. Don't do anything panicky at all. Don't get your weapons. He who lives by the sword will perish by the sword. Remember that is what God said.

"We are not advocating violence. We want to love our enemies. I want you to love our enemies. Be good to them. Love them and let them know you love them. I did not start this boycott. I was asked by you to serve as spokesman. I want it to be known the length and breadth of this land that if I am stopped, this movement will not stop. If I am stopped our work will not stop. For what we are doing is right. What we are doing is just, and God is with us."

Daily World

The crowd cheered "God bless you, Brother King," "Amen."

P.3

Rev. King arrived 15 minutes after the explosion. He had been to a mass meeting attended by some 2,000 Negroes at a local church. The bomb was probably a hand grenade or a half stick of dynamite, according to Vann Pruitt, assistant state toxicologist.

NEIGHBORS' REPORT

Neighbors reportedly saw a white man toss the bomb on the porch and then jump into a light colored automobile that sped away.

The Montgomery city commission termed the bombing of the minister's home a "strange and foreign" deed, and warned that such violence "will not be tolerated by the board of commissioners."

The board posted a $500 reward for information leading to the arrest and conviction of the responsible party, and the pro-segregation Central Alabama Citizens Committee offered another $500 reward.

WCC MEMBERS

All three members of the Montgomery City Commission belong to the Citizen's Council, which is pledged to preserve racial segregation.

The mayor promised police protection for the Kings and asked "the cooperation of the entire community to find the guilty parties."

The Kings' home is a frame structure supported by concrete porch and brick foundation. It is the property of the Dexter Ave. Baptist Church where Rev. King is pastor.

Miss Christine King, the young minister's sister, left Atlanta late Monday night to be with her brother during the crisis.

There has been no marked change of conditions in the boycott which began December 5.

Police Commissioner Sellers said while he was out working on the King bombing someone telephoned his wife and told her: "The same thing is going to happen to you that happened to King." He said there were other similar calls later.

MASS INDICTMENTS

MONTGOMERY, ALA. BUS BOYCOTT

Grand Jury Calls Quiz On 204

Defender Sat. 2-25-56

P.1 Chicago, Ill.

BULLETIN

Arthur Gray, an attorney active in efforts to end racial segregation in public transportation at Montgomery, was indicted Saturday for representing an individual without his consent.

Gray was arrested and freed upon posting $300 bond. Gray and Charles Langford were the attorneys in a suit filed three weeks ago in Federal District court seeking to halt transportation segregation.

38...

MONTGOMERY, Ala. — Unofficial but authoritative reports were current over the week-end that 20 persons and possibly more would be indicted by a grand jury investigating the 11-week-old bus boycott here and refused to stand trial. By the end of the week 204 persons had been subpoenaed by the Montgomery grand jury which is extending its probe of the nationally publicized fight between the city-operated bus line and Negro residents.

Strike leaders, including Rev. M. L. King, have been hesitant to discuss details of the boycott by phone fearing their lines have been tapped.

However, it was learned from reliable sources that boycott leaders have rejected a compromise settlement of the issue. Under the compromise plan, bus seats would be available to both races on a 50-50 basis.

Strike leaders brand this as wasteful and unrealistic. They are pressing for a first-come first-served arrangements whereby Negroes would fill up seats beginning at the front of vehicles and whites would take seats beginning att he front of vehicles and working back. When all seats are filled, both Negroes and white would be required to stand.

This would eliminate Negroes standing while seats reserved for whites would be vacant.

A newly formed group, known as "Men of Montgomery" made up of some of the city's white business leaders have intervened with the hope of breaking the stale mate.

They are urging Negro leaders to accept the compromise. One member of the new group told the Defender Friday that the strike would be settled Monday. He would not elaborate on his statement.

Meanwhile, leaders report that members of the Montgomery Improvement association which is spearheading the boycott, have shown no disposition to ease up on their campaign which is more than 90 percent effective.

GRAND JURY INDICTS IN BOYCOTT OF BUSES

Commercial Appeal

Montgomery Negro Leaders Of Protest Face Arrest

Wed. 2-22-56

MONTGOMERY, Ala., Feb. 21. —(UP)—A Grand Jury reported Tuesday that the Negro boycott of Montgomery city buses is illegal and it indicted an undisclosed number of persons for taking part in it.

Memphis Tenn.

It was reliably reported that more than 100 persons were charged with taking part in the boycott in the 11 indictments returned by the jury.

P. 1

Names of those indicted were not disclosed pending their arrest by sheriff's officers.

Striking hard at the long Negro demonstration, the jury said "we find that there has been an illegal boycott existing in this county . . . indictments have been returned where guilt was shown."

The jury report noted "there is a growing tension between the races in this community; the bus boycott is but one manifestation of this feeling. Distrust, dislike and hatred are being taught in a community which for more than a generation has enjoyed exemplary race relations."

". . . If we continue on our present course of race relations," the report said, "violence is inevitable. The leaders of both races are urged to take a long and thoughtful look into the future."

115 Are Indicted In Negro Bus Boycott

Courier-Journal P.16
Louisville, Ky.

Jury Warns Violence Is Inevitable Unless Racial Relations Improve

Wed. 2-22-56

Montgomery, Ala., Feb. 21 (AP)—A grand jury indicted 115 persons involved in Montgomery's Negro bus boycott today.

The grand jury warned that violence is inevitable unless racial relations improve.

The boycott has been under way 11 weeks in protest against segregated seating on buses, required under Alabama law.

Under State law, names of the defendants and the specific charges against them must be kept secret until the accused persons are in custody.

The grand-jury report called the boycott a violation of Alabama law, which prohibits boycotting without "a just cause or legal excuse."

The jury said the boycott originated with 18 members of what it called the Inter-Denominational Alliance, composed mostly of Negro ministers. Those 18 members created the Montgomery Improvement Association, which has financed the boycott to the extent of some $18,000, the report continued.

The jury also said "there is a growing tension between the races in this community" and the bus boycott is "but one manifestation of this feeling."

'Hatred Being Taught'

"Distrust, dislike, and hatred are being taught in a community which for more than a generation has enjoyed exemplary race relations," the report said.

"Small incidents have been magnified out of their true importance and ugly rumors are being spread among both races."

Ominously, the grand jury—which included 17 white men and one Negro—warned:

"If we continue on our present course of race relations, violence is inevitable. The leaders of both races are urged to take a long and thoughtful look into the future."

Alabama Indicts 115 In Negro Bus Boycott

Times P.1
Wed. 2-22-56

By The Associated Press.

MONTGOMERY, Ala., Feb. 21—A grand jury indicted today 115 persons involved in the boycott of Montgomery's buses by Negroes.

An Alabama law enacted in 1921 and originally aimed at labor disputes makes an organized boycott unlawful without "a just cause or legal excuse." Violations are punishable by a $1,000 fine and six months in jail.

The grand jury warned that violence was inevitable unless race relations improved.

The boycott has been under way eleven weeks in protest against segregated seating on buses, required under Alabama law.

New York

Eleven indictments were returned, but an official source said that 115 defendants were named, groups of them in each indictment.

Under state law, the names of the defendants and the specific charges against them must be kept secret until the accused persons are in custody.

Another indictment growing out of the boycott was returned by the grand jury last week when a Negro attorney was charged with unlawful practice growing out of an antisegregation suit filed in Federal District Court.

P.14-C

Fred D. Gray was accused of filing the suit against bus segregation without the consent of one of the five Negro women whose names appeared on the complaint.

The jury said that the boycott originated with eighteen members of what it called the Inter-Denominational Alliance, composed mostly of Negro ministers. The eighteen set up the Montgomery Improvement Association, which has spent about $18,000 on the boycott, the jury's report declared.

The jury further said that "there is a growing tension between the races in this community," and that the bus boycott was "but one manifestation of this feeling."

"Distrust, dislike and hatred are being taught in a community which for more than a generation has enjoyed exemplary race relations," the report said.

"Small incidents have been magnified out of their true importance and ugly rumors are being spread among both races."

The grand jury, which included seventeen white men and one Negro, warned that "if we continue on our present course of race relations, violence is inevitable. The leaders of both races are urged to take a long and thoughtful look into the future."

Segregation laws and the attack on them by the National Association for the Advancement of Colored People have been the primary cause of racial tension in Montgomery, the jury asserted. It added that "we intend to maintain" separate facilities in schools, public transportation and elsewhere.

The boycott began Dec. 5 in protest against the arrest of Mrs. Rosa Parks, a Negro, who had refused to move to the Negro section of a bus. She was fined $14.

The boycott has brought some violence, but no injuries. Dynamite bombs were exploded at the homes of two of the leading figures in the Negro protest movement—the Rev. Martin Luther King Jr. and E. D. Nixon.

The Rev. Mr. King is pastor of the Dexter Avenue Baptist Church and is one of the most outspoken boycott leaders. Mr. Nixon is a former state president of the National Association for the Advancement of Colored People.

segregated city buses. P. 14

The Rev Martin Luther Kink Jr went on trial Monday, after the defendants asked separate trials.

Bus Boycott Trial Defendants

Rev A Edward Banks, last minister to be arrested when he came into Montgomery last week from his home in nearby Clanton, Ala.

Jimmie Gamble, 36, Maxwell Air Force Base, wharehouse man, 645 Bullock St.

Rev Arthur Murphy, 55, pastor Oak Street, AME Zion church.

Otis Carelton, 27, Air Force truck driver, 407 Wade St.

Sgt Booker T Holmes, 355, Maxwell Air Force Base, 2266 Edgemount St.

Walter Moses, 47, Nelson Construction Co laborer, 1112 Pelham St.

Rev B J Simms, pastor, St Marks Baptist Church.

Osborne Chambliss, 43, mail carrier, 1145 S Decatur St.

Mrs Irene West, 65, Eastern Star leader and mother of an Air Force major.

Miss Jo Ann Robinson, 39, teacher at Alabama State College.

Mose Bishop, employed at Veteran Hospital.

C W Lee, 62, proprietor of Lee's Funeral Home

Rev John W Hayes, 48, Presiding Elder, West Montgomery District, AME Church.

Rev W F Alford, 40, pastor, Beulah Baptist Church.

Robert Carr, cement mason, Butler and Carr streets.

Eli Judkins, 45, Durr Drug Company employee.

Thomas Gray, brother of Fred Gray, one of the defense lawyers.

Rev J H Cherry, 52, pastor, Sundown Little Zion and Ramar Churches.

Rev Siveria Heard, 57, pastor, Bryant Street Baptist Church.

Isiah Ferguson, 48, auto repair shop operator.

Frank Powell, Jr, 31, laborer.

Rev H J Palmer, 53, pastor, Rock Island Baptist Church.

Rev S Seay, pastor, Rogers Chapel AME Church.

Alberta James, 1503 Hall street

Alexander St.

Rev R L Bennett, 52, Mt Zion AME Zion Church (spoke at Cleveland last week)

E D Nixon, pullman porter, and president of the Progressive Democratic Club.

Rev A Hoffman, 42, pastor, Shiloh Baptist Church.

Rev James R Glasco, director, Alabama Baptist Center.

Rev R D Abernathy, pastor First Baptist Church, one of top leaders.

Mrs Cora McHaney, 50, teacher, Carver High School.

A McHaney, 54, District Manager, Atlanta Life Insurance Co.

Martin L Johnson, student, Alabama State College.

Rev Fred L Davis, 41, Triumph Holiness Church.

J E Pierce, 41, professor, Political Science, Alabama State College.

Rev J W Bonner, 50, pastor First CME Church.

Ronald Young, 36, teacher, St Jude Catholic School.

Dr Moses Jones, 42, physician.

George Henderson, 42, store porter.

Rev B M Averhart, 45, pastor, Love and Peace Baptist Church.

Wesley S Tolbert, 63, unemployed.

Rev Simon P McBride, 45, pastor, Mt Pleasant Church.

S H Ligon, 41, letter carrier.

Charles Polk, 23, boiler works laborer.

P M Blair, 54, operator of dry cleaning plant.

Dr M C Cleveland, 72, pastor, Day Street Baptist Church.

Miss Ida Mae Caldwell 34, candy company employee.

J C Smith, 25, glass company employee.

William Johnson, 51, cement finisher.

Rev E N French, 34, pastor, Hilliard Chapel AME Zion Church.

Mrs Lottie Varner, 37, beauty shop operator.

Miss Audrey Belle Langford, 28, teacher. Montgomery public schools.

Frank Taylor, 28, employee, Sunbeam Tailors.

Tom Parks, 32, Swift Packing Co employee.

Matthew Kennedy, 68, pensioner, World War 1.

Rev R D Lambert, pastor, Maggie St Baptist Church.

J H Baker, Atlanta Life Insurance Co. agent.

Sam Barnett, 45, employee, Central of Georgia.

John H Garrison, 45, laborer.

J N King, 52, General Service Administration employee.

Henry William, 49, lumber company laborer.

Jimmie Lowe, 45, owner, Loew's Adult High School.

Rev Martin Luther King, pastor, Dexter Avenue Baptist Church, age 27.

These Names Will Be Active In Giving State Testimony:

City Commissioners W A Gayle, Clyde Sellers and Frank Parks.

Police Chief G J Ruppenthal.

Rev Robert Graetz white pastor of an all-Negro church.

Bus Lines Manager J H Bagley.

Nine bus drivers.

Mrs Eretta F Adair, 50, housewife.

Jimmie B McClain, 25, laborer.

Rev R W Hilson, 43, pastor, St John's AME Church

R B Binion, 50, president, Capitol Life Insurance Co.

Willie James Kemp, plasterer.

Mrs Lottie Boswell, widow, unemployed.

George Hill, laundry employee.

90 Bus Boycott Defendents Listed

Informer Sat. 3-31-56

Special To The Informer By NNPA

Houston Texas

MONTGOMERY, Ala — The following are the 90 defendants — all Negroes — which have been charged by the State of Alabama with conspiring without "just cause or legal excuse" in connection with the boycott against

unemployed.

Rev W J Powell, pastor, Old Ship Baptist Church.

Walter Smith, 56, Fuller Cosmetics Co salesman.

Rev H H Hubbard, pastor, Bethel Baptist Church (scene of Sunday prayer meeting)

Mrs Addie J Hamester, 25, 841

Guarantees 'Full Support' To 115 Persons Indicted In Montgomery Boycott

By Bystander
Des Moines Iowa
Thurs. 3-1-56

New York—The 115 persons indicted in Montgomery, Ala., for their participation in the three-month mass protest against discrimination in the Montgomery buses have been assured of the full support of the National Association for the Advancement of Colored People.

In a telegram to the Rev. M. L. King, one of the leaders of the movement, Roy Wilkins, NAACP executive secretary, declared that "all our people over the nation and millions of friends stand with you and your courageous fellow citizens as you answer the indictment of the grand jury." Mr. Wilkins characterized the indictments as "police state action."

Meanwhile, Thurgood Marshall, NAACP special counsel, in response to a request from leaders of the Montgomery group, said "we have agreed to use all of the resources of the NAACP in their defense. The entire legal staff will give maximum support to A. D. Shores of Birmingham and Fred Gray of Montgomery, NAACP attorneys in Alabama."

Costly Defense

Despite the high cost of defending 115 persons indicted, the NAACP attorney "guaranteed that they will have our full support."

"Never before in history," Mr. Marshall continued, "have we faced a more obvious use of otherwise normal judicial machinery to oppress a lawful enterprise of loyal American citizens. The refusal to ride the Jim Crow buses was a spontaneous grass roots protest against racial discrimination touched off by the unlawful arrest of Mrs. Rosa Parks for refusing to give up her seat to a white passenger.

"This was a purely local matter and remained under the sole leadership of local Negroes. They simply refused to ride the buses and be subjected to continued unlawful segregation. Despite all predictions to the contrary, the Negroes were successful in their protest."

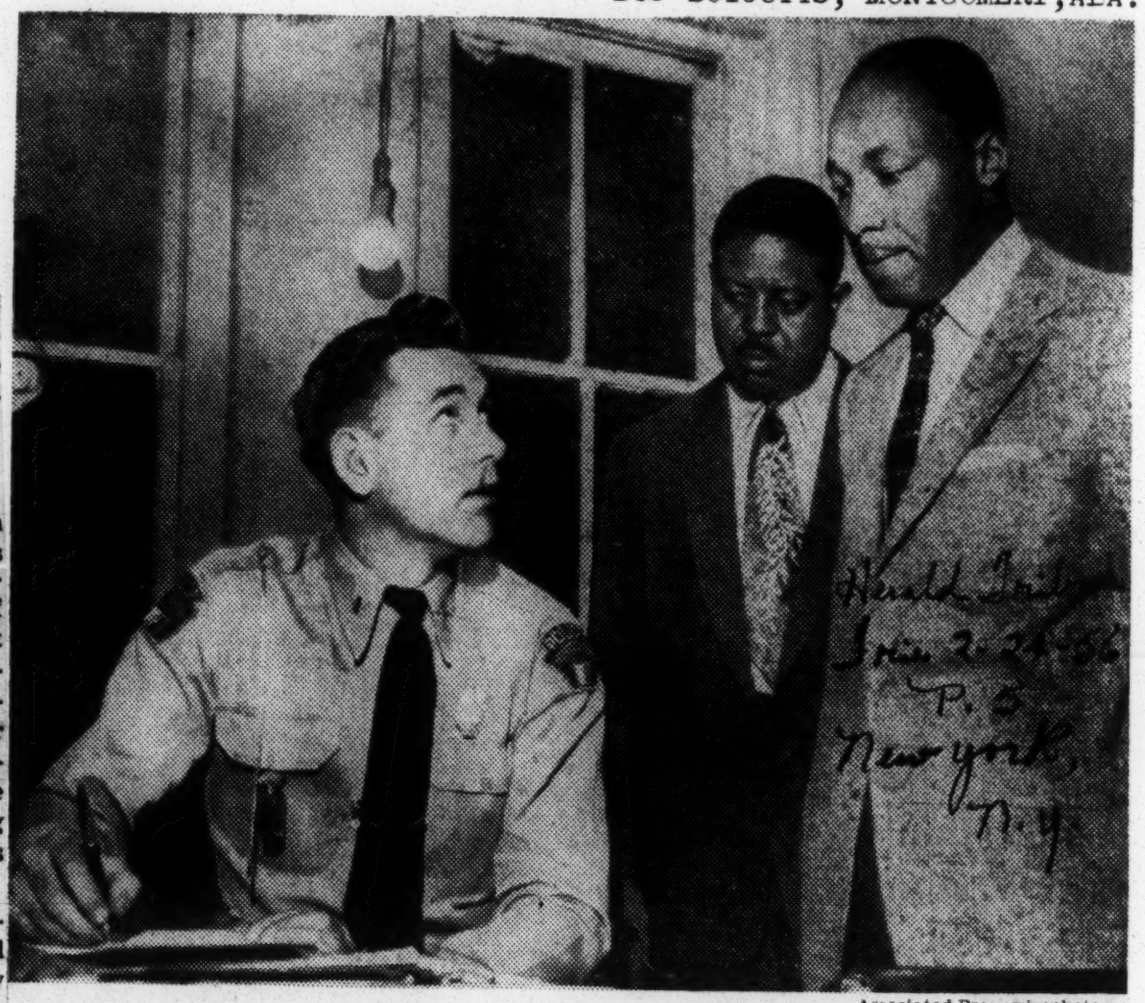
"Get-Tough" Policy Adopted

Unwilling to come to terms with the protest movement, city and bus company officials adopted a "get-tough" policy, the NAACP legal chief charged. He cited the harrassment by police of participants in the movement—arrests for alleged traffic violations, charges of loitering and other minor offences. Adoption of the "get-tough" policy was followed by the bombing of the homes of Mr. King and E. D. Nixon, two of the leaders of the protest.

Bystander

Despite all of this and the rabble-rousing of Senator James O. Eastland (D., Miss.), Negroes of Montgomery "stood their ground and refused to spend their money on buses which continued to discriminate against them," Mr. Marshall said.

"Instead of arresting the thugs who bombed Negroes' homes," he pointed out, "the city officials have ordered the arrest of the Negroes who are the victims of this and other types of lawless action."



Associated Press wirephoto

BOYCOTT ARRESTS CONTINUE—The Rev. Martin Luther King jr. (right) being booked by Montgomery, Ala., police officer yesterday. With him is the Rev. Ralph D. Abernathy, who was arrested Wednesday.

Herald Tribune
Sun. 2-24-56
P. 5
New York, N.Y.

Unlikely Persuasion

Wash. Post
Fri. 2-24-56

(From The Christian Science Monitor)

Quite possibly many of the 89 Negroes, including 24 clergymen, indicted and arrested in Montgomery, Alabama, may be found guilty of violating the state's law against economic boycotts. It is a great deal more than possible that these steps in legal prosecution may do more to promote and solidify this organized Negro protest against segregation on the city's bus lines than anything Negro leaders could have done themselves.

Birmingham Ala.

One is reminded pointedly of some of management's early attempts to stamp out the growth of labor unions by proceeding on the assumption that all that was wrong with the situation could be righted by disposing of the "agitators." That was and is an ancient fallacy which has a persistently delusive appeal. Agitators, to be sure, can cause gratuitous trouble. But acting as though agitators were cause rather than symptom usually proves an especially selfdefeating kind of strategy. And it is hard to think of these 24 ministers, one of whom holds a position of world distinction within his denomination, simply as agitators.

Montgomery Negroes have been refusing to ride the city's segregated busses. They object not so much to the separate seating sections as to the fact that the limits remain fixed even though seats are empty at the rear of the "white" sections.

An organized boycott is not an admirable way of bringing about a change. It certainly doesn't promote good will. And it is very probably illegal. But individual Negroes in Montgomery or anywhere else, if they wish, can choose to ride car pools or to walk (just as industry has found that individual workers can choose to stay off the job). Indicting and arresting their ministers of the gospel doesn't look like a promising way of persuading them to ride the busses again.

Montgomery Bus Boycott News + Observer

Indictments Stand First Test; Negro Minister Goes On Trial

P. 1 News, 3-20-56 Raleigh, N.C.

News + Observer

MONTGOMERY, Ala., March 19 (AP) — Grand jury indictments against 90 bus-boycotting Negroes withstood their first court test today, and a young minister went on trial shortly afterward as the first defendant.

Circuit Judge Eugene Carter overruled a defense petition which sought to invalidate the indictments as unconstitutional. Then state's attorneys called the Rev. Martin Luther King Jr., before the court to begin what could become a prolonged series of trials.

Separate Hearings.

Each of the 90 defendants, exercizing his right, asked for a separate hearing.

King, 27, whose home was bombed in the early weeks of the mass Negro protest against segregated city bus facilities, was singled out by Circuit Solicitor William F. Thetford as one of the boycott leaders.

But Thetford ran into difficulty at the outset of the trial in trying to link the pastor of the Dexter Ave. Baptist Church to a "conspiracy" to hinder operations of Montgomery City Lines buses.

Carter allowed the first witness, bus company Manager J. H. Bagley, to identify King as one of several Negroes he conferred with at the onset of the boycott last December, but he sustained defense objections to some other questions.

He refused to permit Thetford to introduce two documents as state's exhibits although he permitted Bagley to identify them as papers he had received shortly before and immediately after the bus protest began Dec. 5.

One document was described only as a "resolution;" the other was not identified to any degree except that it was a paper the bus line manager said he received two knives and clubs waged the bloody two-hour fight. British security forces were rushed to the town and it took them nearly a half hour to restore peace.

At least 15 Turkish women and children were taken to a hospital at Yrenia, 12 miles west of here.

Authorities imposed an immediate curfew on the village.

rode city buses have stopped using them.

News + Observer

Bagley was allowed to testify that King and another defendant, Mrs. Jo Ann Robinson, told him they thought the Negroes would resume riding the buses if certain demands were met. Mrs. Robinson, awaiting trial with the other defendants, is a teacher at Alabama State College for Negroes at Montgomery and president of the Women's Political Council, a Negro group.

News, 3-20-56

Eight Negro attorneys represented the defendants, including Robert Carter of the legal staff of the National Assn. for the Advancement of Colored People in New York.

Carter was permitted to take part in developing defense strategy but the judge refused to let him question witnesses because he is not a member of the Alabama bar. The defense objected to that ruling and said it would be used as one ground for appeal if King is convicted.

Raleigh, N.C.

Other defense attorneys led by Arthur D. Shores of Birmingham also said they would contest Judge Carter's decision in overruling demurrers which said the defendants have committed no unlawful act and therefore can't legally be brought to trial.

Shores, arguing for the demurrers which covered all 90 defendants, said the indictments, under a rarely used state law which prohibits organized boycotting, violated the Negroes' rights of free speech, freedom of worship and peaceful assembly.

The Negro attorney, who represented Autherine Lucy in her successful court battle for admittance to the University of Alabama before she was expelled, said previous courts have upheld the right of people to refuse to patronize business places.

Specific Rights.

Specifically, he said they have granted Negroes the right to withhold patronage from businesses which refuse to hire Negro employes.

Thetford answered the Negroes' arguments briefly. He said the State Supreme Court has upheld the antiboycotting law and added that the U. S. Supreme Court, by refusing to review it, concurred with the Alabama court's findings.

The number of defendants was reduced to 90 today when the solicitor dismissed three indictments because he said further investigation has thrown "considerable doubt on their guilt."

He dropped charges against Alfred Ellis, Booker T. Holmes and the Rev. M. C. Cleveland, a Baptist and one of 25 clergymen included among the Negroes indicted.

The indictments against King and the others were returned under a state law which provides a maximum penalty of $1,000 fine and six months in jail for unlawful boycotting "without just cause or legal excuse."

The boycott began after a Negro seamstress, Mrs. Rosa Parks, was arrested and fined $14 for disobeying a driver's order to move to the rear of a bus where Negroes were to ride. City and state laws require segregation in all public transportation.

As the protest continued, a suit was filed in U. S. District Gourt seeking to knock the segregation laws out as contrary to the federal Constitution.

News + Observer
Jan. 3-20-56
P. 1
Raleigh, N.C.

DEFENSE IN BUS BOYCOTT—Fred Gray (left) and Arthur D. Shores, defense attorneys in the racial bus boycott trial at Montgomery, Ala., talk with Rep. Charles C. Diggs Jr. (right) (D-Mich.) on the steps of the Montgomery County Courthouse. Diggs said he was an "observer." (AP Wirephoto.)

38b 1956

TEXT OF DEMURRER

MASS INDICTMENTS
Montgomery, Ala. Bus Boycott

Text Of Demurrer Seeking To Overthrow Boycott Law

Advertiser 3-2-56 Montgomery, Ala.

(See Story, Page 1)

The text of a bill of demurrer filed yesterday by Negro attorneys for persons indicted on charges of promoting the bus boycott here reads as follows:

"Demurrers to the indictments in the case State versus M. L. King, et al, are filed on the grounds that:

"(1) Allegations to the indictments are so vague and indefinite as not to apprise these defendants of what they are called on to defend.

"(2) That the statute under which the indictments were brought and as applied to these defendants, violates Sect. 25, Art. I of Constitution of Alabama.

"(3) That Section 55, Title 14, Alabama Code of 1940, the statute under which the mass indictments was brought, constitutes an abridgement of freedom of speech, violative of rights and liberties secured to all persons by the First and Fourteenth Amendments to the U.S. Constitution.

(4) That said statute, as applied to defendants, constitutes an abridgement of the right of people peacably to assemble, violative of rights secured to all persons by the First and Fourteenth Amendments to the U.S. Constitution.

"(5) That the statute is unconstitutional on its face in that it is so vague as to constitute a deprivation of liberty without due process of law contrary to the Fourteenth Amendment.

"(6) As applied the statute (state boycott law) violates the 'due process' clause of the U.S. Constitution.

"(7) Violates 'privileges and immunities' of citizens of the United States in violation of the Fourteenth Amendment to the U.S. Constitution.

"(8) In its application the statute denies and abridges 'equal protection of the law' guaranteed under the Fourteenth Amendment.

"(9) The state statute requiring the enforcement of laws requiring segregation of passengers in intra-state transportation 'denies equal protection of the law.'

"(10) The statute as applied constitutes prohibition against free exercise of religion violative of rights secured to all persons by the First and Fourteenth Amendeents."

Despite The Cost Legal Support Is Guaranteed Montgomery Defendants

State Press Fri. 3-2-56
Little Rock, Ark. P. 1

The 115 persons indicted in Montgomery, Alabama, for their participation in the three-month mass protest against discrimination in the Montgomery buses have been assured of the full support of the National Association for the Advancement of Colored People.

In a telegram to the Rev. M. L. King, one of the leaders of the movement, Roy Wilkins, NAACP executive secretary, declared that "all our people over the nation and millions of friends stand with you and your courageous fellow citizens as you answer the indictment of the grand jury." Mr. Wilkins characterized the indictments as "police state action."

Meanwhile, Thurgood Marshall, NAACP special counsel, in response to a request from leaders of the Montgomery group, said "we have agreed to use all of the resources of the NAACP in their defense. The entire legal staff will give maximum support to A. D. Shores of Birmingham and Fred Gray of Montgomery, NAACP attorneys in Alabama."

Costly Defense

Despite the high cost of defending 115 persons indicted, the NAACP attorney "guaranteed that they will have our full support."

"Never before in history," Mr. Marshall continued, "have we faced a more obvious use of otherwise normal judicial machinery to oppress a lawful enterprise of loyal American citizens. The refusal to ride the Jim Crow buses was a spontaneous grass roots protest against racial discrimination touched off by the unlawful arrest of Mrs. Rosa Parks for refusing to give up her seat to a white passenger.

"This was a purely local matter and remained under the sole leadership of local Negroes. They simply refused to ride the buses and be subjected to contnue unlawful segregation. Despite all predictions to the contrary, the Negroes were successful in their protest."

"Get-Tough" Policy Adopted

Unwilling to come to terms with the protest movement, city and bus company officials adopted a "get-tough" policy, the NAACP legal chief charged. He cited the harassment by police of participants in the movement - - arrests for alleged traffic violations, charges of loitering and other minor offenses. Adoption of the "get-tough" policy was followed by the bombing of the homes of Mr. King and E. D. Nixon, two of the leaders of the protest.

Despite all of this and the rabble-rousing of Senator James O. Eastland (D., Miss.)), Negroes of Montgomery "stood their ground and refused to spend their money on buses which continued to discriminate against them," Mr. Marshall said.

"Instead of arresting the thugs who bombed Negroes' homes," he pointed out, "the city officials have ordered the arrest of the Negroes who are the victims of this and other types of lawless action."

State Press P. 4

NAACP Support Pledged To Bus Protest Victims

World P. 8 Fri. 3-2-56
Birmingham, Ala.

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"This was a purely local matter and remained under the sole leadership of local Negroes. They simply refused to ride the buses and be subjected to continued unlawful segregation. Despite all predictions to the contrary, the Negroes were successful in their protest."

"GET-TOUGH" POLICY ADOPTED

Unwilling to come to terms with the protest movement, city and bus company officials adopted a "get-tough' policy, the NAACP legal chief charged. He cited the harrassment by police of participants in the movement—arrests for alleged traffic violations, charges of loitering and other minor offenses Adoption of the "get-tough" policy was followed by the bombing of the homes of Mr. King and E. D. Nixon, two of the leaders of the protest.

Despite all of this and the rabble-rousing of Senator James O. Eastland (D., Miss). Negroes of Montgomery "stood their ground and refused to spend their money on buses which continued to discriminate against them,' Mr. Marshall said.

"Instead of arresting the thugs who bombed Negroes' homes,' he pointed out, "the city officials have ordered the arrest of the Negroes who are the victims of this and other types of lawless action."

Montgomery Arrests 115 In Negro Bus Boycott

Star P. 4-A
Wed. 2-22-56
Washington, D.C.

MONTGOMERY, Ala., Feb. 22 (AP).—Montgomery police today began rounding up 115 persons indicted for taking active part in a bus boycott by Negroes.

A grand jury yesterday returned 11 true bills against 115 defendants charged with participating in the prolonged protest to racial segregation.

The grand jury report warned that "violence is inevitable" in Montgomery "if we continue on our present course of race relations."

The indictments were returned under a seldom-used State statute which makes conspiracy to boycott a misdemeanor punishable by up to six months in prison and a $1,000 fine.

The grand jury's written report said the attack on Alabama's segregation laws by the National Association for the Advancement of Colored People is primarily responsible for current racial unrest in Montgomery.

"Distrust, dislike and hatred are being taught in a community which for more than a generation has enjoyed exemplary race relations," the jurors declared.

Single Negro on Jury

The grand jury was composed of 17 white men and one Negro, E. T. Sinclair, head waiter at the Montgomery Country Club. There was no way to tell how Mr. Sinclair voted on the indictments.

The indictments were returned less than 24 hours after Negro leaders rejected a compromise plan for settling the 11-week-old bus boycott. The proposal had been approved by the Montgomery City Bus Lines and the city commission.

The great majority of Negroes who once patronized the buses have refused to ride them since Mrs. Rosa Parks, a seamstress, was fined $14 December 5 for not complying with State and city laws requiring separate facilities for white persons and Negroes on public carriers.

Mrs. Parks declined to move to the back of a bus when requested to by the driver.

A young Negro attorney, Fred D. Gray, was indicted Friday for unlawful practice. He is charged with filing an anti-segregation suit in United States District Court without the consent of one of the five Negro women whose names appeared on the complaint.

Led by Clergymen

In their final report, the grand jurors said the Montgomery Improvement Association, led by several Negro ministers, had kept the boycott going by contributing $18,000.

"Small incidents have been magnified out of their true importance and ugly rumors are being spread among both races," the jurors charged.

The report declared that segregation in schools, public transportation and elsewhere would be maintained in Alabama "within these laws which reflect our ways of life."

The law under which the indictments were returned was aimed primarily at labor disputes. It was approved by the State Legislature in 1921 and prohibits boycotting by two or more persons without "a just cause or legal excuse."

Indicted Negroes File Demurrers

Courier-Journal
Louisville, Ky.
Feb. 22-56

Montgomery, March 1 (AP) — Attorneys for 100 Negroes indicted in Montgomery's bus boycott filed legal arguments today attaching the constitutionality of the Alabama law under which they are charged.

The demurrers filed in Circuit Court charge that the anti-boycott law passed by the State

Alabama Jury Indicts 115 Persons Over Boycott of Buses in Montgomery, Warns of Violence

Inquirer

MONTGOMERY, Ala., Feb. 21 (AP).—a grand jury today indicted 115 persons involved in Montgomery's Negro bus boycott.

The 18-man grand jury, including one Negro, warned that violence was inevitable unless race relations improved.

The boycott has been under way 11 weeks in protest to segregated seating on buses, required under Alabama law.

MUST BE KEPT SECRET

Only 11 indictments were returned, but an official source said 115 defendants were named, several of them on each indictment.

Under State law, names of the defendants and the specific charges against them must be kept secret until the accused persons are in custody.

One indictment growing out of the boycott was returned by the grand jury last week when Fred D. Gray, a Negro attorney, was charged with unlawful practice growing out of an antisegregation suit filed in U. S. District Court. He was accused of filing the suit against bus segregation without the consent of one of the five women whose names appeared on the complaint.

The grand jury said "there is a growing tension between the races in this community" and the bus boycott is "but one manifestation of this feeling.

"Distrust, dislike and hatred are being taught in a community which for more than a generation has enjoyed exemplary race relations. Small incidents have been magnified out of their true importance and ugly rumors are being spread among both races."

PETITIONS BACK COLD

TUSCALOOSA, Ala., Feb. 21 (AP).—Circulators of petitions urging the return of Autherine Lucy to classes by voluntary action of University of Alabama authorities claimed today they had about 500 signatures.

The petitions seek to have Miss Lucy, first Negro student in the school's 125-year history, given the right to come back to classes before the Feb. 29 hearing of a suit in Birmingham Federal Court. In that suit she seeks to force school officials to rescind their Feb. 6 action excluding her from classes for her own safety.

Albert Horn, of Tuscaloosa, a senior in the law school, said the group of students and faculty members sponsoring the petition had been "somewhat disappointed" in the response.

"Sympathy" riders' strike planned in 17 states

Tribune

Los Angeles, Calif.

CHICAGO — (Special to the Tribune) — A 40-city bus and street car strike by riders supporting the three-month-old bus boycott in Montgomery, Ala., is in the offing unless officials of the National City Lines, owners of the Montgomery system, give some assurance of meeting the demands of the Alabama strikers.

The large-scale demonstration, which would be for one-day only, according to preliminary plans, but would be increased to two and three-day demonstrations should the enormous holding company continue its resistance to Alabama Negro demands, is being planned by a provisional committtee, set up following the local branch Naacp's disclosure that the Montgomery bus company is owned by northern financiers.

"Like the attitude of Negroes in Montgomery, crystallized in the statement of the Rev. Ralph D. Abernathy, one of the Alabama leaders, that 'we bear the bus company no ill will,' Negroes of the North bear the National City Lines no ill will; but riders' strikes and boycotts can be our way of letting it be known that the Negro will resist segregation", a spokesman for the provisional committee said.

The National City Lines owns in part or wholly transportation systems in several cities of large Negro populations, including Philadelphia, Baltimore, Los Angeles, San Francisco, St. Louis. All would be hard hit by a rider strike, even of only one day's duration.

The giant trust wholly owns or has large investments in transit systems in 17 states. Only five of the states are in the South.

Here in Chicago where its headquarters are, the company management last week promised a delegation from the Naacp "a statement on its position in the Montgomery situation" within a few days.

Pending this statement, plans for the riders' strike are being held in abeyance, the provisional committee spokesman said.

The provisional committee is not connected with the Chicago branch Naacp, although some officials of the Naacp are said to be interested in the riders' strike plans.

Errors Cut Arrests in Bus Boycott

Herald Tribune

Fri. 2-24-56

P. 5

Negroes Holding Church Meeting

MONTGOMERY, Ala., Feb. 23 (AP).—Deputies today were completing the job of taking into custody the scores of boycott leaders indicted by a grand jury under an old state law making it a misdemeanor to conspire to prevent others from carrying on their business.

New York

By afternoon, eighty-eight Negroes had been booked and then released on the standard $300 bond, deputies said. Sheriff Mac Sim Butler said he expected his office would not take in more than ninety defendants.

An official source said the number of defendants was less than the 113 to 115 announced earlier because the grand jury had made some duplication of names and the whereabouts of some of the persons indicted were not known.

Meeting at Church

The Rev. D. Abernathy, one of those indicted and the pastor of the Negro First Baptist Church where a mass meeting of protest was scheduled, said he expected 10,000 persons to come to the meeting tonight "to sing and pray Almighty God and get into the hearts of Montgomery people so that justice may be done."

Mr. Abernathy, the first person arrested yesterday, also proclaimed tomorrow—arraignment day for the defendants—as "prayer-pilgrimage day" during which all Negroes, he said, would probably walk rather than drive their cars or ride in other vehicles.

Montgomery's tense citizens largely ignored the few arrests at County Jail today, in contrast to yesterday when 200 persons gathered.

Police Chief G. J. Ruppenthal said his department was taking no special precautions beyond the normal traffic guard at large meetings. He said that had been standard at all meetings throughout the eleven-week boycott of the city bus lines.

One of the boycott leaders, the Rev. Martin Luther King jr., surrendered voluntarily at County Jail and was released after making bond today. He said he was out of town yesterday.

Mr. King pleaded guilty in Circuit Court today to a speeding charge and paid a $5 fine. He was convicted in City Court and appealed after charging that police were "harassing" the Negro boycotters by arresting them for minor traffic violations.

Powell Wires President

WASHINGTON, Feb. 23 (AP).—Rep. Adam Clayton Powell jr., D., N. Y., today asked "White House" protection for Negroes indicted in Montgomery.

Rep. Powell, a Negro, said in a telegram to President Eisenhower: "Behind the dark curtain today in Montgomery, Alabama, another ghastly victory for communism is scored. As a clergyman and Congressman, I wish to state that from this moment on the White House is responsible for safeguarding the lives, physical security and civil liberties of the 115 Negroes arrested for peaceably and nonviolently trying law enforcement officials refuse to give.

"The arrest of my fellow clergymen is a new low in American barbarism. I request, therefore, that they and their followers be protected immediately by the White House."

Seminary's Telegram

A telegram of encouragement was sent yesterday from a group of students and teachers at the Union Theological Seminary to Mr. Abernathy, saying: "Your courageous stand in the battle of the Negro people of Montgomery against injustice has won the admiration of millions of people across the world." The telegram was signed by Edward White, chairman of the social action committee of the student body; the Rev. Dr. John C. Bennett, dean of the faculty, and eighty-six students.

A. C. L. U. Protests

The American Civil Liberties Union yesterday took issue with the indictments in Montgomery, it said the indictments were based on an unconstitutional law. In a statement, the A. C. L. U. executive director, Patrick Murphy Malin, said: "The State anti-boycott law appears to be in outright violation of the free speech and press clauses of the United States Constitution.

MONTGOMERY BUS PROTEST LEADERS SCHEDULED FOR TRIAL ON MONDAY

Daily World

Sun. 3-18-56

VIOLENCE MUST NOT OCCUR

P. 1

Atlanta Ga.

By WILLIAM KERWIN

WASHINGTON — (INS) — Sen. Allen J. Ellender (D) La., said last night that the south must avoid violence "at all costs" in its effort to resist the Supreme Court's ban on segregation in public schools.

Ellender declared that lawlessness in the racial dispute would only lead to a repetition of "oppressive" reconstruction regimes and "A new and even hungrier breed of carpetbaggers."

The Louisiana Democrat made the statement in a radio address in which he defended the Manifesto signed by 100 Southern members of Congress pledging a fight to reverse the Court's ruling.

In issuing the declaration, Ellender said: "We have served notice that the people of the South, both White and Negro are not going to be used as either whipping boys or political pawns in order to fulfill the Supreme Court's new doctrine of sociological justic."

He also lashed out at the National Association for the Advancement of Colored People as a group of "unprincipled, power-hungry, self-seeking, outside agitators."

But he said that "what the South must avoid at all cost is violence, lawlessness, hatred and bloodshed," in opposing the NAACP and other groups favoring desegregation.

The Senator declared: "The outside agitators who seek the subjugation of both the White and Negro races in the South are hovering like greedy vultures for the time when racial antagonisms lead to choos, the breakdown of Governmental Authority, and General lawlessness.

BUS BOYCOTT HEADS GO TO COURT TODAY

Commercial Appeal

93 Negroes To Rest Fate With Judge

Memphis Tenn.

MONTGOMERY, Ala., March 18.—(AP)—Raising the issue of free speech, 93 Negroes including 25 clergymen face trial here Monday for the mass refusal of their race to ride segregated city buses.

Mobile Ala. 3-19-56

They have waived the right of jury trial, choosing instead to let Circuit Judge Eugene Carter decide their guilt or innocence. That is permissable under Alabama law in a misdemeanor. Defense attorneys declined to discuss the decision.

The Negroes were indicted by a predominantly white Grand Jury Feb. 21 as leaders in the boycott of Montgomery city lines buses which has continued since Dec. 5.

Some of the defendants, particularly the ministers, were charged with lending vocal encouragement and leadership to the protest which has cost the bus line 75 to 95 per cent of its normal Negro business.

Others were indicted for using their automobiles in a car pool which has enabled thousands of workers to get to and from their jobs.

The indictments were returned under a state law originally aimed at labor strife and never before used except in union-management disputes. The law prohibits organized boycotting "without just cause or legal excuse."

Maximum penalty for each defendant is six months in jail and a $1,000 fine.

On old state statute—

Bus boycotters face trial Monday in Montgomery

News

Sun. 3-18-56 P. 10-A

Birmingham Ala.

BY REX THOMAS

MONTGOMERY, Ala., March 17—(AP)—Defending their right of free speech, 93 Negroes including 25 clergymen face trial here Monday for the mass refusal of their race to ride segregated city buses.

They have waived the right of jury trial, choosing instead to let Circuit Judge Eugene Carter decide their guilt or innocence. That is permissible under Alabama law in a misdemeanor.

Defense attorneys declined to disclose the reasons for that decision.

The Negroes were indicted by a predominantly white Grand Jury Feb. 21 as leaders and active participants in the 16-week-old boycott of Montgomery City Lines buses, which has continued without pause since last Dec. 5.

Some of the defendants, particularly the ministers, were charged with lending vocal encouragement and leadership to the protest which has cost the bus line 75 to 95 per cent of its normal Negro business.

OTHERS WERE indicted for using their automobiles in a precisely organized car pool which has enabled thousands of workers to get to and from their jobs.

In periodic mass meetings in their churches, Negroes have heard dramatic appeals from the ministers for "passive resistance to oppression" without violence. With their financial contributions, they have kept the motor pool rolling at a cost of $200 a day.

The indictments were returned under a rarely used state law originally aimed at labor strife and never before used except in union-management disputes. The law prohibits organized boycotting "without just cause or legal excuse."

Maximum penalty for each defendant is six months in jail and a $1000 fine.

Negro defense attorneys, attacking constitutionality of the statute, have raised the issue of free speech, freedom of worship and peaceful assembly, and equal protection under the law.

CONTENDING THAT the indictments violate their rights guaranteed under the U. S. Constitution, they laid the predicate for an appeal to the federal courts if convicted. The state Supreme Court upheld validity of the anti-boycott law in 1943.

Judge Carter must rule on the defense demurrers before the trials can start. Carter is the judge who directed the Grand Jury to investigate the bus boycott.

The demurrers, which say in effect that the boycotters have committed no unlawful act, were filed after the Negroes were arraigned on the indictments and pleaded innocent.

Since each defendant can demand a separate trial, the proceedings could stretch out for weeks, perhaps months. Or, if some are convicted and it appears likely they will appeal to the U. S. Supreme Court, the remaining trials may be postponed pending the outcome of those appeals.

Fred D. Gray, one of the defense lawyers, declined to reveal what course he and his colleagues will pursue. Likewise Circuit Solicitor William F. Thetford said he wasn't in a position to tell which defendant he will call to trial first.

THE BUS BOYCOTT has given Negroes in the South their first opportunity to exert widespread economic pressure in the continuing battle over segregation since the historic Supreme Court school integration decision.

It began with the arrest and conviction of a Negro seamstress, Mrs. Rosa Parks, for refusing to move to the colored section of a bus. City and state laws require separate seating facilities.

At the outset, Negroes demanded only a better seating arrangement, a "first come, first served" plan where Negro riders would be seated from the rear and white passengers from the front until all places were taken.

Later, as the boycott continued, the Negroes challenged the segregation pattern itself with a suit in U. S. District Court attacking the city and state laws as unconstitutional. No hearing has been scheduled on that complaint.

The Grand Jury which returned the boycotting indictments also charged one of the Negro attorneys, Gray, with unlawful practice in the handling of the anti-segregation suit.

Gray was accused of acting without consent of one of the five Negro women whose names were signed to the petition in Federal Court. But the state dismissed the attorney's indictment because the alleged offense occurred on federal property, where the suit was filed.

Negroes elsewhere in the United States have pledged their support to the boycotters, hinting even at a similar protest demonstrations against other Southern subsidiaries of National City Lines of Chicago, parent company of the Montgomery busline.

There have been relatively few acts of violence in the lengthening dispute here, although the Grand Jury warned that trouble is "inevitable" unless race relations take a new course.

A DYNAMITE explosion the night of Jan. 30 damaged the home of the Rev. Martin Luther King Jr., one of the boycott spokesmen later indicted. Two nights later a bomb went off in front of the home of E. D. Nixon, another of the defendants. No one was injured in either incident.

Several buses were fired on in Negro sections of Montgomery in the early days of the protest, but no injuries were reported there either.

The economic cost of the boycott hasn't been counted, but the bus company has raised its fare from 10 to 15 cents and eliminated some routes through Negro areas. All bus service has been suspended on Sunday except to Maxwell and Gunter Air Force Bases at opposite edges of the city.

Repeated efforts to reach a settlement have failed. All three members of the City Commission have publicly aligned themselves with the pro-segregation Montgomery County Citizens Council and have appealed to white residents of Montgomery to refrain from giving rides to Negroes.

Trial Opens Today For 93 Boycotters

Advertiser Montgomery, Ala.

Ninety-three Negroes charged with advocating an illegal boycott of Montgomery City Lines buses go on trial before Judge Carter at 10 a.m. today.

Among the 93 are 25 Negro ministers. They will be defended by five Negro attorneys including Arthur Shores of Birmingham and Fred D. Gray of Montgomery.

Judge Carter will rule on defense demurrers before proceeding with the trials. The demurrers call the state's anti-boycott law unconstitutional. The defendants have waived jury trial and Carter will rule on guilt or innocence of the 93 Negroes.

Alabama Trial Today.

MONTGOMERY, Ala., March 18 (AP)—The opening trials for 93 Negro leaders accused of directing Montgomery's bus boycott will start tomorrow.

Circuit Judge Eugene Carter is first expected to rule on defense demurrers which challenge constitutionality of the state's anti-boycott law under which the indictments were returned.

Carter, who directed the grand jury to investigate the 16-week-old boycott, also will decide on the guilt or innocence of the 93 defendants. They have waived the right to jury trials.

Defense attorneys declined to say if they will ask for separate trials.

Twenty - five ministers were among those charged by the grand jury as leaders or active participants in the bus boycott which has continued since Dec. 5 in protest to segregated seating required by city and state law.

After the indictments were returned Feb. 21, Negro attorneys filed the demurrers to lay the groundwork for an appeal to federal courts if the defendants are convicted.

Alabama's 1921 antiboycott law was primarily aimed at labor disputes. Its constitutionality was upheld by the State Supreme Court in 1943. The U.S. Supreme Court twice refused to review the case on grounds that no federal rights had been violated.

The law makes boycotting "without just cause or legal excuse" a misdemeanor punishable by a maximum of six months in prison and a fine of $1,000.

Minister on Trial In 'Bama Boycott

Herald Trib. 3-20-56

Miami, Fla.

MONTGOMERY, Ala. —(UP)— A young Negro minister who led a boycott of segregated buses to assert the "dignity" of his race went on trial Monday as the first of 90 defendants to be prosecuted under an obscure law.

P. 8-A

A panel of Negro attorneys immediately put up a barrage of objections, most of them sustained, as the state called the manager of the city bus lines as first witness against the Rev. M. L. King, 27.

J. H. Bagley, manager of the Montgomery city bus lines, described how King had asked the transit system to assure Negroes more courtesy from drivers and "first come, first served" seating.

The number of defendants was cut from 93 to 90 as the state decided it did not have enough evidence against three, including some of the 25 Negro clergymen originally indicted.

Demurrers contending that the defendants were charged illegally were denied by Circuit Judge Eugene Carter before the trials began in a creaking ante-bellum courtroom where the crowd was limited to 100 for fear the floor might collapse.

King is the recognized leader of the boycott, which in its 15th week has plunged the bus system into economic chaos.

All the defendants were charged with conspiring to interfere with the normal carrying out of a business under a little-used 1921 law originally enacted to combat the Ku Klux Klan.

The boycott began after a Negro seamstress was convicted of violating the segregated seating law.

Bagley testified that Negro trade on the segregated buses had dropped 90 to 95 per cent during the boycott.

Five Lawyers Ready Defense Of Boycotters

Advertiser Montgomery, Ala.

By STEVE LESHER

Five Negro attorneys will defend 93 Negroes who stand trial here at 10 a.m. tomorrow on charges of advocating an illegal boycott of Montgomery City Lines buses by 40,000 Montgomery Negroes.

Among the 93 are 25 Negro ministers. At their arraignment here recently, 89 Negroes pleaded not guilty. Four others have been arrested since the grand jury returned 11 indictments naming 113 Negroes who allegedly have instigated the illegal boycott.

BEFORE JUDGE

Defending the Negroes will be Arthur Shores, Orzell Billingsly Jr. and Peter Hall, all of Birmingham, and Fred D. Gray and Charles Langford of Montgomery. Shores gained notoriety as the attorney for Autherine J. Lucy, 26-year-old Negro woman who twice was ordered admitted to the University of Alabama by a federal court, only to be expelled for unfounded charges she made against the university. Gray recently was cleared of charges of conducting an unethical practice.

Boycott Jury To Try Negro Pastor First

Post Times Herald Wed. 3-20-56

Washington, DC

Prosecution Runs Into Court Checks, Is Told It Must Prove Conspiracy

MONTGOMERY, Ala., March 19 (U.P.)—A young Negro minister who led a boycott of segregated buses to assert the "dignity" of his race went on trial today as the first of 90 defendants to be prosecuted under an obscure anti-boycott law.

The State called as its first witness the manager of the Montgomery City Bus Lines in the case against the Rev. M. L. King, 27.

J. H. Bagley, the manager, described how the Rev. Mr. King had asked the transit system to assure Negroes more courtesy from drivers and "first come, first served" seating.

The number of defendants was cut from 93 to 90 as the State decided it did not have enough evidence against three, including one of the 25 Negro clergymen originally indicted.

Demurrers contending that the defendants were charged illegally were denied by Circuit Judge Eugene Carter before the trials began in a creaking ante-bellum courtroom where the crowd was limited to 100, nearly all defendants, for fear the floor might collapse.

Calling the Rev. Mr. King as the first defendant, Judge Carter told other defendants they "might as well go on home" because the minister's trial probably would last "two or three days." But nearly all held their seats.

Judge Carter refused to admit a State exhibit, later described as a handbill calling for a mass meeting of Negroes to discuss continuing the boycott beyond its original 1-day limit. He said the prosecution would first have to prove a conspiracy existed.

All the defendants were charged with conspiring to interfere with the normal conduct of a business under a little-used 1921 law originally enacted to combat the Ku Klux Klan. The boycott began after a Negro seamstress was convicted of violating the segregated-seating law.

Bagley testified that Negro trade on the segregated buses had dropped 90 to 95 per cent during the boycott, now in its 15th week.

When Bagley began talking about the Negroes' "demands" on the company to provide equal seating privileges, Carter upheld defense objections to the phraseology. Again, he said, the fact of a conspiracy would first have to be proved.

Six Negro attorneys conferred repeatedly with Arthur Shores, Birmingham Negro lawyer who was barred by Judge Carter from actively defending the case because he is not a member of the local bar. Shores was attorney for Autherine Lucy, the Negro co-ed recently expelled from the University of Alabama.

93 NEGROES FACE TRIAL TOMORROW

Times P. 8-L

Leaders of Montgomery Bus Boycott Waive Use of Jury, Will Let Judge Decide

Sun. 3-18-56

MONTGOMERY, Ala., March 17 (AP)—Ninety-three Negroes, including twenty-five clergymen, face trial here Monday for the mass refusal of their race to ride segregated city buses.

They have waived the right of jury trial, choosing instead to let Circuit Judge Eugene Carter decide their guilt or innocence. That is permissible under Alabama law in a misdemeanor.

Defense attorneys declined to disclose the reasons for that decision.

New York, N.Y.

The Negroes were indicted by a predominantly white grand jury Feb. 21 as leaders and active participants in the sixteen-week-old boycott of Montgomery city lines buses. It began last Dec. 5.

Some of the defendants, particularly the ministers, were charged with lending vocal encouragement and leadership to the protest, which has cost the bus line 75 to 95 per cent of its normal Negro business.

$200 a Day for Car Pool

Others were indicted for using their automobiles in a car pool that has enabled thousands of workers to get to and from their jobs.

In mass meetings in their churches, Negroes have heard appeals from the ministers for "passive resistance to oppression." With their financial contributions, they have kept the motor pool rolling at a cost of $200 a day.

The indictments were returned under a rarely used state law originally aimed at labor strife and never used before except in union-management disputes. The law prohibits organized boycotting "without just cause or legal excuse."

Maximum penalty for each defendant is six months in jail and a $1,000 fine.

Negro defense attorneys, attacking the constitutionality of the statute, have raised the issue of free speech, freedom of worship and peaceful assembly, and equal protection under the law.

Law Upheld in 1943

Contending that the indictments violate their rights guaranteed under the United States Constitution, they laid the groundwork for an appeal to the Federal courts if convicted. The State Supreme Court upheld validity of the anti-boycott law in 1943.

Judge Carter must rule on defense demurrers before the trials begin. He is the judge who directed the grand jury to investigate the bus boycott.

The demurrers, which say in effect that the boycotters have committed no unlawful act, were filed after the Negroes had been arraigned and had pleaded innocent.

Since each defendant could demand a separate trial, the proceedings could stretch out for weeks, perhaps months. Or, if some are convicted and it appears likely they will appeal to the United States Supreme Court, the remaining trials might be postponed pending the outcome of those appeals.

Fred D. Gray, one of the defense lawyers, declined to say what course he and his colleagues would pursue. Likewise, circuit solicitor William F. Thetford said he was not in a position to tell which defendant he would call to trial first.

The bus boycott began with the arrest and conviction of a Negro seamstress, Mrs. Rosa Parks, for refusing to move to the colored section of a bus. City and state laws require separate seating facilities.

At the outset, Negroes demanded only a better seating arrangement, a "first come, first served" plan where Negro riders would be seated from the rear and white passengers from the front until all places were taken.

State drops three cases in boycott trials

News p.1
Mon. 3-19-56

By REX THOMAS

MONTGOMERY, Ala., March 19—(AP)—The state dropped charges against three deefndants today as 93 Negroes were called to trial for the mass boycott against racially segregated public buses in the cradle of the Confederacy.

At the same time, Negro defense attorneys formally requested separate trials for each of the remaining 90 defendants charged with violating Alabama's seldom-used Anti-Boycotting Law. The request was granted.

The trials started an hour and five minutes late because Circuit Judge Eugene Carter, who will judge the defendants in the absence of juries, was called away from the courthouse to attend the funeral of a relative.

AT THE OUTSET of the proceedings, Circuit Solicitor William F. Thetford asked for dismissal of indictments against Alfred Ellis, Booker T. Holmes and the Rev. M. C. Cleveland, pastor of the Day Street Baptist Church. Thetford explained that further investigation by his office "raised a substantial doubt of their guilt."

Judge Carter opened court with a stern warning against spectators talking during the trial and cautioned them. "If you came here to be entertained you're in the wrong place."

Only a few white men were in the courtroom and most of them were newspaper reporters or witnesses. The rest of the crowd were Negroes.

News

TWENTY-FIVE Negro ministers and 68 other members of their race were called to trial for the prolonged boycott of Montgomery city buses.

p. 6

Long before the court was called to order, Negroes jammed the corridor and stairs leading to the second-floor courtroom.

The defendants had eight Negro attorneys, including Robert Carter of New York, a member of the legal staff of the National Assn. for the Advancement of Colored People.

Also present as an "interested spectator" was Negro Congr. Charles C. Diggs Jr. (D., Mich.). Diggs said he came here to watch the proceedings and also to bring a "substantial sum of money" contributed by residents of Detroit to support the protest against bus segregation. He said it was more than $5000.

With Diggs was his legal advier, Basil W. Brown of Detroit.

Ironically, the light-skinned Brown had to identify himself as a Negro before Bailiff Addie Mosley would permit him to sit next to his employer in the segregated courtroom.

BEFORE THE trials could proceed, Judge Carter had to rule on a defense petition attacking validity of the anti-boycotting indictments returned by a Grand Jury Feb. 21.

SPOKESMEN FOR the National Assn. for the Advancement of Colored People have said outcome of the Montgomery boycott may determine whether similar moves should be made elsewhere.

At New York, the Fellowship of Reconciliation said yesterday more than 200 white and Negro clergymen have expressed willingness to go to Montgomery and take the pulpits of the 25 Negro clerics. The Fellowship describes itself as a voluntary nondenominational Protestant organization.

THE MINISTERS and others were indicted in Montgomery Feb. 21 under Alabama's 1921 anti-boycott law. It makes boycotting "without just cause or legal excuse" a misdemeanor punishable by a maximum of six months in prison and a fine of $1000.

Trial Opens Today For 93 Boycotters

Advertiser p.1
Montgomery, Ala.

Ninety-three Negroes charged with advocating an illegal boycott of Montgomery City Lines buses go on trial before Judge Carter at 10 a.m. today.

Among the 93 are 25 Negro ministers. They will be defended by five Negro attorneys including Arthur Shores of Birmingham and Fred D. Gray of Montgomery.

Judge Carter will rule on defense demurrers before proceeding with the trials. The demurrers call the state's anti-boycott law unconstitutional. The defendants have waived jury trial and Carter will rule on guilt or innocnece of the 93 Negroes.

INDICTMENTS

MONTGOMERY, ALA. BUS BOYCOTT

INDICTMENTS UPHELD IN BUS-BOYCOTT CASE

Commercial Appeal

Minister Is First Of 90 Negroes To Face Trial In Segregation Suit

Tues. 3-20-56

(Picture on Page 32)

Memphis, Tenn.

By The Associated Press

MONTGOMERY, Ala., March 19. — Grand Jury indictments against 90 bus-boycotting Negroes withstood their first court test Monday, and a young minister went on trial shortly afterward as the first defendant.

Circuit Judge Eugene Carter overruled a defense petition which sought to invalidate the indictments as unconstitutional. Then state's attorneys called Rev. Martin Luther King Jr., before the court to begin what could become a prolonged series of trials.

Separate Hearings Asked

Each of the 90 defendants asked for a separate hearing.

The 27-year-old King, whose home was bombed in the early weeks of the mass Negro protest against segregated city bus facilities, was singled out by Circuit Solicitor William F. Thetford as one of the boycott leaders.

But Mr. Thetford ran into difficulty at the outset of the trial in trying to link the pastor of the Dexter Avenue Baptist Church to a "conspiracy" to hinder operations of Montgomery City Lines buses.

Judge Carter allowed the first witness, bus company Manager J. H. Bagley, to identify King as one of several Negroes he conferred with at the onset of the boycott last December, but he sustained defense objections to some other questions.

Documents Barred

He refused to permit Mr. Thetford to introduce two documents as state's exhibits although he permitted Mr. Bagley to identify them as papers he had received shortly before and immediately after the bus protest began Dec. 5.

One document was described only as a "resolution;" the other was not identified to any degree except that it was a paper the bus line manager said he received two days before the boycott started.

Judge Carter upheld defense objections when Mr. Thetford asked Mr. Bagley what caused a "falling off" of his company's business since Dec. 5. The bus line official said 90 to 95 per cent of the Negroes who formerly rode city buses have stopped using them.

Commercial Appeal

Mr. Bagley was allowed to testify that King and another defendant, Jo Ann Robinson, told him they thought the Negroes would resume riding the buses if certain demands were met. Jo Ann Robinson, awaiting trial with the other 89 defendants, is a teacher at Alabama State College for Negroes at Montgomery and president of the Women's Political Council, a Negro group.

NAACP Aids Defense

Eight Negro attorneys represented the defendants, including Robert Carter of the legal staff of the National Association for the Advancement of Colored People in New York.

P. 3

Carter was permitted to take part in developing defense strategy but the judge refused to let him question witnesses because he is not a member of the Alabama bar. The defense objected to that ruling and said it would be used as one ground for appeal if King is convicted.

Other defense attorneys led by Arthur D. Shores of Birmingham also said they would contest Judge Carter's decision in overruling demurrers which said the defendants have committed no unlawful act and therefore can't legally be brought to trial.

Shores, arguing for the demurrers which covered all 90 defendants, said the indictments, under a rarely used state law which prohibits organized boycotting, violated the Negroes' rights of free speech, freedom of worship and peaceful assembly.

The Negro attorney, who represented Autherine Lucy in her successful court battle for admittance to the University of Alabama before she was expelled, said previous courts have upheld the right of people to refuse to patronize business places.

Specifically, he said they have granted Negroes the right to withhold patronage from businesses which refuse to hire Negro employes.

Arguments Answered

Mr. Thetford answered the Negroes' arguments briefly. He said the State Supreme Court has upheld the anti-boycotting law and added that the United States Supreme Court, by refusing to review it, concurred with the Alabama court's findings.

The number of defendants was reduced to 90 Monday when the solicitor dismissed three indictments because he said further investigation has thrown "considerable doubt on their guilt."

He dropped charges against Alfred Ellis, Booker T. Holmes and Rev. M. C. Cleveland, a Baptist and one of 25 clergymen included among the Negroes indicted.

The indictments against King and the others were returned under a state law which provides a maximum penalty of $1,000 fine and six months in jail for unlawful boycotting "without just cause or legal excuse."

The bus boycott began Dec. 5 after a Negro seamstress, Rosa Parks, was arrested and fined $14 for disobeying a driver's order to move to the rear of a bus where Negroes were to ride. City and state laws require segregation in all public transportation.

MONTGOMERY, Ala., March 19.—(UP)—A three-judge court has been named to hear a case attacking the constitutionality of city and state laws requiring racial segregation on public transportation utilities.

Judge Joseph C. Hutcheson Jr., presiding judge of the United States Circuit Court of Appeals, appointed United States District Judge Seybourn H. Lynne of Birmingham, United States Circuit Court of Appeals Judge Richard Rives of Montgomery and United States District Judge Frank M. Johnson of Montgomery to hear the case.

Four Negro women filed a suit in Federal Court here Feb. 1 charging state segregation laws violated rights guaranteed Negroes under the 14th Amendment to the United States Constitution.

COURT REDUCES DEFENDANTS IN BUS CASE TO 90

Daily Tribune

Tues. 3-20-56

Chicago, Ill.

Boycott Indictments Ruled O. K.

P. 7

Montgomery, Ala., March 19 (AP) — Circuit Judge Eugene Carter rejected a defense petition attacking validity of grand jury indictments and ordered 90 Negroes brought to trial today for the prolonged mass boycott of segregated city buses in Montgomery.

The state asked for and was granted dismissal of charges against three of the original defendants.

Defense attorneys also asked for separate trials for each of the indicted Negroes. Judge Carted was required by law to grant that request.

First Defendant Called

The first defendant called was The Rev. M. L. King Jr., one of the leading spokesmen in the boycott, whose home was damaged by a dynamite explosion the night of Jan. 30. No one was injured in the blast.

The judge overruled defense demurrers which argued that the indictments under a seldom-used Alabama anti-boycotting law violated the Negroes' rights of speech, freedom of assembly, and freedom of worship.

The anti-boycotting law, enacted in 1921 as a weapon against labor strife, prohibits any conspiracy or agreement to hinder the operation of a lawful business. Maximum penalty for violating the law is six months in jail and a $1,000 fine.

Demanded Better Seating

The bus dispute began as a demand for better seating arrangements even if still segregated. It spread to an attack on city and state travel segregation laws. A suit challenging their constitutionality is on file in United States District court.

The mass protest began last Dec. 5 after a Negro seamstress, Mrs. Rosa Parks, was arrested and fined $14 for refusing to obey a driver's order to move to the colored section of his bus. Bus operators have authority under a city ordinance to enforce segregation. Negro clergymen then began appeals for "passive resistance" without violence.

At the outset of the proceedings, Solicitor William F. Thetford asked for dismissal of indictments against Alfred Ellis, Booker T. Holmes, and the Rev. M. C. Cleveland, pastor of the Day Street Baptist church. Thetford asserted that further investigation by his office "raised substantial doubt of their guilt."

Few Whites on Hand

Only a few white men were in the courtroom and most of them were newspaper reporters or witnesses. The defendants had eight Negro attorneys, including Robert Carter of New York City, a member of the legal staff of the National Association for the Advancement of Colored People.

Also present was Rep. Diggs, [D., Mich.], a Negro, who said he came here to watch and to bring a "substantial sum of money" from residents of Detroit to support the protest against bus segregation.

MONTGOMERY, ALABAMA BUS BOYCOTT

'No Let Up,' Rev. King Says

Courier P. 2 Sat. 3-24-56

Courthouse Packed For Boycott Trials

Pittsburgh Pennsylvania

By EVELYN CUNNINGHAM
(Staff Correspondent)

MONTGOMERY, Ala.—Long before 10 o'clock Monday morning, small groups of the ninety-three defendants charged with advocating an illegal bus boycott began arriving at Circuit Court here. One after another reavowed his determination to "stick it out" and his willingness to face the rigors and consequences of the trial. They went into the courtroom to face Judge Eugene W. Carter without fear and with an attitude that theirs was a just cause. "No legal maneuver will make us feel we're wrong," one said, "no matter what the court does."

Among the ninety-three are twenty-five ministers. At their recent arraignment here, eighty-nine pleaded not guilty. Four others have been arrested since the grand jury returned eleven inductments naming 113 who allegedly have instigated an illegal boycott of Montgomery City Lines buses by 40,000 Montgomery Negroes. A total of $27,900 in bail bond was posted by individual Negroes.

Defending the ninety-three are Arthur D. Shores, attornrey for Autherine J. Lucy; Orzell Billingsley and Peter Hall of Birmingham, Fred D. Gray and Charles Langford of Montgomery and Robert Carter of the national NAACP legal staff. Defense attorrneys waived trial by jury, allowing the judge to rule on each case.

All defendants were charged with the same misdemeanor, which carries a penalty of not more than $1,000 and not less than $100 in fines, plus not more than six months in the county jail. The boycott law under which they were indicted has been used only in labor disputes in the state.

* * *

THE PERSONAL stake that Negroes feel in the whole issue is evidenced by the influx of observers from may parts of the country and by the almost total participation in Sunday night's two simultaneous prayer meetings.

Congressman Charles Diggs of Chicago arrived Sunday, four Detroit leaders were here and national officers of Alpha Phi Alpha Fraternity arrived for the trials. The local prayer meetings were held at Bethel Baptist Church and the Hutchinson Street Baptist Church.

Contrary to published report and widespread rumor, the Rev. Martin Luther King, 27-year-old president of the Montgomery Improvement Association, said that he has had no recent conference with Gov. James Folsom. Mr. King said he has had three earlier conferences with the Governor, the most recent of which was "about a month ago," the day after his house was bombed. At that time, he said, he was accompanied by his father, the Rev. M. L. King Sr. of Atlanta.

* * *

EXPRESSING "great admiration" for Governor Folsom, "on many points," the Rev. Mr. King called him "pretty liberal on the race question . . . but he's got a tough Legislature to deal with."

As head of the Montgomery Improvement Association, Mr. King is gravely concerned over any hint or charge of misuse or mishandling of association funds. Although he said he could not give any estimate of the contributions that have been made to the MIA, since the bus protest started last Dec. 5, he revealed that a full report would be made public by the finance committee of the association.

He said that many white people are telling Negroes that he is "getting rich and fat" from the boycott; that he has purchased a Cadillac and a station wagon. Mr. King said he did not feel, however, that these accusations have had any effect on the willingness of Negroes to see the thing through."

He estimated that approximately $3,500 a week is being spent for: car pool (gasoline for drivers), rental of office, full-time office staff, telephone and telegrams and all-day paid drivers. Over $18,000 is being spent in lawyers' fees.

Although the MIA has applied fo a transportation franchise and has been turned down, they are still exploring the possibilities of setting up some kind of transportation system.

Meanwhile, a virtual end to Sunday bus service here was approved by the City Commission.

92 Others Await Day Before Judge

Journal + Guide P. 1 Sat. 3-24-56

Citizens Still Walk; Fund Still Flow In As Major Test Of Right To Protest Bigotry Gets Underway

Norfolk, Va.

By ROBERT H. DENLEY

MONTGOMERY, Ala. — (INS) — The most eloquent leader of Montgomery's 16-week-old bus boycott, the Rev. M. L. King, Jr., went on trial separately Monday as the first of 93 Negroes accused of violating an Alabama anti-boycott law.

Rev. Mr. King, a 27-year-old Baptist minister, was called to trial first after eight defense attorneys asked for separate trials for the defendants.

* * *

PRELIMINARY moves, including the handling of the corps of defendants and 80 witnesses, delayed actual beginning of the trial until past noon.

Rev. Mr. King was specifically charged with conspiring to hinder unlawfully the operations of a corporation, in this case the Montgomery City Lines. The company's buses have been avoided almost 100 per cent by Montgomery's 45,000 Negro population since Dec. 5.

* * *

REV. MR. King is president of the Montgomery Improvement Association, the organization that supposedly instigated and directed the protest against segregated seating rules on city buses.

The minister, who has been a pastor in Montgomery for two years, was the first of two Negro leaders whose homes were bombed in the only incidents of violence in the long boycott There were no injuries when a dynamite blast was touched off before his home last Jan. 30.

The minister, who holds a Ph.D from Boston university, took his place before the bar, after telling newsmen:

* * *

"I THINK WE are right and our cause is just and I hope we win."

Circuit Judge Eugene W. Carter overruled defense demurrers which asked that the cases be thrown out on grounds that the indictments were "vague" and that the old law on which they were brought violates Federal and state constitutional guarantees of freedom of speech and the right to petition.

And as the trail got under way here Monday, the situation looked something like this:

(1) There was no sign of letdown in the four-month-long boycott which has caused "drastic" curtailment of service of Montgomery City Bus lines;

(2) Eight defense attorneys, including Authur Shores of Birmingham (Miss Autherine Lucy's lawyer) and Fred Grey, Montgomery, who was threatened with disbarment, were on hand;

(3) Funds continued to flow in from all parts of the nation as groups of all races and denomination showed tangibly their support of the efforts of the local groups; and

(4) The action was being heralded by the press both here

and abroad as "the most extensive open protest of the white man's rule in modern Southern history."

• • •

THE FIRST OF 90 boycott leaders indicted by the Montgomery County grand jury under a 1929 law banning boycotts were set for trial before Circuit Judge Eugene Carter. All waived the right to jury trials.

• • •

THE BOYCOTT, in protest to segregated seating rules has affected city revenue and has had economic effects on retail businesses, especially those with "choice" location at certain bus stops.

Nowhere else in the South has there been such a long-sustained and complete (about 45,000 Negroes are involved) organized protest by Negroes against white supremacy.

• • •

THE BOYCOTTERS have been held together, despite the inconvenience of walking or joining car-pools, by a spiritual appeal.

The boycott, in contrast to on Feb. 21 for the boycott violation that carries punishment of fines up to $1,000 or jail terms of six months.

The boycott, in contrast of a federal court suit still pending does not seek an end to segregation on buses, but a change in seating rules. Montgomery bus drivers are given authority to decide the point beyond which Negroes cannot sit. The Boycott leaders sought a rule that would allow Negroes to be seated from the rear forward and whites from the front backward, on a first-come, first-seated basis. That system is common in many other Dixie cities.

The last suggested compromise was rejected by a vote of 3,998 to 2 by the boycotters the weekend before the grand jury returned its indictments.

New Witnesses Are Called In Trial Of First Of 90 In Protest

Mobile Press, Ala.
Mg. 3-23-56

MONTGOMERY, Ala. — (INS) — A three-man board of Federal judges has been named to hear a case which attacks the constitutionality of the Montgomery city laws and Alabama state laws requiring racial segregation in public transportation.

The suit was brought on February 1 by five Montgomery Negro women Montgomery has been the scene of a prolonged bus boycott by Negroes protesting segregation on the vehicles.

Attorneys for the five women are at present representing 93 Negro leaders in state court at Montgomery accused in connection with the boycott.

JJUDGES NAMED

Named to the board were U. S. Circuit court of appeals Judge Richard T. Rives and District Judge Frank M. Johnson, Jr., both of Montgomery and District Judge Sey-H. Lynne of Birmingham, Ala.

The law has been used only in labor disputes and in '2 was upheld by the Alabama Supreme Court. The defense in the bus trials has announced plans to appeal any adverse verdicts to federal courts under the Fifth and Fourteenth amendments.

CHARGES DENIED

In Tuesday's trial A Montgomery Negro leader denied that an organized car pool was operated for the purpose of preventing any one from riding the city's buses.

Rufus Lewis, chairman of the transportation committee of the Montgomery improvement Association, tsetified for the State and described details of the pool established soon after a bus boycott began last December 5.

Asked directly if the pool was not set up to keep Negroes from using buses, Lewis said:

"It is not to keep them from riding buses—it is to give transportation to those who won't wish to ride the buses."

The state was attempting to connect operation of the pool to an alleged conspiracy of Negro leaders to boycott Montgomery city lines' buses.

The Rev. M. L. King, Jr., is on trial, the first of 90 to be tried on charges of violating an old state anti boycott law.

Lewis said his committee arranged to borrow cars, pay drivers $4.00 per day, and set up dispatch stations and pickup stations.

BUS DRIVERS

In a second action Tuesday testimony of a bus driver who was shot at six times went into the record of the trial over the repeated objections of defense attorneys.

Driver George Henderson said that on the night of December 6, one day after the boycott began, "I was shot at six times—the first two shots hit the bus two feet behind me. I saw the flash and the shots came out of a house where colored people live or from the porch of the house."

Defense lawyers protested that Henderson's testimony was in no way connected with the defendant, the Rev. King.

In still another action a city detective told over strenuous defense objections——of questioning motorists who said they were driving in a car pool for the Montgomery improvement Association during the city's lengthy bus boycott.

Detective K. W. Jones was the ninth state witness in the trial of the Rev. M. L. King, Jr. first of the 90 Negroes to be tried on charges of conspiring unlawfully to foster a boycott.

Circuit Judge Eugene W. Carter overruled defense objections in permitting the detective to tell of interviews he had in January with several drivers who pulled out of a car pool uickup station with their cars loaded with Negro passengers.

One driver, Jones related, "told us he hauled for two or thre hours a day, was getting four dollars a day and gasoline and said the Montgomery Improvement Association paid for it."

Similar conversations with other drivers were reported

The 100 year old courtroom was only about half-filled with all but a dozen of the spectators being Negroes.

The state attempted to show through testimony given Tuseday that the Montgomery Improvement Association created a car pool in order to sustain the boycott protest against segregated seating rules. The protest started last December 5.

MARCH 28 SITDOWN

Advertiser 2/1

'Deliverance Day' Protest Aimed At Boycott Arrests

Montgomery, Ala.

Sun. 2-26-56

Montgomery Negro ministers are expected to develop the theme of "passive resistance" at Sunday services today as several national religious groups pledged their support to nationwide "deliverance day" sitdown March 28 to protest the prosecution of Negro boycott leaders here.

More than a score of ministers who will address local congregations were indicted on boycott charges along with more than 70

See picture of Negro church leaders on steps of U.S. Supreme Court Building, Page 2A.

others by the Montgomery County Grand Jury. The ministers are from all denominations and record attendances at church services were predicted last night.

Over the nation, the boycott has attracted attention from organized groups and individuals. Among those condemning the arrest of the Negro boycotters were the Council of Bishops of the African Methodist Episcopal Church and church groups in Columbus, Ohio, Boston, New York, Cincinnati and other cities.

The national "deliverance day" sitdown March 28 to protest the prosecution was suggested by Negro Rep. Adam Clayton Powell (D-NY). The ideal immediately gained momentum around the nation.

Meanwhile, the Department of Justice in Washington began studying a demand on the White House, also by Powell that protection of persons and civil liberties be provided the accused boycott leaders.

Atty. Gen. Herbert Brownell Jr. will reply to Powell in the near future regarding the issues to be raised, according to a White House spokesman.

"Unfortunately there has been no congressional action," said Bryce N. Harlow, administrative assistant to the President in a letter to Powell. "It is hoped that you and your colleagues will find your way clear to speed the enactment of this legislation in this session."

The "deliverance day" has been endorsed and has received pledges from several cities and groups.

In Boston, the Rev. Walter Davis, president of Boston's Inter-Denominational Ministers Assn., said 22,000 Negroes there would join in the work stoppage.

Davis called a special meeting of 27 pastors for today to "pray for our brethren in Montgomery."

The Rev. E. C. McLeon of the Union Methodist Church in Boston also promised his support and said he would ask his congregation of 500 to contributed moral and financial help to the Montgomery boycott.

Powell said he also had received a pledge of support from the Council of Bishops of the African Methodist Church which is in emergency session in Washington.

Clergymen will direct the demonstration all over the country, Powell said, and it will be organized initially and solely by and for Negroes. But they intend to include white ministers and congregations later in prayer demonstration.

Advertiser

LABOR LEADERS

Powell meets today with three leading Negro labor leaders representing clothing workers and sleeping car porters to discuss participation of the unions in the March 28 sitdown. 2-4

Powell said at this stage he is paying all the bills for the movement but that $1,000 was contributed Friday by a group of New York businessmen.

Efforts were made to rent Madison Square Garden in New York for a citywide prayer meeting on March 28. A series of smaller prayer meetings will begin Sunday, March 4 in various churches.

"We are not tabling the idea of waging a passive resistance, Ghandi-type campaign after Mrch 28 if we fail in other means," Powell said. "We will try everything else first."

FEDERAL INTERVENTION

Meanwhile, the Council of Bishops of the African Methodist Espiscopal Church decied yesterday to appeal to President Eisenhower for immediate federal intervention in the bus boycott here.

A spokesman for the group which claims to represent 1,600,000 Negro members, said the council was drafting letters to Eisenhower and Atty. Gen. Brownell asking federal court action to protect Negroes arrested in Montgomery.

Twelve of the council's 13 bishops met in a closed session. They issued a statement denouncing the arrest of clergymen and others on charges they conspired to keep Negroes from riding Montgomery buses in protest against segregation.

In his statement to Powell, White House Administrative Assistant Harlow also answered the bishops by saying:

STATE OF UNION

"I have been asked to advise you of our view that this incident is one of a number recently in public notice which reinforces the President's State of the Union recommendation that the Congress establish a commission to consider actions having civil rights implications."

The bishops had declared in their statement:

We promise not only our prayers and moral support but any material aid in support of efforts to meet the situation with justice by nonviolent and constitutional means."

Yesterday the Rev. S. S. Seay, secretary-treasurer of home mission, pensions and relief of the AME Zion Church, received a telegram from Dr. Eugene Carson Blake president of the National Council of Chruches stating the council's position in the situation here.

CHRISTIAN GREETINGS

Dr. Blake's message said:

"Because of press reports of present difficulties in Montgomery, I want to send Christian greetings and communicate to you the position of the general board of the National Council of Churches.

At its meeting on Dec. 1, 1955, the general borad stated that in the present situation of acute tension over policies with regard to race relations, many of our fellow Christians are in deep distress of spirit and in extreme difficulty in their community relationships.

"Long standing social traditions and deep emotions make reasonable action and relationships almost impossible. The board therefore assures the churches and our fellow Christians in these agonizing situations of our sympathy and prayers and of our resolution to assist them in ways that may be helpful.

DENOUNCE SEGREGATION

"You will recall that in 1952 the National Council announced and recommended to its member churches 'that they denounce the pattern of segregation based on race, color or national origin as unnecessary and undesirable, and a violation of the gospel of love and human brotherhood.'

"I believe that the above statement in spirit and intent indicates clearly that the wider fellowship of the churches including churches of whatever color in your own community and across the land support you and all others who are struggling with these grave problems."

It also was announced yesterday that the Alabama Legislature may be called on to help segregation problems when they return for another special session.

FOLSOM ACTION

Following a meeting with newspaper publishers and editors Friday, Gov. James E. Folsom hinted strongly that he might also ask the Legislature to create a bi-rcial commission to seek peaceful settlement of racial disputes.

The group, headed by Editor James E. Mills of the Birmingham Post-Herald, suggested that the governor name a 25-member commission including responsible Negro and white leaders from each Congressional district.

A young minister who has worked for effective communication between the races yesterday endorsed the plan for setting up a bi-racial commission suggested by Gov. Folsom.

The Rev. Robert E. Hughes of Montgomery, executive director, Alabama Council on Human Relations, said the proposal agreed on by Gov. Folsom and a committee of Alabama newspaper editors, can meet a longfelt need.

OPPORTUNITY LACK

"One of the major barriers to constructive progress in the field of race relations in Alabama, as well as in the rest of the Deep South," said Hughes, "is the lack of an opportunity for a free and frank exchanged of ideas between white and Negro leaders in an atmosphere of calmness.

"At the present time communication is largely restriced to the court room and the press where charges and countercharges inflame public opinion needlessly."

In a prepared statement Hughes said the Alabama Council on Human Relations has been emphasizing the need for a bi-racial approach to these problems on both the state and local levels, calling for a cross-section of the leadership of both races to be assembled for purposes of mediation, study, and cooperative action.

PARTICIPATION ASKED

"One fact is obvious," he said. "The recommendations of such a body will be acceptable to both whites and Negroes only if truly representative citizens of both groups participate.

"The action of Governor Folsom in proposing the commission has established this vital principle of a bi-racial approach. The second step, the appointment of the members of the commission by the governor, will largely determine its success. The required wisdom is cause for prayer by people everywhere."

In an interview at the request of The Advertiser, the Rev. O. D. Dempsey, how is directing plans for a "National Deliverance Day of Paryer" by Negroes March 28, said response to the idea has been "overwhelming."

Dempsey, who is assistnat to Rep. Powell, Negro pastor of the Abyssinian Baptist Church in New Yrok's Harlem, was named executive director of the drive.

TELEPHONE CALL

Later yesterday Powell spoke to leaders of a number of Negro church denominations across the country through a simultaneous

ing room floor.

Brown's 9-month-old daughter, to enlist the aid of "our white brothers, Christian and Jew."

Dempsey said the office at Powell's church had been flooed with other promises of support in telephone calls and telegrams.

Negro ministers are being asked to take up special collections in their churches today to hel finance the campaign and other contributions are being received, Dempsey said.

Dempsey has been assistnat to Powell and in charge of boys' work at the Abyssianian Church since last October.

The 32-year-old minister, a veteran of World War II, attended Brooklyn College night classes for seven years after leaving the Army and did youth work at two Negro Baptist Churches in Brooklyn before taking the post at Powell's church.

Dempsey said there will be a series of preliminary prayer meetings in various New York churches at 3 p.m. on March 4, 11, 18 and 25.

PRAYER ON SUPREME COURT STEPS

Thirteen council members of bishops of the African Methodist Church pose in prayer yesterday on the steps of the Supreme Court building in Washington after appealing to President Eisenhower to act against what they termed the "tragic persecution" of leaders of the Negro boycott of Montgomery, Ala., buses. Left to right are F. D. Jordan, Los Angeles, Calif.; Howard T. Primm, New Orleans, La.; William R. Wilkes, Little Rock, Ark.; Isaiah H. Bonner, Birmingham, Ala.; A. J. Allen, Cleveland, Ohio; Frank M. Reid, Columbia, S.C.; D. Ward Nichols, New York City; S. L. Greene, Atlanta, Ga.; R. R. Wright, Philadelphia, Pa.; G. W. Baber, Detroit, Mich.; Carey A. Gibbs, Jacksonville, Fla.; E. C. Hatcher, Nashville, Tenn., and Joseph Gomez, Waco, Tex.—**AP Wirephoto**

38b 1956

ALABAMA

No Franchise If Integrated, Carrier Told

Constitution
Thurs. 4-26-56
Atlanta Ga.

MONTGOMERY, Ala., April 25 (AP)—Montgomery City Lines faced the threat of court action to revoke its franchise today unless it backs away from its newly announced policy of racial integration.

P. 1

The City Commission, whose three members all belong to the White Citizens' Council, declared that the bus company will have to abide by city and state segregation laws if it continues to do business here.

RACES APART

Meanwhile, there was still no report of race mixing on the buses despite the company's integration order. Most Negroes still were boycotting the bus line as they have for five months, and those who did ride took seats in the rear.

Hinting at a court suit to break the recently renewed 10-year bus franchise, Mayor W. A. Gayle said the contract can be canceled "if one party breaks the law."

COURT CASE

But it would take court action, the mayor said, since the franchise itself says nothing about segregation.

Said Police Commimssioner Clyde Sellers:

"If the bus company operates in Montgomery, it will have to operate under Montgomery and Alabama laws."

The commission contends city and state segregation statutes are still valid despite a federal court ruling in South Carolina and the Supreme Court's decision backing the federal court.

A spokesman for National City Lines, Inc., of Chicago, which owns the company here, said this morning that his company doesn't plan to change its orders for integration in, Montgomery and other Southern cities where its buses operate.

The company operates bus lines in Mobile, Ala.; Jackson Miss.; Tampa, Fla.; Tulsa, Okla.; and Beaumont, Wichita Falls, and El Paso, Texas.

Officials at Tampa and Jackson said segregation would be continued on buses operating in those cities despite the company statement in Chicago.

Constitution

The Montgomery statement was made at a news conference before it was disclosed later in the day that government attorneys in Washington are divided in their opinion of the meaning of the Supreme Court's ruling Monday.

They said the court might have ruled all bus segregation invalid, the first interpretation given to the decision, or that it may have merely dismissed an appeal on the grounds that the case hadn't been finally determined in the lower courts.

The Virginia Transit Co. announced it would discontinue segregation on its lines in Richmond and Norfolk today and said the Portsmouth, Va., Transit Co. also would adopt the new policy.

A few Virginia Transit Co. bus drivers permitted mixing of the races Tuesday. No incidents were reported.

In North Carolina, the Duke Power Co. said it was complying with the Supreme Court decision but did not expect any great change in its bus operations at Durham and Greensboro.

Several Louisiana and Mississippi officials said segregation on buses would be continued despite the Supreme Court ruling.

But in Florida, J. B. Osteen, traffic manager of Florida Greyhound Lines, said his company would obey the new court order as soon as interpretation and procedure have been worked out. A Florida Trailways Bus System spokesman said, however, that his company would operate under Florida law which calls for segregation on buses within the state.

BUS FRANCHISE ATTACK TALKED

P. 3

Times-Picayune
Montgomery Officials Warn Company
Thurs. 4-26-56

MONTGOMERY, Ala., April 25 (AP)—Montgomery City Lines today faced the threat of court action to revoke its franchise unless it backs away from its newly announced policy of racial integration.

New Orleans La.

The City Commission declared the bus company will have to abide by city and state segregation laws if it continues to do business here.

Meanwhile, there was still no report of race mixing on the buses despite the company's integration order. Most Negroes were still boycotting the bus line as they have for five months. Those who did ride took seats in the rear.

Hinting at a court suit to break the recently renewed 10-year bus franchise, Mayor W. A. Gayle said the contract can be canceled "if one party breaks the law."

But it would take court action, the Mayor explained, since the franchise itself says nothing about segregation.

Must Obey Laws

Said Police Commissioner Clyde Sellers:

"If the bus company operates in Montgomery, it will have to operate under Montgomery and Alabama laws."

The commission contends city and state segregation statutes are still valid despite a federal court uling in South Carolina and the Supreme Court's decision.

A spokesman for National City Lines Inc., of Chicago which owns the company, said this morning his concern doesn't plan to change its orders for desegregation in Montgomery and other Southern cities.

That statement came from Vice President B. W. Franklin, who also told reporters the company would stand behind any Montgomery bus driver who is arrested for permitting integration on his bus. Sellers has threatened arrests.

Before Uncertainty

Franklin's statement was made at a news conference before the disclosure came later in the day that government attorneys in Washington are divided in their opinion on what the Supreme Court actually ruled Monday, and whether bus segregation was really ruled invalid.

City officials said they would confer with bus company representatives later today or tomorrow. Franklin took over the negotiations for his firm in the absence of the Montgomery manager, J. H. Bagley, who suffered a heart attack last night.

His doctor said Bagley was stricken while talking on the telephone and was still under an oxygen tent in a hospital today. His condition was somewhat better, the physician reported.

City Officials, Bus Firm Fail To Settle Rift

Advertiser
Montgomery, Ala.
Sat. 4-28-56

By STEVE LESHER

The wall separating bus company and city officials remained uncracked yesterday after a second meeting between the belligerents yielded little hope of compromise.

Mayor W. A. Gayle issued a statement following the brief meeting saying the city "will require the (bus) company to follow to the letter" existing segregation laws

Benjamin W. Franklin, vice president of National City Lines Inc., parent company of the local bus line, apparently stood firm on his instructions to bus drivers not to enforce segregation laws.

A reliable source told The Advertiser that no meeting had been scheduled for a future date and "chances of a meeting in the near future are slim." The source did not wish to be quoted.

KEEP UP BOYCOTT

Negroes meanwhile continued their five-month-old boycott of city buses. More than 3,000 Negores massed at Day Street Baptist Church Thursday night voted unanimously to continue the boycott until the city withdraws its threats to arrest passengers and drivers who did not enforce segregation.

Franklin had no comment to reporters' questions following the meeting in the offices of Walter Knabe, city attorney. It was the second meeting in two days between the city and the company. No solutions were reached at either meeting.

No new comment was available on the city's threat to revoke the company's franchise in Montgomery if it failed to comply with segregation laws.

ORDERS ISSUED

Orders to bus drivers not to enforce segregation on buses were issued last Monday night by J. H. Bagley, superintendent of Montgomery City Lines Inc., on the heels of a Supreme Court action interpreted as upholding a lower court's decision to declare segregation on buses in South Carolina unconstitutional.

However, there is general confusion as to whether the Supreme Court intended to outlaw segregation only in South Carolina or in all states. There has been some speculation that the Supreme Court did not intend to rule on the bus segregation question at all.

Bagley, who suffered a heart attack shortly after midnight on Wednesday, was reported resting quietly in a local hospital. His condition was reported "improved."

Text of the brief City Commission's statement following yesterday's meeting:

"No agreement has been reached. The City Commission has advised the bus company that all laws and ordinances will be enforced and that the commission will require the company to follow to the letter all laws and ordinances."

Majority of southerners ready, feel desegregation inevitable

Afro-American Baltimore, Md.
Oct. 5-12-56

(By AFRO STAFF WRITER)

MONTGOMERY, Ala. — "Our people working together will solve our own problem."

This is the viewpoint of the vast majority of Montgomery's white citizens as expressed by Thomas Blake, public relations director of the Montgomery Chamber of Commerce.

On the other hand another white person here, the Rev. Robert Graetz, pastor of Trinity Lutheran Church, who is actively engaged as a minister of a 240-member colored church, with the bus protest, says:

"Integration is the only Christian thing to do. It is coming and I hope that people on both sides are prepared to accept it."

* * *

MR. BLAKE, whose job is to help entice businesses and visitors to Montgomery, talked to the AFRO in his fashionable offices on Commerce St., while the Rev. Mr. Graetz addressed a mass meeting at Holt Street Baptist Church Monday night.

Mr. Blake made it plain that he was expressing his "personal opinion," but he added he felt it was the general opinion of white citizens here and reflected the thinking of the white masses in the Cradle of Confederacy.

"Our attitude," he explained, "is one of helpfulness and cooperation with separation, and sometimes we get quite pricked at how it works out." He continued:

* * *

"WE ARE LIKE a man born with a mortgage over his head, and we can work it out if given time and if they'll just let us alone.

"Our people working together will solve our own problem. We have as intelligent, level-headed colored people here as there are anywhere in the world, and we can solve the problem if they just let us alone.

"We think a lot of the colored people here and we want health and prosperity for them as well as we do for anyone. But we don't want social integration.

"I have some colored friends that I'd fight for, but we have always kept separately and we always knew that is the way it should be."

* * *

THE CHAMBER of Commerce official said 43.6 per cent of Montgomery's population of more than 127,000 (metropolitan area) is colored and "we have always gotten along all right."

He expressed the opinion that the leaders of the bus protest may not be the "real leaders" of the colored population here, pointing out that the mass meetings attract only several thousands.

He also is of the opinion that many people do not ride the buses "out of fear."

As a final opinion, Mr. Blake declared: "As the masses are educated and fast assume the responsibilities of citizenship, business will come. But all of us are pro-segregationists," he reminded the AFRO.

* * *

THE REV. MR. GRAETZ, 27, a native of Charleston, W. Va., who was educated at a Lutheran college in Columbus, Ohio, said:

"Other white people believe the bus protest is justifiable, but I am one of the few active because of my position in the community."

He added: "Plenty people here hate me, but it is the only Christian thing to do. Some of my older church members suggest that I forget it, fearful that I could get hurt, but that is because they have never known any other way."

Asked about how he felt the bus protest would end, the youthful minister, who looks more like a choir master, declared:

* * *

"WE CAN'T LOSE. There is no doubt about it. We have at least three cracks at victory."

His inference was to the May 11 trial at which the constitutionality of the segregated transportation laws will be tested;

The appeal of Mrs. Rosa Parks, whose arrest and conviction for refusing to give up her seat to a white passenger, is pending;

And the appeal of the conviction and $500 fine of the Rev. Martin L. King, president of the Montgomery Improvement Association, which also is pending.

* * *

THE REV. MR. GRAETZ was not among the 26 ministers who were indicted along with the Rev. Mr. King on charges of violating the Alabama anti-boycott law.

A total of 90 persons have been indicted and the cases of the 89 others are awaiting the outcome of the Rev. Mr. King's appeal.

It's a strange coincidence that when interest appears to be flagging in the bus boycott something like this happens."

Graetz has been an active participant in the Negro bus boycott and is a member of the Montgomery Improvement Association, a group supporting the racial demonstration that began Dec. 3.

Last January, the home of the Rev. M. L. King, president of the association and recognized leader of the boycott, was bombed. Two days later dynamite was hurled into the yard of E. D. Nixon, former state president of the National Association for the Advancement of Colored People. No one was injured in either blast.

Third Explosion Since Dispute Began

Dynamite Blast in Yard Damages Home Of Minister Aiding Negro Bus Boycott

Post-Herald Birmingham, Ala.
Aug. 8-26-56

MONTGOMERY, Ala., Aug. 25 (UP)—A blast today damaged the home of a white minister who has encouraged Negroes in their boycott of city buses in a segregation dispute. No one was injured.

The Lutheran minister, the Rev. Robert Graetz, 27, and his wife and three children were not at home when the blast knocked out several windows.

Police Capt. E. P. Brown said the minister was believed to be "somewhere in Tennessee" either no vacation or business.

Brown said "two or three" sticks of dynamite were apparently hurled into the yard. The blast broke windows in the front of the house, near the Negro Lutheran Church served by Graetz, and did "some" damage to the door. A hole about 2 feet in diameter was blown in the yard. Windows across the street also were shattered.

Mayor W. A. Gayle angrily asserted that perhaps today's bombing "is just a publicity stunt to build up interest of the Negroes in their campaign" because of a drop-off in "out-of-state" contributions to the boycott.

"This latest bombing," Gayle said, "follows the usual pattern. No arrests have been made.

Graetz this week had called on the Montgomery Ministerial Association to hear a speech by King on what the bus boycott was "all about." The request was turned down.

"The law will be enforced to protect lives and property of our citizens."

Graetz, 27, is white pastor of the all-Negro Trinity Lutheran Church. His home adjoins the church in a Negro residential section.

The young clergyman has actively supported Negro bus boycotters who have refused to ride segregated city buses since last Dec. 5.

He is a member of the Montgomery Improvement Assn., an organization composed mostly of Negroes supporting the boycott, and has used his personal car to give rides to Negroes to and

Publicity Stunt Hinted In Montgomery Bombing

Post-Herald Birmingham, Ala.
Mon. 8-27-56

MONTGOMERY, Aug. 26 — Mayor W. A. Gayle deplored the dynamite explosion set off early yesterday outside the home of a young white minister who has been active in the bus boycott.

"We mean to get to the bottom of this thing by arresting and convicting the guilty party or parties if it is at all possible," he added.

No one was injured in the explosion since the Rev. Robert Graetz and his family were away from home.

"This latest 'bombing' follows the usual pattern," Gayle said. "It's a strange coincidence that when interest appears to be lagging in the bus boycott something like this happens.

"It's interesting to note that Rev. Graetz and his family were out of town and the explosion was set off at least 20 feet away from the house so that no extensive damage was done.

"We are inclined to wonder if out-of-state contributions to the boycott have been dropping off. Perhaps this is just a publicity stunt to build up interest of the Negroes in their campaign."

Gayle observed that most white people of Montgomery have "very little interest in the boycott and don't care particularly how the Negroes solve their transportation problem.

"They, the white people, don't care if the boycott lasts 100 years," he added.

"We deplore this latest incident which tends to fan the flames of racial unrest. Our police department is going to do everything possible to apprehend and convict the guilty party or parties.

—A bomb burst Saturday damaged the home of a white minister who has encouraged Negro bus boycotters and ended the lull in this old Confederate capital's eight-months racial struggle.

The intended target of the home-made dynamite bomb, the Rev. Robert Graetz, 27, and his family were visiting in Tennessee. The blast ripped out windows and knocked a hole in the front door. Windows also were blown out in a house across the street but no one was injured.

Informed of the bombing at Monteagle, Tenn., where he was attending the Highlander Folk School, the Rev. Mr. Graetz left immediately for Montgomery. The Highlander School conducts an integration workshop and has two integrated children's camps in the Tennessee mountains.

The Rev. Mr. Graetz, a soft-spoken Lutheran minister, only this week had called on the Montgomery Ministerial Association to hear a leader of the boycott, Rev. M. L. King, explain the Negroes' position. His request was refused.

Mayor W. A. Gayle angrily asserted that perhaps Saturday's bombing "is just a publicity stunt to build up interest of the Negroes in their campaign" because of a drop-off in "out of state" contributions to the boycott.

Third Bombing

"This latest bombing," Mayor Gayle said, "follows the usual pattern. It's a strange coincidence that when interest appears to be flagging in the bus boycott something like this happens."

This was the third bombing in connection with the boycott undertaken by thousands of Montgomery Negroes last December to protest discourtesy by white drivers and segregated seating.

In January, the home of Rev. King was blasted. Two days later dynamite was hurled into the yard of E. D. Nixon, former state president of the National Association for the Advancement of Colored People. No one was injured in either blast and no arrests were made.

The boycott quickly put the local bus line on financial rocks and nearly 100 Negro leaders, a score of them ministers, were arrested under an obscure Alabama law. It dealt with conspir-

BOMB BLASTS HOME OF BOYCOTT BACKER

Commercial Appeal 8-1

White Montgomery Minister Was Away—Mayor Calls It Publicity Stunt

Memphis Tenn.

By The United Press

MONTGOMERY, Ala., Aug. 25.

acy to form an economic boycott to the detriment of a business.

At a trial in which Negroes testified about mistreatment on buses, Rev. King was convicted and sentenced to six months in prison. His case is still pending on appeal, and trials of the other Negro leaders have been postponed.

Police Capt. E. P. Brown said "two or three" sticks of dynamite formed the bomb hurled into the Rev. Mr. Graetz' yard. In addition to damage to the house the blast ripped a hole in the yard.

The Rev. Mr. Graetz has been an active participant in the Negro bus boycott and is a member of the Montgomery Improvement Association, a group supporting the boycott.

He is a slightly built clergyman of the American Synod of the Lutheran Church. He and his wife and three young children live in a neat brick bungalow next door to their church. The home is on the fringe of a middle class Negro neighborhood.

BLAST SCENE — Exploding dynamite, placed or thrown by unidentified persons, caused minor damage to the home of the Rev. Robert Graetz in Montgomery. Mr. Graetz, 27, is a white minister who has supported the Negro bus boycott in Montgomery. Patrolman A. G. Bedsole examines the small crater in the yard. (United Press Telephoto.)

ALABAMA HOME BOMBED

Times P. 31-L

Minister in Bus Boycott Case Away at Time of Blast

Sun. 8-26-56

MONTGOMERY, Ala., Aug. 25 (UP)—A blast today damaged the home of a white minister who had encouraged Negroes in their boycott of city buses in a segregation dispute. No one was injured.

New York

The Lutheran minister, Rev. Robert Graetz, 27 years old, and his wife and three children were not at home when the blast knocked out several windows.

Police Capt. E. P. Brown said the minister was believed to be "somewhere in Tennessee." He said "two or three" sticks of dynamite apparently had been hurled into the yard. The explosion ripped windows in the front of the house, near the Negro Lutheran Church served by Mr. Graetz and did "some" damage to the door.

Mr. Graetz has been an active participant in the Negro bus boycott and is a member of the Montgomery Improvement Association, a group supporting the racial demonstration that began Dec. 3.

MONTGOMERY

Baltimore Md.

MONTGOMERY, Ala. — A new move involving Montgomery insurance firms and drivers in the car pool and believed designed as a threat to the 10-month-old bus boycott was disclosed here this week.

P.1

The Rev. Robert Graetz, pastor, Trinity Lutheran Church, who has been associated with the Montgomery Improvement Association, sponsors of the boycott, revealed that insurance agents repeatedly cancelled policies on vehicles used in the pool.

Sun. 9-29-56

The Rev. Mr. Graetz, white, said the practice had been going on since January and owners constantly were seeking new insurance from other sources.

* * *

"IT HAS BEEN a cat-and-mouse game virtually from the start. However, it has not cut into the operation of the pool to an extent which threatens its immediate closing," the Rev. Mr. Graetz emphasized.

"It has been a matter of keeping cars in reserve and when one is put out of commission by loss of insurance, putting into service another which is insured," he declared.

The minister whose home was bombed five weeks ago while he and his family were away said his own automobile insurance policy once was cancelled and that he had trouble finding an agency which would issue another policy.

He pointed out, however, that only properly insured automobiles had been and are being used in the pool.

* * *

THE REV. MARTIN LUTHER KING, president of the Montgomery Improvement Association, did not comment on the situation.

Under Alabama law, car drivers must be insured for $11,000 to cover any injuries or damages growing from accidents, or provide an equivalent cash responsibility.

In case of the accident, the driver must show such financial responsibility or receive automatic cancellation of his operating license. In addition, he is liable for any action which might be taken in civil court.

Mayor Promises to Act On Bus Boycotter Blast

Sunday Star P. 8-A

Washington, D. C.

MONTGOMERY, Ala., Aug. 25 (AP). — Mayor W. A. Gayle today promised that the police department will do everything possible to solve the mystery of a pre-dawn dynamite blast which slightly damaged the home of a young white pastor of a Negro church.

Sun. 8-26-56

The mayor said the bombing of the home of the Rev. Robert Graetz, 27, might have been a publicity stunt to build up interest in the Negro boycott of Montgomery buses.

(Mayor Gayle is a member of the pro-white Montgomery County Citizens Council.)

Mr. Graetz and his family were out of town at the time of the dynamiting and no one was injured.

"We mean to get to the bottom of this thing by arresting and convicting the guilty party or parties if it is at all possible," Mayor Gayle said.

Bus Boycott Supporter

The minister, pastor of Trinity Lutheran Church, has actively supported the bus boycott since it got under way nearly 10 months ago. For a time he was a driver in the boycott car pool.

A native of Clarksburg, W. Va., he attended Capital University and Seminary in Columbus, Ohio, where he became interested in work with Negro young people.

Before accepting his Montgomery pastorate he was intern minister at a predominantly Negro church in Los Angeles.

Only this week Mr. Graetz had invited Montgomery's white ministers to attend a meeting of the bi-racial Montgomery Council on Human Relations, to hear a Negro pastor, the Rev. Martin Luther King, jr., tell "his side of the story" on the bus boycott.

The white ministers declined the invitation.

Mr. King, convicted of violating Alabama's anti-boycott law last spring, was unavailable for comment on the bombing.

Sees Whites Uninterested

The mayor commented that for the most part white people of Montgomery have been dispassionate about the bus boycott and have shown very little interest in it.

"Theyy don't care particularly how the Negroes solve their transportation problem," he said, "and don't care if the boycott lasts 100 years."

The explosion, which came about 3 a.m., blew open the front door and dug a hole in the front yard about big enough to fit a two-gallon bucket.

Today's explosion was the third which has occurred since the boycott began. One damaged the King home last January 30, and another the home of Negro leader E. D. Nixon, two nights later. No one was injured in any of the blasts.

26 Clergymen Arrested

Herald Tribune

Negro Boycott Leaders Rounded Up in Alabama

Thurs. 2-23-56 P. 1

New York, N.Y.

By The Associated Press

MONTGOMERY, Ala., Feb. 22.—Negro religious and political leaders, including 26 ministers, were arrested on boycott charges today in a wholesale roundup of defendants indicted by a grand jury for their mass protest against bus segregation.

The grand jury returned indictments yesterday against 115 defendants accused of taking an active part in the eleven-week-old racial boycott against Montgomery city lines buses. Dates for their trials will be taken up Friday at their arraignment.

Thousands of Negroes have refused to ride the buses since Dec. 5, the day a member of their race, Mrs. Rosa Parks, was fined $14 for refusing to move to the colored section of a bus. City and state laws require segregation.

Mrs. Parks was sentenced to fourteen days in jail in lieu of the fine today after Circuit Judge Eugene Carter, the jurist who ordered the grand jury investigation, turned down her appeal from the previous conviction in City Court. She appealed Judge Carter's decision to the State Supreme Court, and immediately afterward was arrested on a boycotting indictment.

Judge Carter upheld city and state segregation laws when the issue was raised in Mrs. Parks' [illegible] He imposed the jail sentence after she refused to pay the fine and announced she planned to appeal the conviction.

Freed in $300 Bonds

All of the dependants brought to the county jail and fingerprinted were released as soon as they put up bond of $300 each. They were charged with violating a state law against organized, illegal boycotting. Maximum sentence for violation is six months in jail and $1,000 fine.

As the roundup of boycott defendants continued, there were these other developments:

Gov. James E. Folsom invited newspaper editors and publishers to a conference in his office here Friday to discuss racial problems.

Fred D. Gray, twenty-five-year-old unmarried Negro attorney under indictment on a charge of unlawful practice growing out of the bus boycott, lost an appeal from a draft board order reclassifying him 1-A. He had been deferred from military service as assistant pastor of a Negro church.

City attorneys filed an answer in United States District Court along with a motion to dismiss a pending suit seeking to outlaw city and state laws which require bus and railroad segregation.

Herald Tribune

It was that lawsuit that brought Mr. Gray's indictment by the Grand Jury here last week. He was charged with filing the complaint with the consent of one of the five Negro women whose names were signed to the anti-segregation petition.

P. 13

Whether Mr. Gray planned to appeal his draft classification to higher authorities was not known. The appeals board of the Middle Alabama District announced yesterday it had upheld the local board decision to put the attorney in 1-A.

Leaders Are Seized

Two of Montgomery's most active Negro politcal leaders were among those arrested on boycotting warrants today. They were E. D. Nixon, former state president of the National Association for the Advancement of Colored people, and Mrs. Jo Ann Robinson, a teacher at Alabama State College for Negroes in Montgomery.

Mr. Nixon, a Pulman porter, is president now of the Montgomery Progressive Democratic Association, a politically active organization, and Mrs. Robinson heads the Women's Political Council. A small dynamite bomb exploded in the front yard at Mr. Nixon's home the night of Feb. 1, but no one was injured.

Sheriff Mac Butler said a mistake in his office caused another Negro political figure, Rufus Lewis, to be brought in but that he was not indicted. Mr. Lewis, who was a witness before the grand jury, is president of the Citizens Club, an organization of Negro voters.

Sheriff Butler said Mr. Lewis' name was on a list of those to be brought in but that when he arrived at the jail the error was discovered and he was released because there was no charge against him. The sheriff said he had sent word to Mr. Lewis to come to the jail and he appeared voluntarily.

Ministers Listed

The Negro ministers arrested were:

The Rev. Ralph D. Abernathy, pastor of the Negro First Baptist Church and head of a negotiating committee which has conferred with city officials and bus company spokesmen in unsuccessful attempts to settle the boycott.

Dr. S. S. Saey, a leading figure in the African Methodist Episcopal Zion Church throughout the world and former executive secretary of its Home Missions Board.

The Rev. A. W. Wilson, pastor of the Holt Street Baptist Church, where the first Negro mass meeting was held at the outset of the bus protest.

The Rev. M. C. Cleveland, of the Board of Missions of the National Baptist Convention.

Although they were not identified in each indictment, Sheriff said many o the defendants were drivers who used their automobiles in a huge car pool which has furnished transportation to Negroes during the bus protest.

defendants arrested today for taking part in the mass racial boycott against city buses. They were the Rev. Ralph D. Abernathey and the Rev. R. James Glasco.

By the United Press.

MONTGOMERY, Ala., Feb. 22.—The sheriff's office today started a roundup of more than 100 persons named in indictments charging Negroes with illegally boycotting city buses in a segregation dispute.

A grand jury yesterday returned the indictments reliably reported to name 114 defendants in a presentment stating the boycott was one sign of "a growing tension between the races."

"If we continue on our present course of race relations, violence is inevitable," the grand jury said.

The indictment charged leaders of the 11-week boycott with violating a 1921 state law making it a misdemeanor for two or more persons to conspire to prevent others from carrying on their business. Thus, conspiracy to initiate the boycott and keep it going was looked upon as the violation, not the actual participation of individual Negroes in the boycott.

The boycott began as a protest against the arrest of a Negro seamstress for refusing to move to the segregated section of a bus. It was continued to enforce demands for better seating arrangements.

"We find that there has been an illegal boycott existing in this county," the grand jury said. "Indictments have been returned where guilt was shown."

The grand jury said the primary causes of the unrest are the segregation laws and the attacks upon them by the National Assn. for the Advancement of Colored People.

"In this state we are committed to segregation by custom and law," the grand jury said. "We intend to maintain it."

Two Ministers Seized First in Dixie Boycott

World-Telegram + Sun P. 1

Wed. 2-22-56

New York, N.Y.

BULLETIN

By the Associated Press

MONTGOMERY, Ala., Feb. 22.—Two Negro Baptist ministers were among the first

BEGIN ROUNDUP OF DEFENDANTS IN BUS BOYCOTT

Daily Tribune

Thurs. 2-23-56

Chicago, Ill.

World Leader of Negro Church Seized

P. 4

Montgomery, Ala., Feb. 22 [Special] — Forty Negroes, including nine ministers, were arrested today on indictments charging participation in Montgomery's racial boycott of city buses because of segregation of passengers.

A crowd of about 150 Negroes milled around the county jail and courthouse as deputies brought in those arrested among 115 defendants named in grand jury indictments late yesterday. But the crowd remained orderly and no trouble was expected.

Identity of the defendants was not disclosed until their arrests. All of those seized thus far, however, have been Negroes. Among them were the world leader in the African Methodist Episcopal Zion church and the former state director of the National Association for the Advancement of Colored People.

Jury Probes Boycott

A Circuit court grand jury of 17 white men and one Negro returned the indictments after an eight day investigation of the Negro boycott of city buses that began last Dec. 5 and is continuing. The defendants are charged with violating an Alabama law which prohibits boycotting without "a just cause or legal excuse." They face a maximum penalty of six months in jail and a fine of $1,000.

Thos earrested included:

E. D. Nixon, former sta' president of the NAACP, home was the target of a dynamite bomb Feb. 1.

The Rev. Ralph D. Abernathy, one of the foremost spokesmen for the Negroes during the boycott.

The Rev. R. James Wilson, pastor of the Baptist church where the first Negra mass meeting was held at the outset of the boycott.

Woman Loses Appeal

Meanwhile, Mrs. Rosa Parks, whose arrest started the boycott, lost her appeal from a $14 fine levied after she refused to move to the section of a bus set aside for Negroes.

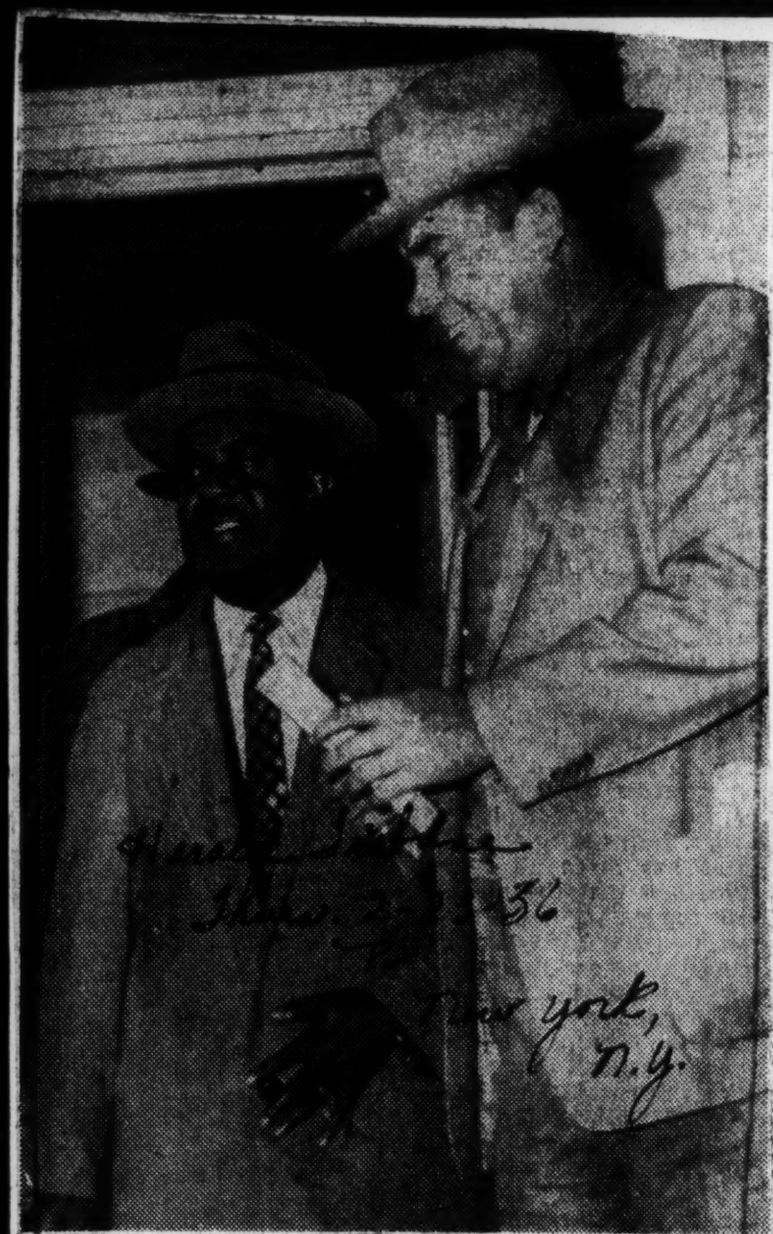
Circuit Judge Eugene Carter, who charged the grand jury to investigate the bus dispute, upheld the City court fine. He also upheld both the city and state segregation laws which require separation of races on public transportation. Mrs. Parks announced she would appeal o the state Supreme court.

It also was learned that an apeals board had upheld unanimously the 1-T draft status of Fred D. Gray, Negro attorney who has been the chief legal voice of the bus boycott.

His Deferment Ends

Gray, an assistant pastor of a church here, had been classed 4-D, a ministerial deferment classification, since 1948. Ten days ago his local board reclassified him 1-A, making him eligible for the draft.

The appeals board action yesterday came three days after Gray was indicted by a grand jury on a charge of unlawful practice in filing a suit asking an end to segregation on city buses. He was charged with representing a person without having been employed to do so. One of five Negro women who signed a petition later said she didn't know what she was signing and was withdrawing from the suit.



Associated Press wirephoto

BOYCOTT LEADER ARRESTED—The Rev. Ralph D. Abernathy, head of Negro negotiating committee, being taken into custody in Montgomery, Ala., yesterday.

Dr. Bunche Praises Bus Boycott at Montgomery

Constitution p. 12
Atlanta, Ga. Mon. 5-28-56

MONTGOMERY, Ala., May 27 (AP)—Montgomery Negroes were praised Sunday for their six-month-old bus boycott against segregation by Dr. Ralph J. Bunche, undersecretary of the United Nations.

Dr. Bunche, 1950 Nobel Peace Prize winner for mediation in Palestine, extended his "most earnest congratulations and well wishes" to boycotting Negroes.

He spoke to about 1,500 persons, including a sprinkling of unsegregated white persons, at Alabama State College, a Negro school here. The speech was presented by the "Ten Times One is Ten Club," a Negro women's social and service club.

LEADERSHIP'

"I applaud the excellence of your leadership" in the boycott, Bunche said. He also praised the "genuineness of your Christianity, the magnificence of your courage, the persistent wisdom of your tactics, and the careful avoidance of animosity."

Most of Montgomery's approximately 50,000 Negroes have been boycotting city buses since Dec. 5, 1955, in protest to city and state segregation ordinances on them. A federal court test of the ordinances is now awaiting decision by a special three-judge panel.

Bunche drew strong applause when he described the boycott as a declaration by Negroes that "you simply have refused to pay a dime to be abused." The Negro speaker added, "if one cannot ride with dignity, why should he ride at all?"

BUNKER HILL

The United Nations official compared the downtown corner on which Negroes congregate for rides in a car pool, being used in place of what he called the "beautiful sight" of empty buses, with Bunker Hill.

Bunche described his topic as "American Democracy in the Peculiar Context of Race Relations."

"No more effective blow to ideologies of all kinds, especially communism, that are antithetical to democracy can be struck than by American democracy working convincingly to show people all over the world that it has application in fact—not merely in theory—to peoples of all colors and creeds," Bunche declared.

"Voluntary segregation is a myth, along with the 'separate but equal' legend," he said.

"TWO FACES"

"Those Negroes who say they prefer segregation are most likely to be frightened or captivated by special interests. Many of them have two faces, two voices, one for the Big House and one for private. Where they have indicated willingness to accept segregation, it was a reflection of the stress under which they lived."

Bunche said "the problem of race relations is national, not confined to the South." He cited housing problems in the North and West.

Heavy applause followed the statement that "Democracy in the North has two faces, but that's better than if it has only one face," in apparent reference to segregation laws in the South.

Order Company To Segregate

Defender p. 1 Sat. 5-19-56
Chicago Ill.

MONTGOMERY, Ala. — (INS) — Montgomery's mayor testified Friday that a breakdown of Alabama's segregation laws would bring "violence and bloodshed," as attorneys moved for dismissal of a case asking an end to segregation in Montgomery buses.

Atty. Gen. John Patterson, acting for the Alabama Public Service commission, and Walter Knabe, on behalf of the city of Montgomery, asked the dismissal, contending the three-judge federal court does not have jurisdiction.

Mayor W. A. Gayle took the stand to declare:

"We'll arrest anyone who breaks the law, regardless of race, color or creed."

WOMEN BRING SUIT

The plaintiffs, four women, claim they were forced to give up seats on the buses to white persons. Two of them said they were arrested for failure to relinquish their seats.

Gayle said that any breakdown of segregation barriers in Montgomery would "lead to violence and bloodshed in this city."

When asked by one of the six attorneys for the plaintiffs how he knew there would be violence, he replied:

"It is my duty to anticipate violence and disorder, and not to wait until it happens."

State and city attorneys, in asking the dismissal, argued that the suit was brought against a city ordinance and not against the statutes of the state of Alabama. They contended the case should be tried in a state court.

BUS LINE REVERSED

The women are asking an end to racial segregation on Montgomery buses. The case is an outgrowth of the six-months-old boycott of the buses marked by violence in its early stages last December.

City attorneys contend that boycott leaders originally asked a different seating arrangement, rather than an end to segregation.

The case was further complicated by an order from the National City Lines, inc., of Chicago, parent company of the bus firm, which ordered an end to segregation on the buses earlier last week.

The state court Thursday ordered the bus company to comply with state segregation laws.

Presiding Judge Richard T. Rives said he did not believe there was any chance for an immediate decision in the case.

He added that the three judges would have to "study and deliberate" on the evidence "because this is an important case."

38b 1956

Fear, The Only Common Bond

Advertiser P. 4-A

The Bus Boycott, Writes A Montgomery White Minister, Has Brought Tensions And Conflict In Which Both Races Are Victims

Montgomery Ala.

Sat. 3-3-56

By The Rev. Thomas R. Thrasher

[The Rev. Mr. Thrasher is rector of the Episcopal Church of the Ascension here in Montgomery. The following is excerpted from an article on the bus boycott which he wrote for The Reporter, *a twice-monthly national magazine of politics and opinion, published in New York.—Ed]*

AS THE painful weeks have passed, the facts of the [bus boycott] situation have become more rather than less obscure. There is, for example, the recurrent rumor of goon squads operating among the Negroes to force them to obey the boycott. Thus far only one arrest has been made on this count—a Negro youth picked up for preventing a Negro woman from boarding a bus. She testified in court that he was helping her cross the street and the charge was dropped. If there has been widespread intimidation among Negroes, the police have been unable to get evidence of it.

There have been rumors in the Negro community that white employers were going to discharge them on a certain day, and rumors in the white community that all the Negroes were going to quit on a certain day.

Businesses have been damaged severely by rumors circulated among white people that they had contributed to the NAACP or rumors among Negroes that they had contributed to the White Citizens' Council. In a few cases businesses have been caught in a crossfire of rumor. Some say that competitors have been starting these rumors.

If there is anything universal in our community it is fear. The businessman's fear lest his business be destroyed by some false move or baseless rumor. The Negro's fear for his safety and his job. The clergy's fear that their congregations may be divided by the tense feelings generated by our situation. The politician's fear that he may do something disapproved by the majority of of voters. And finally the whole community's fear that we may be torn asunder by a single rash act precipitating interracial violence.

Barrier, Visible And Invisible

TIME after time during these past weeks I have felt as if I were living in a nightmare, one of those where you speak and nobody hears, where you wave your arms and nobody pays any attention. This nightmare extends to the whole community. White and black stand on opposite sides of an invisible line, and there seems no possible way of communicating across the barrier, a barrier which is there and isn't there, which in a sense both of us have made and of which we both are victims. The Negroes are people who have helped us, taught us, nurtured us, made us laugh, made us weep, and have given us depth of understanding. But the patterns of our past communication are breaking, and new patterns are not yet formed. We know them, and yet in our knowing we are aware that we know them not. The nightmare persists even when we hear words and see gestures. They speak. We do not understand.

As I look at this tragic situation involving me and my fellow Southerners of both races, I can only ask God's mercy and pity on us all. No one of us is wise enough to predict what our relationships will be or how they will be worked out. There is only one thing of which I am fully certain. It is that there must be a mutual facing of our common problem. We must get at the facts of our situation and not simply believe any rumor that happens to fit our prejudices. Having gotten the facts, we must then sit down together and negotiate practical solutions.

The South's Plight

THE missing element in in our community's attempts to cope with the situation has been the lack of recognized agencies for interracial communication, cooperation, and understanding. In the past a dreary fate awaited any person or group who made even tentative steps in this direction. One of the encouraging recent developments has been the growth of our Alabama Council on Human Relations, an affiliate of the Southern Regional Council, which provides a meeting point for men and women of good will from both races.

I am not Pollyanna enough to think that the Alabama Council can meet and effectively deal with such crises as the recent ones in our state. We are too few and too weak. However, we are fully convinced that the fundamental method we propose—that white and Negro must sit down together—is the only way to avoid recurring crises of even greater severity. This may sound like a simple point but sometimes in complex situations the simple points are overlooked.

As a Southerner born and bred, I am deeply moved by the plight of all Southerners of both races. All of us know that no easy, pat solutions will solve our problems. Our experience in Montgomery, a city known in the past for its good race relations, shows us that change, any change, will be painful for some of us, and that sudden change may operate in reverse and bring about what is not wanted. The Negro is surely regretful to see his bus boycott contribtue to the growth of the White Citizens Council.

The white Southerner canot be indifferent to the feelings and aspirations of the Negro, for though he is politically impotent here, we are beginning to see that he is exceedingly important humanly and economically to the maintenance of "our social fabric."

Negotiation Is Needed

OUR situation in Montgomery gives strong evidence of the need for patience in negotiation. Sometimes in labor-management disputes the only thing the two groups have in common is a belief that negotiation should continue. We have not even had this much in Montgomery. There is much to be learned of the art of negotiation, but mainly we need a will to find a solution.

The most disturbing factor in the whole situation is the growth of the White Citizens' Council, an organization pledged to nonviolence but dedicated to thwarting the Sureme Court decision on integration. Its main argument seems to be that if vigilance is relaxed in any measure there will be wholesale intermarriage across racial lines. The situation is complex enough without muddying the waters with such arguments as these. The question before us is not intermarriage but simply human rights for a vast section of the human family.

ALABAMA BUS BOYCOTT, MONTGOMERY, ALA.

MONTGOMERY IS STAGE FOR A TENSE DRAMA

Times P. 6-E

Sun. 3-4-56

Negroes Adopt a Policy of Passive Resistance to Segregation

New York, N.Y.

By WAYNE PHILLIPS

Special to The New York Times.

MONTGOMERY, Ala., March 3—For almost three months this city has been gripped by a phenomenon unprecedented in American race relations—a Ghandi-like passive resistance campaign waged by Negroes with religious fervor against the city bus lines.

Perhaps it is fitting that this most dramatic occurrence of the current race struggle—frustrating to the whites, inspiring to the Negroes—should take place in a city that is known as the Cradle of the Confederacy.

Certainly it is striking that the red brick church with small white cupola, presided over by the young Negro minister who is leading the protest, stands at the edge of the state capital mall, almost at the foot of the long marble steps atop which Jefferson Davis took his oath as President of the Confederacy.

Montgomery was a city of only 8,000 persons then, the center of a rich cotton plantation area.

Today the city is still the trading and distribution center of rich agricultural country But now the emphasis has shifted from cotton to the raising of fine beef cattle. Light industry has taken over sections of the city, Maxwell Air Force Base spreads out over former farm land on the city limits, and the population has jumped to 124,750.

Irritating Pattern

Forty per cent, possibly more, of that population is Negro. And among these Negroes one finds a crosspatch pattern of irritants have been at work—irritants that finally reached a fever point early last December.

There was the difficulty, for many of them, of making the transition from a rural to an urban economy. There was the frustration of being confined to the dirty and the low-paid jobs in that economy. There was, for those who could get an education, a closed-door to many fields—there are but two Negro lawyers in the city. And there was the constant goad of social segregation.

All of these worked on different people in different ways and were nothing peculiar to Montgomery. What was peculiar there was the presence in recent years of a handful of very well-educated, intelligent and young Negro leaders uncompromising in their opposition to segregation. The cumulative effect of incidents between the races brought all the other irritants to a head.

The stage had been set, then, for an explosion when on the evening of Dec. 1 a tired, 43-year-old seamstress named Rosa Parks refused a bus driver's order to give up her seat to a white man. Mrs. Parks was arrested, jailed briefly, and released on bond. She is appealing to the State Supreme Court her conviction for violating the state's segregation law.

Boycott Begins

The protest movement against the buses, which began to snowball the day after her arrest, started as a one-day boycott of the buses on Dec. 5, when she appeared in court. It has been extended to the present time and might have happened no matter who Mrs. Parks was.

But it was certainly strengthened by the fact that Mrs. Parks was an intelligent, hard-working woman with a strongly developed conviction that segregation was evil, a leader in her church and one of the leaders in the local chapter of the National

Association for the Advancement of Colored People.

The man who came to bail her out that evening was E. D. Nixon, a Pullman car porter she had known for several years and a former state president of the N. A. A. C. P. The lawyer who that night took over her defense was Fred D. Gray.

And by the next evening a meeting of about fifty leaders of the Negro community was held in the church of Martin King Jr., a 27-year-old Baptist minister, to organize a mass protest to be held on Dec. 5, after Mrs. Parks' court appearance.

Those at this first meeting disclaim the bus boycott idea. But from somewhere there appeared the day after they met an unsigned mimeographed manifesto appealing to the Negroes of Montgomery to refrain from riding the buses on Dec. 5, and to attend the mass meeting that night "for further instructions."

The full text of these appeals appeared in the Montgomery newspapers and their substance was broadcast over the Montgomery radio stations. As a result the one-day protest was almost 90 per cent effective.

Meeting Sets Stage

The stage had been fully set. The night of Dec. 5 the mass meeting jubilantly appealed to "all the citizens of Montgomery" to refrain from riding the buses until conditions were created that were satisfactory to "all citizens."

The leaders of the community, many of them Protestant ministers, who had laid the groundwork for the mass meeting contended that the protest against the buses had so snowballed that by that night they had no choice but to take the leadership in the movement, or see it turn toward open race struggle and violence.

The ministers are the natural leaders of the Negro community —for generations it has been the only profession fully open to Negroes. Their leadership had important influences on the development of that movement.

By emphasizing the Christian virtue of "love thine enemy" the boycott was made a mass movement of passive resistance—though it took months for the Ghandi similarity to be recognized. And by preaching the protests in their churches and at mass meetings they gave it the dynamism of a religious crusade—bringing to bear the strongest emotional force in the Negro community.

Bus Firm Hurt

The protest, by denying the bus company about 65 per cent of its income, hurt that company and to some extent the city to which it pays taxes. It did not directly affect most of the white people of Montgomery. But it did—by raising a specter of Negro revolt—irritate them. And the irritation grew with the stubborness of the boycott, and as its objectives grew larger.

At the very beginning the boycott could have been settled by revision of the segregation rules. The Negroes would have agreed to an arrangement whereby Negroes would be seated from the rear forward, whites from the front back, with no one having to give up seats when all were taken.

But a compromise proposal only a hair's breath from that was rejected because the Negroes and city officials could not get together. As a result the city officials washed their hands of any attempt to settle the problem, and the Mayor and city commissioners publicly enrolled in the white citizens councils.

Aimed at Laws

The Negro reaction was the filing of a Federal suit in late January by Mr. Gray and Charles D. Langford, the other Negro attorney in Montgomery, aimed at overthrowing the city and state segregation laws—and a swing of the boycott toward this objective.

The whites retaliated with the indictment of 100 Negroes for conspiracy to conduct an illegal boycott.

The mass arrests attracted the attention and sympathies of a large part of the world. And this, in turn, lent a new impetus to the protest movement, No longer was it fighting for fairer segregation, no longer was it fighting to overthrow segregation, now it was—in the words of Mr. King—"a battle for the oppressed people of the world."

When the bus protest began there were temperate people in Montgomery actively interested in bettering race relations. Some of them were brought together in the Alabama Council on Human Relations, the only interracial group in the state.

The executive secretary of that group was a white Methodist minister, the Rev. Robert Hughes. His assistant was Fred Gray. One of the leaders was the white minister of a Negro Lutheran church—the Rev. Robert S. Graetz.

Shift From Middle

But Mr. Gray, a leader of his people, was gradually carried away from middle ground by the battle, so was Mr. Graetz. He believed in the justice of the Negro cause, and if he was to remain a leader in his own church he had to—and did—support it. The drift away from the middle that they represented, however, meant an immeasurable weakening of the moderates.

The disproportion in their strength is represented by the rally staged in Montgomery by the white citizens councils last month. Ten thousand persons jammed the City Coliseum to hear Senator James O. Eastland of Mississippi deliver a fiery defense of segregation. The next day the Alabama Council on Human Relations held its statewide conference at the Negro Alabama State College in Montgomery. Two hundred persons were present.

City Situation

On the city level in Montgomery there is very little middle ground left. Mr. Hughes and others like him work desperately to retain what there is—but they are impotent now either to organize any mass middle movement, or effectively to sway either side in the controversy.

Their only open path to work toward better relations has been to urge, and to work for, the establishment of biracial commissions such as that proposed by Gov. James E. Folsom to the State Legislature this week.

If those commissions can be set up, if they can find leaders of both communities to take part in them, if they can compromise, and if they can sell the public on compromises, some good might come of them. But those are big ifs.

INFIDELS AND BOYCOTTS

Black Dispatch p. 6

Capitalism and Christianity ranged at their lowest level last week in the United States. In Montgomery, Alabama, Negroes were recognized as criminals because they elected to walk to work rather than submit to humiliation and insult, while in South Carolina, the pastor of the largest Baptist church in the world, and who lives in Dallas, Texas, told a religious audience in John Calhoun's state, that white folk who believe in brotherhood are infidels.

Both arguments are of course based upon materiality. A northern-owned bus company in Montgomery, which follows Dixie patterns of transportation, is said to be losing $3,000 per day because Negroes will not ride under conditions traditionally set up by Alabama statutes, has already lost near $200,000 because of the organized boycott by the blacks, and may have to close shop. Its alternative is not to improve travel conditions for its passengers, but to slam in jail, photograph and fingerprint every dignified and courageous Negro minister in the city, on the charge these ministers are the leaders of an unlawful boycott.

As these white goons of the twentieth century decide to reverse the scriptural admonition, and operate on the assumption that "great riches are rather to be chosen than a good name," it is easy to understand why they have decided to convert men of the cloth into criminals and make these men of God subject to the same brutal, harsh punishment of harlots, dope runners and bootleggers. These Negro leaders are guilty of having forced the wealthy to lose a portion of their loot.

Oklahoma City, Okla.

As to the questionable Christian leader from the Lone Star state, who made the headlines last week because of his bitter opposition to integration and the Supreme Court edict, the Black Dispatch sincerely believes that when the remarks of Rev. W. A. Criswell, pastor of First Baptist church, Dallas, are reduced to their lowest and most understandable denominator, it will be discovered that Rev. Criswell is simply "church hunting," as most pastors frequently do. We have an idea that Brother Criswell is not doing so well with his present pastoral work and is anxious to get relocated in South Carolina. The speech he is reported to have made is of course calculated to give him the choice of pastoral posts in the state where rebels first started to shooting holes in the Stars and Stripes.

Integrationists, as Rev. Criswell avers, may be "dead from the neck up," but before their demise they surely had embraced the theology of the scriptures, "Out of one blood God created all of the nations of the earth," and they probably were students of history, who know that God's philosophy of brotherhood was hoary with age, long before one of the Caesars visited the British Isles twenty-five years following the birth of Christ and found the ancestors of Queen Elizabeth, stunted savages living in caves. Intelligent people accept and surrender to the eternal verities, but it is difficult to convince a savage that he should wear clothes.

Thurs. 3-1-56

If the Baptists of the United States had not met last year in St. Louis and studiously and deliberately decided to join the ranks of integration, and had proceeded to carry their resolve into constructive action, we might think Rev. Criswell represents a large segment of his denomination. In Oklahoma and everywhere we can see with our own eyes that in his present position Rev. Criswell stands almost alone. He is a pygmy standing among giants of wisdom and an understanding culture. Mark our words, all Rev. Criswell is attempting to do is secure another church. He is in bad at home, and like many traditional Southerners, makes the Negro a "whipping boy" whenever he thinks he may improve his condition.

Economic Boycotts in the South

P. 14

Fri. 2-24-56

Herald Tribune

By Henry Lesesne

ATLANTA, Ga.—Some areas of the South that have a large or majority Negro population and which have been engulfed by a brooding tension over the school segregation issue are beginning to learn just how effective a weapon the economic boycott can be—and also that it can be a two-edged sword. This "cold" economic conflict in parts of the South is very real, and it is spreading. New York,

Not only is it causing a rapid deterioration of racial relations in some communities, widening the chasm in the area of interracial communication, deemed essential in any approach to the solution of a complex social problem, but it threatens to get worse before it gets better and conceivably could become national in scope.

The one local symptom of this movement that has attracted most attention, of course, is the current boycott of Montgomery, Ala., city buses by Negroes, which is now more than two months old and has been punctuated with an occasional flare of violence and mass arrests.

Generally or basically, the no-compromise "cold" war is between pro-segregation organizations of whites, notably the Citizens Councils, and the National Association for the Advancement of Colored People and its members. These Citizens Councils are purely autonomous and their leadership is usually top-drawer. Some deny using or intending to use economic pressure on the Negro; others have been openly organized for that expressed purpose. Some deny it as an official policy, though concede that members as individuals probably utilize the device.

Anyhow, the pattern of developments has been this: Negroes began signing and presenting petitions in various communities for the immediate desegregation of schools. In some areas—counties in lower South Carolina, notably—certain local and even state officials accused the N. A. A. C. P. of using undue pressures and even deception in obtaining some of the signatures, charges which N. A. A. C. P. officials denied.

At any rate, quite a few signers here and there promptly wanted their names removed, usually claiming they didn't understand what they were signing. Citizens Councils, long active in Mississippi, Alabama and Louisiana—in Mississippi alone they claim a membership of 60,000—began to mushroom in counties of lower South Carolina, for instance, where the Negro population generally exceeds the white.

The city of Orangeburg in South Carolina furnishes an example of the subsequently sharply-drawn economic conflict. N. A. A. C. P. spokesmen charged Citizens Councils members began to apply economic pressures on the Negroes on a widespread basis. Some distributors of well-known products began refusing to make deliveries to certain Negro stores, and the like.

Consequently Negroes, comprising about 50 per cent of the population, began an organized boycott against businesses operated by Citizens Councils members. Mimeographed lists of blacklisted firms or businesses were widely distributed. The boycott, to whatever degree it is effective, has created mounting tension, and in a few instances it has backfired, white citizens rallying to patronize a certain blacklisted establishment.

In a rather spontaneous movement, Negro merchants in Jackson, Tenn., recently began boycotting a soft drink because the local bottler participated in an anti-desegregation legal maneuver. And at some state-level N. A. A. C. P. meetings members are being urged to identify and make a record of products, goods and services which have been refused them.

The situation has many twists. For instance, in Mississippi, where the N. A. A. C. P. has much difficulty finding leaders who are not vulnerable to economic pressure, certain Negro doctors, dentists, and the like have reported banks have suddenly refused them loans. On the other hand, a Negro newspaper in Columbia, S. C., recently listed a prominent white banker as a Citizens Councils member and urged Negroes to withdraw funds from the institution with which he is connected.

There are quite a few communities in the South where the Negro population considerably exceeds the white and where Negroes have relatively good incomes, with the result that their buying power is too much, as merchants know from past experience, to risk a boycott.

Reports out of Washington have been widely published in the South quoting N. A. A. C. P. officials to the effect that negotiations have quietly been under way with some big corporations to take action against Southern employees and franchise holders who apply economic pressures against N. A. A. C. P. members.

The question of civil rights is, of course, raised; but ordinarily the Federal government has no authority to intervene in activities of private citizens, as contrasted with public officials, in relation to civil rights. A good illustration might be that if a Negro should lose his job because of the way he voted, he'd have recourse to the law or the courts; but if he loses his job because of N. A. A. C. P. membership, Federal laws aren't necessarily violated.

Meanwhile, a mass of legislation has been introduced in, or passed by, some of the legislatures in the South this spring, aimed at curbing N. A. A. C. P. activities. Typical attitude of the Citizens Councils or other white pro-segregation groups is this: They aren't against the Southern Negro as such, but contend the N. A. A. C. P. is "duping" him, as the Southern Negro is now getting good schools but won't have them very long if he sticks with the N. A. A. C. P. and insists upon integration.

The no-quarter conflict extends, meanwhile, into spheres other than commercial. A pro-integration speech was credited as the reason for the recent dismissal of Dr. Chester C. Travelstead as dean of education at the University of South Carolina.

At the conference level, many religious denominations in the South have taken action tantamount to accepting racial integration in principle, yet at the grass roots more than one minister has been either shifted to another area or asked to resign because of racial views his congregation considered too liberal.

The crisis deepens in much of the South and, as the Columbia, S. C., "Record" noted recently editorially, "There is not room now for compromise, for working together to find a solution"; yet such may be possible when the tumult and the shouting on both sides die down, even though present indications are that the situation will undoubtedly become worse before it improves.

Protest against indecency, Negro leader declares

News & Courier, Charleston, S. C.

Sun. 3-4-56

DETROIT, March 3—(AP)—One of 90 Negroes under indictment in Montgomery, Ala., for allegedly conspiring to boycott city buses, declared Friday night that "we don't have a boycott, but we are protesting against indecency and mistreatment, and when we go on trial, Montgomery will be on trial, too."

The Rev. Ralph D. Abernathy, a 29-year-old leader in the Montgomery movement to avoid using city buses, told a church audience here that Negroes "are tired of being pushed around" and described the Montgomery movement as a "walk for freedom."

"In this, the 89th day," he said, "they are walking with more determination than on the first day. And they are going to walk until they are treated right."

Montgomery Negroes are demanding that bus seats be available on a first-come, first-served basis. Now a certain number are reserved for whites and a certain number for Negroes.

The Detroit meeting was sponsored by the National Assn. for the Advancement of Colored People and a collection was taken to aid defense of those indicted in Montgomery.

Idea Could Spread

Herald Tribune

Analysis of Bus Boycott: Negro Pattern for Future?

New York, Thurs. 3-8-56

By Robert S. Bird

MONTGOMERY, Ala., Mar. 7.—A question widely asked in the North and the South is: "Does the Negro passive resistance movement in this city furnish a pattern for similar action in other parts of the South?".

After a close scrutiny of the bus boycott of Montgomery's 50,000 Negroes, it seems to this correspondent that a similar movement could succeed elsewhere in the South, though perhaps not in every type of community.

This thought horrifies the segregationist South. And the Negroes of Montgomery are not, up to now, sending forth any special call to their people elsewhere to follow suit. Yet a study of this highly successful boycott and of its particular environment setting fails to disclose any inherent reason why the non-hating, passive resistance idea could not spread.

It is true that the Negro community is more deeply rooted in this city than in some of the newer more industrialized cities such as Birmingham. It is also true that the city government of Montgomery has, as its members privately acknowledge, made some mistakes in meeting the challenge, mistakes which have helped greatly to strengthen Negro unity.

But since these mistakes have stemmed almost naturally from the extremist segregationists throughout the South, it is reasonable to assume that they might also be made in other places which might have to meet such a Negro protest movement in the future.

Here are the chief elements of this boycott listed more or less in the chronological order of their development:

First, an upwelling of race consciousness which followed the Supreme Court integration decision of May 17, 1954—a date called "black Monday" by all the Southern segregationists.

Second, a group of long-standing grievances which smoldered among the Negroes under the surface of outward racial harmony.

Third, a series of incidents on buses involving the arrest of Negroes for refusing to yield seats to suit the drivers' arbitrary but legal right to change the segregated seating section to accommodate white passengers.

Herald Tribune

Afraid No More

Fourth, an impressive psychological factor which caused the Negroes, once the boycott was "spontaneously" declared, suddenly to lose for the first time their fear of the white community. This happened, almost over night; it still amazes both Negroes and whites. P. 19

Fifth, the fast emergence of outstanding leadership from the Negro ministerial group, which closed ranks immediately.

Sixth, the equally fast unifying of the rank and file of Negroes through their parish churches, and the upsurging of religious fervor to power the sense of righteousness and justness in their cause.

Seventh, the crystallizing of the passive resistance concept and its twin idea of non-violence and of no-hatred of the white community for its traditional segregationist beliefs.

Car Pools Help

Eighth, the organization and successful operation of a substitute voluntary method of providing transportation: largely, the car-pool idea, which is as much a morale builder for the Negroes of Montgomery as the Berlin air lift was for the people of West Berlin.

Ninth, police harassment of the Negroes in the beginning of the boycott and later the indictment of its leaders, including almost the entire ministerial group, who are now honored as virtual martyrs.

Tenth, the bringing together by the Negroes of all the legal

issues in a Federal Court suit of broad scope to end segregation on the buses. This is what they feel confident will vindicate them in the end.

Other factors could be listed—the moral support which has come from many parts of the country, the new willingness of the Negroes to sacrifice temporary material gains for greater gains of principle, the proving again of the old adage that nothing succeeds like success, and so on.

But the passive resistance method and its ideology, of non-hatred, as supported by deep religious fervor, seemed to be of main and immediate interest to the country at large. This correspondent has examined these power-propelling ideas at length.

It is possible to dismiss at the outset that these were brought into the movement by "outside agitators" as charged by the white side. It is true that certain outsiders appear to be lurking about the fringes of the movement and would like to get a hand in it. But all the evidence indicates that this protest is indigenous to Montgomery and that outsiders are not being welcomed into its strategic councils except for openly proffered legal help of the National Association for the Advancement of Colored People.

Role of Leader

The passive resistance and non-hatred concepts come from the ministers themselves, especially from the fertile brain of the Rev. Dr. Martin Luther King.

Dr. King is the learned but boyish-looking Negro Baptist minister who is asknowledged by the whole Negro community, including his fellow ministers, as the No. 1 boycott leader.

A third-generation Baptist minister, born and brought up in Atlanta, educated in an Atlanta Negro college and at Grozer Theological Seminary in Chester, Pa., and Boston University, where he earned his degree of Doctor of Philosophy, he came to this city fresh from Boston two years ago to begin his first pastorate among the Negroes.

At his modest frame bungalow home in the Negro section of Montgomery, where a dynamite bomb was exploded one night earlier in the boycott, he discussed with this correspondent the passtive resistance and non-hatred idea.

"What we are preaching" he said, "is best described by the Greek word, 'agapa.' The Greeks made distinctions between several kinds of love. For example, there is the kind of love described by the word 'eros,' a romantic type of love, such as a fellow would have for his girl friend. Then there is the kind of love designated by the word 'philia,' a kind of friendship. And there is 'agapa.' That's the highest type of love; not sentimental but meaning understanding, good will, a redemptive sort of love. That is what we are trying to get our people to feel.

"I don't know that they fully understand it yet, but they are making progress. This kind of love doesn't imply a sitting down at the dinner table together, but it does carry a feeling of compassion for the other person in his own weaknesses.

"Even though the white man may hate me and subject me to his system of second-chlass citizenship, I recognize that he, too, is a victim of his system. While I will fight to get out from under his subjugation, I will also try to understand him and I will not try to defeat him.

"Since the white man will not come to realization of his own integrity without understanding, to defeat him in his hatred only makes matters worse.

Can't Afford to Hate

"The fight here is between light and darkness. The job of us leaders is to make that clear to our people. We Negroes can't afford to hate the white man because if we won in the spirit a residue of hatred would remain between us. That is why we constantly preach against hatred.

As an outside observer, it appears to this reporter that Dr. King and his fellow preachers have bot the general idea across to their people, though in a less philosophical version. Resentment against their second-class status, though deep-rooted in most other Negroes, is not a thing they take pleasure in indulging. Their enormously expressive hymn singing traditionally has stressed the idea of love and the comfort it brings, and this passive resistance preaching of love-opposed-to-hatred follows this well grooved channel in the boycott rallies.

Dr. King is a superb speaker, polished but down to earth and able to weave Biblical texts, spiritual message and homey folk story all together with reverence and with an immediacy of effect visible in even the simplest members of his congregations.

Negroes Say 'No' to City's Compromise On Bus Boycott

State Press P. 1
Little Rock, Ark.
Fri. 2-24-56

A vote of 3,998 to 2 was the Negroes' answer to the city of Montgomery, when it offered a compromise plan to end the bus boycott that has been successfully executed by Negro leaders in that Alabama city. The Negroes rejected the city's plan in face of a possible indictment that is being studied under an old Alabama law by a grand jury, it is reported. Fri. 2-24-56

The compromise was drawn up under existing laws to continue segregation by allotting the last 10 seats of the bus to Negroes and the first 10 seats of the bus to whites to be filled first. Rev. Ralph D. Abernathy, chairman of the negotiating committee stated that they wanted no part of the compromise, which was evidenced by the vote.

115 Indicted in Bus Boycott

Following the Negroes' rejection of the city's proposal to end the 12-week old boycott of the city buses, the grand jury indicted 115 Tuesday, under an old Alabama law.

The jury's report said that boycotting was a violation of Alabama law which prohibits boycotting without a just cause or legal excuse.

Montgomery Boycott Has Business "In A Mess"

State Press P. 1
Little Rock, Ark.
Fri. 2-24-56

MONTGOMERY, Ala.—(CNS)—The still-going-on boycott of the city's bueses by Negroes has business of all kinds in a dither. Shops that are near the bus stops report "almost no business" since the boycott began.

But the city's businesses aren't the only ones to suffer. It seems that shows scheduled to enter the city are trying to get out of the dates. For Montgomery is a "dead" town in many respects.

The touring "Holiday on Ice" is trying hard to be released of its engagement March 20 - 24th. It plays at the Coliseum which is on the outskirts of town and thus is very dependent on all kinds of transportation for a success. Usually its Montgomery stand is very prosperous, yet if it has to go thru its date now, it doesn't expect much of a crowd at all in the tension-ridden city. The ice show isn't suffering. All theaters are at a stand still in the Alabama city.

Shame Falls on Alabama as the World Watches

Inquirer P. 12
Mars. 2-25-56

Last December 5 a seamstress in Montgomery, Alabama, was fined $14 for refusing to move to the back of a "segregated" bus when ordered to by the driver.

Since then, the majority of Negroes in Montgomery have refused to ride the buses of that city. They organized car pools. Many walked. But they refused to ride. And the boycott has hurt. Philadelphia, Pa.

On Washington's Birthday arrests began on a Montgomery grand jury indictment of 115 Negroes of that city for participating in the boycott in violation of a 1921 statute, originally enacted to fight labor unions. Among the 115 indicted were nine clergymen.

Coming on the heels of the rioting which was used as an excuse for barring a Negro student from the University of Alabama, this shameful spectacle cannot be ignored by the rest of the Nation. It comes at a time when the United States is seeking to win confidence and respect from the uncommitted countries of the world in our fight against Communism. Most of those countries have colored populations. And when they look at Alabama—the rest of us are hard put to explain.

They ask us this simple question: Does not the U. S. Constitution hold in Alabama?

And what is the answer?

The grand jury which has indicted 115 Negroes for refusing to ride on segregated buses makes no bones about its defiance, or its motives. That grand jury report reads:

"In this State we are committed to segregation by custom and by law; we intend to maintain it."

It is one thing to indict these people; it will be something else to convict them; and something very different to make any such conviction stick in the higher courts.

The Supreme Court, with most of us, had hoped to make gradual but effective progress toward desegregation in the South. In some States a measure of progress has been made. In others, notably Alabama, there is simply mass contempt for the Supreme Court and mass defiance of the Constitution.

It would be bad enough if this were only a local matter; if the issue were confined to one State. It is not. It is more, even, than a national issue. It is an international issue. And as shame falls on Alabama, the Kremlin is the only beneficiary.

The wide world is watching. If Americans are sickened, what must the feeling of others be?

38b 1956

Case Goes to High Court

Herald P. 9-a

Alabama Appeals Bus Integration

Fri. 8-24-56

Miami Fla.

WASHINGTON — (AP) — The Supreme Court was asked Thursday in two appeals to overturn a decision holding unconstitutional Alabama and Montgomery, Ala., laws requiring racial segregation of passengers on buses.

The appeals were filed by the Montgomery Board of Commissioners and by Alabama's Atty. Gen. John Patterson on behalf of the state Public Service Commission.

They asked the high court to reverse a decision by a special three judge U.S. District Court June 5 which declared enforced segregation of Negroes and white bus passengers in Montgomery violated the federal Constitution's guarantees of due process and equal protection of law.

The board of commissioners questioned the authority of the special court to act in the case.

"The judgment of the special court," the appeal said, "departs from principles of federal court procedure long considered essential to a proper accommodation of state and federal courts."

The commissioners said the special court should have dismissed the complaint filed by Negro attorneys on behalf of Negro bus riders, "or, at least, stayed it" pending action in a similar suit filed by Negroes in Alabama state courts.

1,000 hear heroine of Alabama

Afro American P. 8

Sat. 10-6-56

BALTIMORE

"The only answer I have is this: As far back as I can remember I knew there was something wrong with our way of life when people could be mistreated because of the color of their skin."

Standing before over 1,000 persons on Sunday, Mrs. Rosa Parks, an admitted humble woman, explained why she had decided not to give up her seat on a Montgomery, Ala., bus to a group of white men.

It was this spark of resistance that ignited the now famous bus boycott in the southern city, and catapulted Mrs. Parks into prominence as the woman responsible for the surge of passive resistance movements that have struck the South.

Mrs. Parks' purpose in being in Baltimore on Sunday was to address the kick-off mass meeting of the annual membership of the NAACP at the Sharp St. Memorial Methodist Church, Dolphin and Etting Sts.

When she rose from her seat on the platform to deliver her short address, the Montgomery matron was greeted with a standing ovation and, smiling modestly, she quickly informed the audience that she was a "modest person" and one not well accustomed to addressing groups.

However, before she had finished, her soft voice and the touch of the south in her speech, and her unashamed modesty, had made her the hit of the program.

DESCRIBING that day on which she refused to move, Mrs. Parks said:

"On Dec. 1, 1955, I had worked all day on the job and my only thought was to get home and rest. It just happaned that the driver (on the bus) didn't want to see some of his white passengers stand. I was seated with three ladies and when the driver told them to move they moved.

"He spoke to me in a threatening manner and I refused to move and he called the officer and I was arrested."

"It was as simple as that," said Mrs. Parks, but the results were more than anyone had anticipated.

"On, Dec. 2, 3, and 4, word was getting around that we were going to have a mass meeting. The (Montgomery) paper came out on Sunday with this big story about how the colored people were going to stay off the buses.

"We didn't tell the paper but a woman who worked as a maid told her boss and the news got to them.

"That Monday," said Mrs. Parks, "thanks to the publicity, in the paper, over 4,000 people showed up at the mass meeting, and with the day's successful boycott, the Montgomery resistance movement was on in full swing.

Argue Ala. JC case in high court

Afro-American

Baltimore, Md.

Sat. 10-27-56

WASHINGTON (NNPA)—The NAACP has asked the Supreme Court to affirm the judgment of the Federal District Court at Montgomery, Ala., holding invalid state laws and city ordinances requiring racial segregation of passengers on Montgomery buses.

The Alabama Public Service Commission, the Montgomery Board of Commissioners and Montgomery Police Chief Goodwyn J. Rupperthal had asked the Supreme Court to reverse the District Court.

The City of Montgomery, Montgomery City Lines, Inc., and its drivers were enjoined from enforcing the bus segregation law and ordinances, but the injunction was suspended pending the appeal to the Supreme Court.

* * *

IN ITS motion to affirm, the NAACP contends that the judgment and decree are in line with Supreme Court decisions and that the questions raised in the appeal are without substance.

The suit was instituted in the District Court by Misses Aurelia S. Browder, Susie McDonald, Claudette Colvin and Mary L. Smith to enjoin the enforcement of the jim crow laws.

The NAACP told the Supreme Court that these persons have been embarrassed and humiliated and some have been convicted and jailed for violating the Alabama jim crow bus law.

The Montgomery City Lines last April 23 interpreted the action of the Supreme Court in refusing to review the decision of lower Federal courts in a Columbia, S.C., bus case as barring the segregation of passengers in intrastate travel and announced it would no longer enforce segregation on its lines.

* * *

C. C. (Jack) OWEN, president of the Alabama Public Service Commission, the next day sent telegrams to the National City Lines of Chicago, of which the Montgomery City Lines, Inc., is a subsidiary, and to other bus companies in Alabama directing them "to strictly adhere to all present existing segregation laws in our state or suffer the consequences."

The Alabama Public Service Commission is claming in its appeal that it has no authority to enforce the state jim crow law within city limits and that the motor carriers act specifically does not apply to buses operating within the limits of a city or incorporated town.

The NAACP tells the Supreme Court that the District Court answered that argument by saying that the Alabama Public Service Commission has the duty of enforcing racial segregation.

It adds that since its president acted so positively and affirmatively to that end by sending a telegram to the National City Lines, the action against the commission should not be dismissed.

* * *

WHILE THE Supreme Curt dismissed the appeal in the Columbia bus case, the NAACP asserts, the import of that ruling is somewhat in doubt.

But the high court in other decisions has overruled the "separate but equal" doctrine, the NAACP said, and there now remains no legal principle upon which a state policy of racial segregation in public transportation can be sustained

Attorneys for the NAACP are Robert L. Carter, Thurgood Marshall, Fred D. Gray and Charles D. Langford.

Montgomery car pool is now operating again

News Birm. Ala. P. 1

Mon. 10-29-56

MONTGOMERY, Ala., Oct. 29 —(AP)—A car pool which has provided transportation for bus-boycotting Montgomery Negroes for 11 months was still operating today despite a threat of legal action by the city.

Church-operated station wagons were back in service along with privately owned automobiles.

The station wagons were kept out of the pool last Saturday and only private cars used to take Negroes to and from work.

THAT WAS the day after leaders of an independent, pro-segregation labor group told Montgomery's City Commission that the car pool should be stopped. Editor Jack D. Brock of The Alabama Labor News said men stood ready to swear out citizens' warrants against car pool operators if necessary.

The commission responded that it was studying the car pool and had "plans of bringing action for an injunction to stop all activities which the city considers illegal at this time."

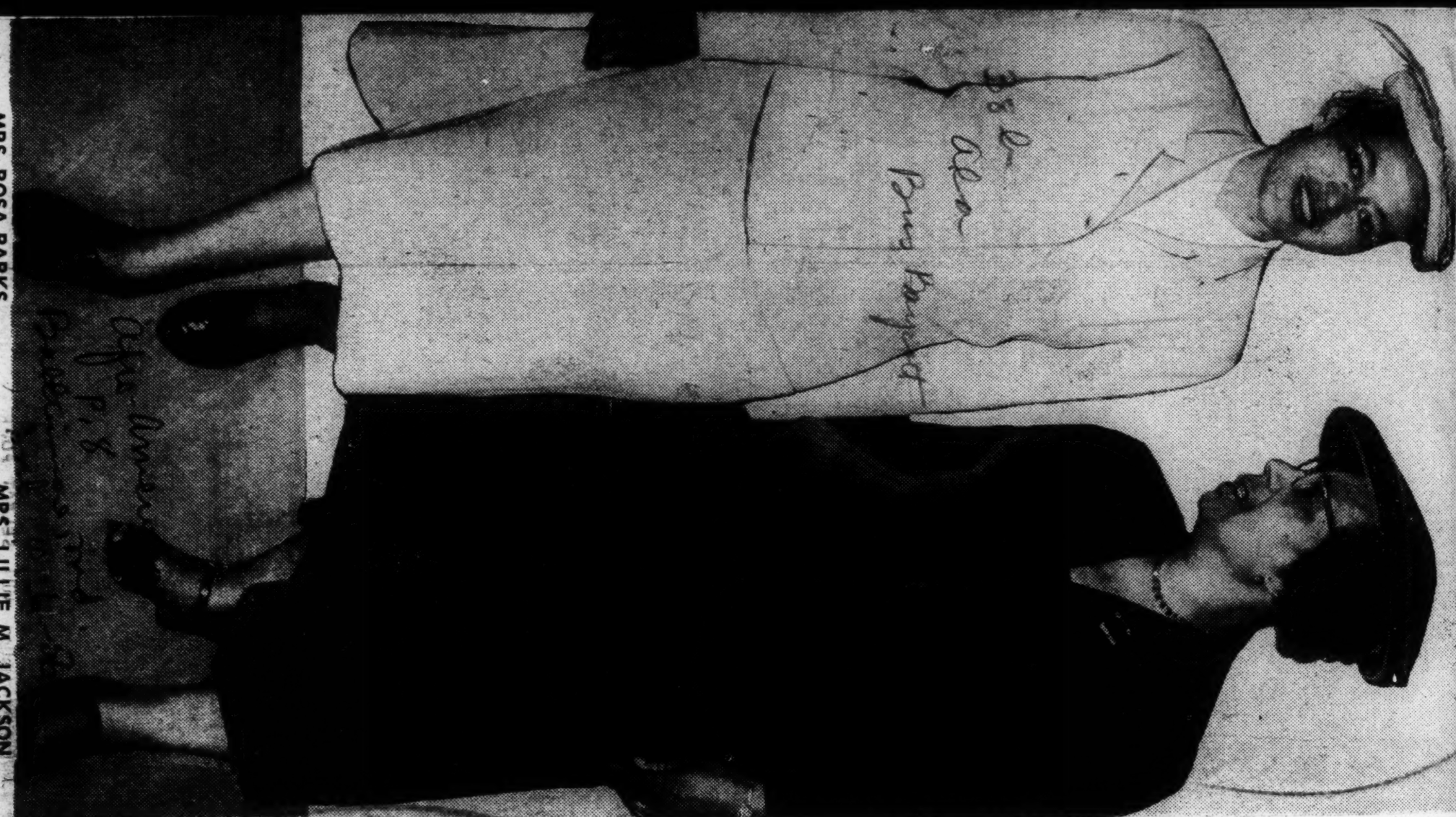
Top officers of the Montgomery Improvement Assn., the group that coordinates the boycott, were not available yesterday. Rufus Lewis, identified last Spring as chairman of the MIA's transportation committee, refused to make any comment on the situation.

MINISTERS INTERVIEWED yesterday said they had no knowledge of a rumored plan for all Negroes to walk to work today. Such a mass demonstration was conducted last Winter when the boycott was first reaching national prominence.

No plans for a walking demonstration were announced to congregations, the way MIA information has been disseminated in the past, the ministers reported. Rev. Harold A. L. Clement and Rev. H. H. Hubbard both said their station wagons would run, but others were uncertain of it.

Neither the car pool or the city bus system operate on Sunday and yesterday no signs of activity indicated what might happen if steps were taken to halt car pool transportation. Before last Dec. 5 when the protest began, between 30,000 and 40,000 Negro customers used city buses every day.

Since then Negroes have been seen on buses only infrequently.



MRS. ROSA PARKS — MRS. LILLIE M. JACKSON

Walk together' in Baltimore

CHURCH 'WAGONS' OPERATE

Advertiser 1-7
Montgomery, Ala.
Dec 10-30-56

Legal Crackdown Under Way As Negroes Resume Car Pool

City officials continued their preparation for a legal crackdown yesterday as the Negro bus boycott car pool resumed operation as usual.

Church-operated station wagons again joined privately owned automobiles providing jitney service for Negroes engaged in the 10-month-old protest of city bus segregation. The wagons had halted activity Saturday.

Although police said the station wagons were not operating yesterday morning and only some of the vehicles participated in the afternoon, Negro ministers said the station wagons had been active all day.

Mayor W. A. Gayle said the city was still preparing an injunction to be filed in Circuit Court which will enjoin "activities" the Commission considers "illegal at this time." The mayor predicted the action will be taken within the next three days.

Other prominent city officials indicated such action would come today or tomorrow.

The proposed injunction is expected to be based on a state code which demands that all "associations" using city streets must have the permission of the city commission.

Station wagons did not participate in the car pool Saturday after an announcement by city officials and representatives of a state trade union publication that legal action was being readied to halt car pool activities.

On Friday officials of the Alabama Labor News asked the city commission for immediate action to stop station wagon operations. At that time they declared they were willing to swear out warrants for citizens' arrests if needed to halt the jitney service.

That afternoon the commission replied with a statement saying it was preparing legal action against the car pool and that police had been gathering appropriate evidence for 10 weeks.

★ Tell It To Old Grandma ★

Advertiser
Wed. 2-22-56

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry, please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Montgomery, Ala.

Adlai On The Race Issue

EDITOR, THE ADVERTISER—I read in this morning's paper that George Meany, AFL-CIO president, completely opposes our President's and Adlai Stevenson's views on gradual integration and the issuing of federal educational funds without the integration stipulation.

P. 4-A

Well, I tell him here and now they speak with the greatest truth. I applaud them! Yes, integration will come but it *must* come gradually or this danger of civil war that they speak of will indeed become a horrible reality. The Southern people are not going to have integration rammed down their throats. If our uninformed Yankee countrymen will listen to their informed leaders who speak with the true consideration of all the American people at heart, and only then, will our country be truly united.

I urge all our Alabama friends to rally to the support of a man who is not afraid to state his honest beliefs—Adlai Stevenson. If a man is honest in his campaigning, there's a much better chance of his living up to his beliefs in office. Then when he is elected, let's make sure we have senators and representatives up there in Washington who will actively back him up and make sure he is kept fully aware of all our problems. Here, I think, is a man who will be genuinely concerned.

MRS. FRED B. PERRY JR.
Auburn, Ala.

Meany And The South

A editorial
The Dallas Morning News

GEORGE MEANY, the boss of organized labor's millions, deplores groups in the South who have organized to keep segregation.

Montgomery, Ala.

"Economic boycott and intimidation of Negroes are chosen instruments of the White Citizens' Councils' hate-mongering campaign," says an AFL-CIO executive council statement, adding: "Many acts of violence have come in the wake of this campaign."

Both hotheads and decent, sensible people are in the Citizens Councils—just as hotheads and the sensible are in labor's millions.

2-17-56

The "hate-mongering campaign" and "acts of violence" in the South are infinitesimal compared to the violence against body and property in the many strikes by labor to achieve its aims.

Meany says Southern groups are challenging the Supreme Court's segregation decision—in effect, challenging the law. But on the same day he erupted, 47 strikers were convicted of contempt of court in Columbus, Ohio, in connection with the Westinghouse strike. They had violated a court order limiting picketing.

P. 4-A

The News does not condone lawlessness in any form. But in these days of sectional emotionalism, it would remind that many of those condemning the South in its trying period themselves have much to explain.

Montgomery Church Packed at Negro Rally

Evening Star
Washington, D. C.
Fri. 3-9-56

People Protesting Transit Segregation Begin Gathering at Noon for Night Meeting

By JAMES Y. NEWTON
Star Staff Correspondent

MONTGOMERY, Ala., Mar. 9.—Last night a goodly portion of Montgomery's (capital of the Confederacy and of Alabama) Negro population was packed in the Mount Zion Methodist Episcopal Church.

"O Lord let us be free," intoned a gray-haired colored man in the audience.

"Yeah man," responded voices around him.

"O God, don't leave us," the elderly man continued, amid encouragement from those about him.

"O God, let them treat us as humans . . ." and on and on he went with the expressed approval of the gathering.

This was not billed as a religious ceremony but was one of the bi-weekly mass meetings of Negroes "protesting" segregation on the city's transit system, Montgomery City Lines, Inc., an affiliate of National City Lines, Chicago.

South Carolina Legislature Acts Against NAACP. Page A-8

Boycott Effective

Since December 5 (a memorable date in the organized Negro fight against segregation in the deep South) a large percentage of the colored population have boycotted the city transit system. Now it is almost totally effective—the whites said no more than 10 per cent of the Negroes ride the buses—the colored leaders say it is less than 1 per cent. I watched buses load for a long time in downtown Montgomery and I didn't see a single Negro get aboard one.

Bellhops and waiters in the hotel where I stayed told me they walked to work—sometimes as much as 3 miles. One hotel employe admitted he was neither in sympathy with nor opposed to the bus boycott, he said he just didn't like to board one when he saw no other Negroes on it. He had become accustomed to walking home and he liked it.

Although the formal mass meeting at Mount Zion African Methodist Church was not scheduled to begin until after 7 p.m., I was told people began gathering at noon and that by 4:30 p.m. all the seats were filled. In any event, I know that by 6:45 there was not only a crowd packed in the church proper, but the balcony was full and there were others listening by loud-speaker in basement rooms of the church. The "press," however, was quickly steered to a seat by the church organ.

Before the formal part of the proceeding started at about 7:15, the program at least seemed to be spontaneous, a mixed program of individual exhortation and hymn-singing. This was not only audience participation, the audience ran the meeting.

There was great applause as the Rev. Martin Luther King entered the church. He is president of the Montgomery Improvement Association, leader of the bus "protest" movement and pastor of the Dexter Avenue Baptist Church, located a mashie shot from Alabama's splendid Capitol Building.

Mr. King is a smallish young man, 27, attired nattily in a gray suit. He told me he was born in Atlanta, Ga., was graduated from Moorhouse College there and the Crozer Theological Seminary, Chester, Pa., and obtained a Ph.D. from Boston University only last June.

He is an active member of the National Association for the Advancement of Colored People and among 99 Negroes, including 26 ministers, who have been indicted as a result of the bus boycott. Their trials will start the week of March 19.

The church organist broke off and the hymn-singing was abruptly halted by the raised hand of J. W. Hayes, presiding elder of the A. M. E. Zion Church. He intoned a prayer:

"We come tonight," started Mr. Hayes, as the audience cried "Yes, yes." "Asking you to search these our hearts," he continued amid approving remarks from the gathering. "If you find anything that is contrary to Thy will we ask You to speak now. We realize that Thou hast brought us to the kingdom for such an hour as this. Not only in our fair city of Montgomery, but all over the world idealogies are crashing, constitutions are falling down and traditions are being uprooted. Gracious God ('Yeah,' from the audience), in the midst of it all help us be sane. Help us to be calm ('Yes, Lord'), help us to be forthright and help us to maintain our integrity."

By this time, the crescendo of the audience had risen to "Yes Lord, yes Jesus."

"We realize that the thousands who heard our fathers' prayers 90 years ago," Mr. Hayes continued, "also heard our groans on the cotton fields of Alabama and Mississippi. We pray now that you hear us in Montgomery."

At this point, the Rev. Ralph D. Abernathy, pastor of the First Baptist Church (colored) and (also among those indicted) entered and there was more applause. There followed a hymn beginning "On Christ, the Solid Rock."

Out to Defeat Injustice

Mr. King, the first speaker, said "we are not out to defeat the white man. We are out to defeat injustice. As I look at the face of a white man I can't hate him because there is something that says deep down in me that he is my brother. He is my brother even if he kicks me around and treats me unkindly, he is my brother and I am responsible for him."

Mr. King went on to say, amid cheers, that the struggle here was larger than Montgomery, larger than Alabama . . . "the eyes of the world are upon us. We can't let the people of the world down."

"Yes' sir, you are right," chanted the audience.

Mr. Abernathy took up the speech making at this point.

"Fellow walkers," he started, amid applause and laughter. "We are determined to walk until justice prevails. We walk but we are convinced we walk not alone. We have the support of our friends and of people who don't even know us in this country and all over the world."

Mr. Abernathy, who just returned from a speaking tour of the north, including Washington, said "we are walking with God."

$8,300 Fund Raised

On a practical note, he said $8,300 had been collected for the Montgomery cause in the last few days.

"We are going to live with God where there won't be any segregation. But until we get to the other side we are going to enjoy freedom or die fighting right here," he concluded.

The Montgomery Transit Co. lost large chunks of money immediately following the incident last December which started the Negro boycott . . . the arrest of a Negro woman for refusing to obey a driver's order to sit in the rear of a bus.

In the beginning, the Negroes demanded (1) more courteous treatment by the bus drivers, (2) a flexible seating arrangement on the buses in place of the "colored to the back, whites to the front" arrangement and (3) colored drivers in preponderantly colored areas. Now the demand on the heels of a Federal court suit, is for an end of segregation in transportation.

No Talks in Progress

A group of white businessmen offered them substantially the original demands recently and were turned down. At the present there are no negotiations looking toward a settlement. There is no communication between the disputants.

The transit company has raised fares from 10 to 15 cents and has reduced service accordingly. Neither the boycotters nor the white population at the moment seem to be dis-

turbed.

Negroes walk to work or take part in car pools. They claim they are getting along all right and so do the white people. When and where it will end nobody on either side will hazard a guess.

Both sides predict the 99 Negroes will be convicted under the Alabama boycott law enacted in 1922 against strikes and labor boycotts. But both sides freely predict when the case reaches the Federal courts—the United States Supreme Court, some years hence, the conviction will be reversed.

Whites Help Make Boycott A Success

Sat. 3-17-56

Houston Tex.

MONTGOMERY, — Ala — Over the weekend the city commission granted the bus company's request to close down Sunday service on 12 of the 14 routes still operating. The southern whites, who "know the Negro," have done more by their dumbness to make the boycott successful than the Negroes have themselves.

The bus fight began when Mrs. Rosa Parker was arrested with her child because she refused to move to a segregated seat on the bus.

Ed Nixon struck off 50,000 sheets asking Negroes to boycott the buses for one day in protest.

Admittedly, this would not have affected a great number of Negroes. But the Montgomery Advertiser (a daily paper) put the story on the front page. The police commissioner went on the air, promising to protect any Negro who would ignore the call for boycott and ride the buses.

These dumb movements of the whites gave the boycott publicity, and also aroused and challenged the Negro. These movements were made by the whites, who always boast "we know our southern Negro." Negroes could not have bought the publicity that was given to them free

Not satisfied with that free publicity, the police commissioner put a motorcycle cop behind every bus. Negroes, who under the guise of being neutral, might have ridden the buses, now assumed that there was trouble in the wind and stayed off the buses. The white men kept blundering and making movement that accomplished just the opposite of what he wanted.

Then to make the cycle complete the bus company took its buses off Negro routes, after about four days of the boycott. Stupidly, they kept them off long enough for Negroes to get into the habit of scuffling to work without buses.

By the time they had restored the buses, Negroes had broken the habit of riding the buses. So the boycott was about 90 per cent effective.

But the white people, who "know the Negro", were not satisfied with 90 per cent. So they hit upon the scheme of arresting Negroes, and included about 25 or 30 Negro preachers. That made the boycott unanimous. So the bus company came into the city commission last week and asked that it be permitted to close down practically all bus service for Sunday, closing out 12 of the 14 remaining buses that were operating on Sundays. That leaves just two operating.

The mayor, in making the announcement that the 12 out of 14 buses would be permitted to close on Sundays, said the revenue from these 12 routes "had not been enough to warrant continued operation."

The Negro leaders of the boycott know how much they have been assisted by the dumbness of the whites in Montgomery. They say frankly they don't claim that boycotts would succeed as effectively everywhere, because they don't believe that they would get this much help from whites.

THE SOUTH

City on Trial

Time P. 21

Caucasian officialdom in Montgomery, Ala. (pop. 120,000) moved drastically last week to break the twelve-week-old Negro boycott of the Jim Crow city buses (TIME, Jan. 16 *et seq.*). Hastily dusting off an old (1921) antilabor state law forbidding restraint of trade, a grand jury voted indictment of 115 of the city's Negro leaders—including a score of Negro ministers. "In this state," the indictment read, "we are committed to segregation by custom and by law; we intend to maintain it." Arrested on George Washington's birthday, one of the Negro ministers responded: "The Negroes are not on trial here, but Montgomery is on trial. The eyes of the world are focused here."

In keeping with the passive tone of their whole rebellion, the Negro defendants—each freed on $300 bond after fingerprinting—proceeded from the jailhouse to church for the next move. About 3,000 Negroes gathered in Montgomery's red brick First Baptist (Negro) Church to protest the arrests, to kneel beneath stained glass windows and peeling yellow walls and sing "Hallelujah." Said the Rev. Martin Luther King, 27: "This is not a tension between the Negro and whites. This is only a conflict between justice and injustice. We are not just trying to improve Negro Montgomery. We are trying to improve the whole of Montgomery . . . If we are arrested every day; if we are exploited every day; if we are triumphed over every day; let nobody pull you so low as to hate them."

As dawn broke over Montgomery next day, tension lay thickly beneath an apparent calm. Thousands of Negroes walked to work through the rain in a nonviolent demonstration. Then, at week's end, Alabama's Governor James Folsom called for a Bi-Racial Commission to try to work out some new ways of putting the pieces back together in a city that would somehow never be the same again.

Rev. King Says Protest Not Halted

World

Birm. Ala.

Fri. 6-8-56

MONTGOMERY, Ala. - (INS) - The leader of Montgomery's boycott of the city's transit system said recently the protest will continue until legal technicalities involved in the dispute over segregation are cleared up.

The Rev. M. L. King, himself jailed and fined in state court for his part in the six month-old boycott, said he was elated over the decision. He said:

"It is a decision that will be welcomed by all persons of good will, both North and South. It represents a victory not merely for the 50,000 Negroes of Montgomery, but a victory for Democracy and justice."

The Rev. King emphasied that the decision of the three judge federal court--which held bus segregation illegal--"does not immediately affect the protest." He pointed out the court has not written a final judgment or decided whether to make its ruling effective while the decision is appealed.

"So," the Rev. King said, "the protest will continue until this is cleared up."

"It is certainly our hope,' he said, "that the court will not suspend its decree pending an appeal.

"When the matter is finally cleared up it is my greatest hope that both races will evince wise restraints, calm reasonableness without sacrificing basic principles, and recognize the difficulties of adjustment."

Bus Boycotters Hit on Fund Use

Star P. 2-A

Tues. 6-12-56

MONTGOMERY, Ala., June 12 (AP).—A Baptist preacher said last night that leaders of the Negro protest against bus segregation here have been playing fast and loose with boycott funds.

Washington D.C.

The Rev. U. J. Fields did not specify any individual members of the Montgomery Improvement Association, set up to coordinate the boycott for the city's 50,000 Negroes, but declared in resigning his post as recording secretary:

"All the money coming in here for transportation is not being used for that." He did not elaborate.

Officials of the association quickly denied any financial misconduct.

"No money received by this association has been misappropriated," said Dr. Moses W. Jones, second vice president.

Officials Deny Charge

"Definitely false," said the Rev. R. J. Glasco, in referring to the Rev. Mr. Fields' accusations. The Rev. Mr. Glasco is chairman of the finance committee. His comment was echoed by C. W. Lee, the association's assistant treasurer, and by Mrs. Erna Dungee, the financial secretary.

The Rev. Mr. Fields, one of the association's founders, also said, "I no longer can identify myself with a movement in which the few are exploiting the many."

The 25-year-old Negro minister said boycott leaders "have become egotistical and interested in perpetuating themselves."

"Individuals who are handling" money contributed throughout the Nation to support the boycott "are using it for selfish purposes," he said.

Critic Was Officer

The Rev. Mr. Fields said his position as recording secretary had given him knowledge of funds contributed to support the boycott. He estimated that an amount "up in the thousands of dollars" had been diverted from the announced purpose of providing private transportation for boycotting Negroes.

The association has been paying about $3,000 a week to provide car pool transportation for the boycotters.

Boycott Driver Fined in Accident With Policemen

Call P. 18

Fri. 6-8-56

Kansas City Mo.

MONTGOMERY, Ala. — (ANP) — The driver of a station wagon used to transport Negro bus boycotters was fined $5 and costs in city court last week for a collision in which two Montgomery boycott probers were slightly injured.

Mrs. Alberta Judkins James, 44, driver of a station wagon owned by Hutchinson Street Baptist church, by cutting in front of another car, was charged with causing a wreck

Detectives Jack O. Shows, 29, driver of the police car involved in the collison, said Mrs James cut in front of him while both were traveling east on a downtown street.

On cross examination by Negro defense attorney Fred D. Gray, the officer denied that he and his partner, Detective K. W. Jones, has been trailing the station wagon.

Advertiser Tues. 2-21- P. 1 Montgo

BOYCOTT INVESTIGATORS

City Detectives K. W. Jones, left, and Jack D. Shows talked outside the courthouse yesterday while the grand jury investigated the Negro bus boycott. Jones and Shows have been assigned for the past several weeks to the circuit solicitor's office to investigate the boycott. Some participants in the boycott may be indicted by the grand jury.—**Photo by AP**

BREAK RUMORS PERSIST

Advertiser P. 1

Jury's Report Awaited On City's Bus Boycott

Tues. 2-21-56

Montgomery, Ala.

Reports of a break in the 11-week-old Negro bus boycott persisted yesterday as a grand jury neared completion of its investigation of the mass protest against segregation.

The grand jury is expected to make a final report today and may indict some of the Negroes who have participated in wholesale refusal to ride Montgomery City Lines buses.

Several men who have been prominently identified with efforts to settle the boycott conferred in the office of Mayor W. A. Gayle yesterday morning, but declined to comment afterward.

They included all three members of the City Commission, representatives of the bus company and spokesmen for the Men of Montgomery, a civic organization which has volunteered to act as mediator in the lengthening dispute.

A mass meeting of Negroes was scheduled last night at a Negro church.

Two city detectives disclosed meanwhile that they have been assigned to the circuit solicitor's office for several weeks' investigating the boycott. Detectives K. W. Jones and Jack D. Shows were among the scores of witnesses interviewed by the grand jury in the past week.

But they were prohibited by law from disclosing their testimony.

The grand jury which has already indicted one boycott spokesman, Negro Atty. Fred D. Gray, may return other true bills charging violation of Alabama's rarely used anti-boycott law.

Gray was charged with unlawful practice because of a suit he filed in U.S. District Court seeking to throw out city and state laws requiring racial segregation in all public transportation. The suit was an outgrowth of the boycott.

Advertiser

The attorney's indictment was based on the statement of Mrs. Jeanetta Reese, one of the five Negro women whose names were signed to the court petition. Mrs. Reese told Mayor Gayle in the presence of two newspaper reporters that she didn't know what she was signing. P. 2-A

Gray was charged with filing the suit in Mrs. Reese's name without her consent, an offense punishable in Alabama by a $500 fine and suspension from practice.

The boycott began Dec. 5, after a Negro woman, Mrs. Rosa Parks, was arrested and fined $14 for refusing to move to the colored section of a bus.

Since then, an estimated 75 per cent of the Neroes who normally used the buses for transportation have refused to ride them. Some have used taxicabs to get to and from work; others have depended on a highly organized car pool operating with military precision.

HINT OF BOYCOTT BREAK PERSISTS

Times Picayune New Orleans, La.

Negro Bus Protest Probe Ending in Montgomery

Tues. 2-21-56

MONTGOMERY, Ala., Feb. 20 (AP)—Reports of a break in the 11-week-old Negro bus boycott persisted Monday as a grand jury neared completion of its investigation of the mass protest against segregation. P. 12

The grand jury is expected to make a final report late Monday or Tuesday, and may indict some of the Negroes who have participated in wholesale refusal to ride Montgomery city lines buses.

Several men who have been prominently identified with efforts to settle the boycott conferred in the office of Mayor W. A. Gayle Monday morning, but declined to comment afterward.

They included all three members of the city commission, representatives of the bus company and spokesmen for the Men of Montgomery, a civic organization which has volunteered to act as mediator in the lengthening dispute.

Detectives Testify

A mass meeting of Negroes was scheduled Monday night at a Negro church.

Two city detectives disclosed meanwhile that they have been assigned to the circuit solicitor's office for several weeks investigating the boycott. Detectives K. W. Jones and Jack D. Shows were among the scores of witnesses interviewed by the grand jury in the past week.

But they were prohibited by law from disclosing their testimony.

The grand jury which has already indicted one boycott spokesman, Negro attorney Fred D. Gray, may return other true bills charging violation of Alabama's rarely used antiboycott law.

Gray was charged with unlawful practice because of a suit he filed in US district court seeking to throw out city and state laws requiring racial segregation in all public transportation. The suit was an outgrowth of the boycott.

'Filing without Consent'

The attorney's indictment was based on the statement of Mrs. Jeanetta Reese, one of the five Negro women whose names were signed to the court petition. Mrs. Reese told Mayor Gayle in the presence of two newspaper reporters that she didn't know what she was signing.

Gray was charged with filing the suit in Mrs. Reese's name without her consent, an offense punishable in Alabama by a $500 fine and suspension from practice.

The boycott began Dec. 5, after a Negro woman, Mrs. Rosa Parks, was arrested and fined $14 for refusing to move to the colored section of a bus.

Since then, an estimated 75 per cent of the Negroes who normally used the buses for transportation have refused to ride them. Some have used taxicabs to get to and from work; others have depended on a highly organized car pool operating with military precision.

Bus boycott head talks

Afro-American Sat. 2-25-56 P. 1

CHICAGO, Ill. — America's counterpart of India's Mahatma Gandhi faces jail.

He is the Rev. M. L. King, leader of a "passive resistance movement" in Montgomery, where 98 per cent of the colored residents refuse to ride the city's buslines.

Speaking at a news conference here, Monday, the Rev. Mr. King, head of the Montgomery Improvement Association, said that a grand jury investigating the "legality" of the boycott "probably will indict some of us."

The Rev. Mr. King said that the boycott "is part of something that is happening all over the world.

Baltimore, Md.

"THE OPPRESSED peoples are rising up. They are revolting against colonialism, imperialism, and other systems of oppression."

In ordering the grand jury probe, Circuit Judge Eugene Carter of Alabama called upon the jurors to determine whether the boycott was being carried on "without just cause" in violation of an Alabama law.

The Rev. King told the Chicago newsmen that he doubted "that more than 50 per cent of our people would not go back until the system (of segregated seating) is changed."

BUS BOYCOTT MAY END

Commercial Appeal

Reports Rise At Montgomery City Leaders Mum

Tues. 2-21-56

MONTGOMERY, Ala., Feb. 20. —(AP)—Reports of a break in the 11-week-old Negro bus boycott persisted Monday as a grand jury neared completion of its investigation of the mass protest against segregation.

Memphis Tenn.

The jury may indict some of the Negroes who have participated in wholesale refusal to ride Montgomery City Lines buses.

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They included the city commission, representatives of the bus company and spokesmen for the Men of Montgomery, a cavic organization which has volunteered to act as mediator in the dispute.

The Boycott Probe

Afro-American

The world will be viewing with a critical eye the convening of a grand jury at Montgomery to determine whether colored passengers, by refusing to ride city buses, are violating state law. P. 4

Circuit Judge Eugene Carter, in charging the grand jury, asserted: "A person's business is property and, if lawfully conducted, is entitled to protection from unlawful interference."

Certainly there is no quarrel with that, providing a just and reasonable interpretation is placed by the jurors on what constitutes "unlawful interference."

Can the refusal to pay for subjection to humiliation and indignity be construed as unlawful interference?"

Or is it "unlawful interference" to walk to one's destination rather than risk arrest for refusing to surrender one's bus seat to another passenger, merely because the other passenger chances to have a [illegible]

Can "unlawful interference" be read into the determination of citizens to stand up and fight for those privileges and immunities the United States Constitution holds are the rightful heritance of every American?

These are but three of the questions which the grand jury at Montgomery must answer.

Upon those answers will depend world judgment whether the grand jury's action was motivated by impartial justice or subverted by blind prejudice.

The nation and the world will also be watching to see if the jurors widen their probe to include the openly acknowledged boycotting activities of the Central Alabama White Citizens' Council.

Since the investigation of boycotts has become the order of the day in Montgomery, what possible excuse can Judge Carter offer for winking at the parents of the practice?

"Only a short time ago, city buses hummed with activity with crowds of shoppers and business people-both white and colored.

"More people ought to start considering what it will mean if Montgomery loses its bus franchise," Stough said, "If enough public spirited citizens get behind the bus company's problem, the operating franchise may be saved."

Stough reflected that "things sure have changed, and it just doesn't seem right with only a few passengers riding your bus every day.

Sough, a driver since 1916, said he wondered how long the bus company can continue to exist in its present financial state.

Montgomry bus drivers face bleak future due to boycott

Afro-American Sat. 7-28-56 P.16

Baltimore, Md.

MONTGOMERY, Ala. (ANP) —Bus company officials and bus drivers here are faced with a dismal, insecure future as a result of the effective eight-month-old bus demonstration.

The bus service, already seriously curtailed, is threatened with permanent discontinuation unless patronage increases considerably very soon.

AS VETERAN bus operator George W. Stough says:

"Only a short time ago, city buses hummed with activity with crowds of shoppers and business people-both white and colored.

"More people ought to start considering what it will mean if Montgomery loses its bus franchise," Stough said, "If enough public spirited citizens get behind the bus company's problem, the operating franchise may be saved."

Stough reflected that "things sure have changed, and it just doesn't seem right with only a few passengers riding your bus every day.

Sough, a driver since 1916, said he wondered how long the bus company can continue to exist in its present financial state.

INDICTED MINISTER ASKS RENEWED FAITH

Commercial Appeal

Bus Boycott Leader Tells Negroes Segregation Cannot Survive

Mon. 2-27-56 P. 1

By JAMES EWING,
Staff Writer

MONTGOMERY, Ala., Feb. 26.—The leader of Montgomery's 83-day-old bus boycott by Negroes told his church congregation Sunday that "segregation can't survive because God is against it."

Memphis, Tenn.

Rev. Martin Luther King Jr., preaching to a capacity crowd at Dexter Avenue Baptist Church, urged them to "just keep loving" their enemies and not to lose faith in man.

'Lifted To Justice'

"Our Christian faith says you can be changed," he said, declaring that "exploiting" and "prejudiced" men can be "lifted up to the justice and fair play" by those who practice brother love.

Rev. King said during a visit to Vanderbilt University in Nashville last week that 90 per cent of the students with whom he came in contact said they were "willing to accept integration."

Support From Students

He said some of the white students at Vanderbilt told him they were glad to see desegregation even though their communities and their parents are against it.

"Thank God there are people who can rise above their communities," the minister said. King, whose home was bombed the day the boycott started, conducted Religious Emphasis Week at Fisk University, a Negro institution in Nashville, last week. He told his congregation Sunday that "we are in a great struggle and the consequences will be worldshaking."

He said Negroes through their boycott of city buses have already won a victory, giving to Negroes everywhere 'a new sense of dignity," but he urged that the boycott must continue, no matter how much sacrifice it entails. He said he had received telegrams and phone calls from both white and Negro leaders in practically every state praising the movement.

Commercial

Collection Taken

One Negro leader was quoted as sayingthe boycott has "put Negroes all over America on their feet."

Appeal

Most of Rev. King's remarks about the boycott were made during an announcement period preceding his sermon. P. 2

Following the regular offering, the plates were passed around again for a special offering to finance the boycott, with each member being urged to contribute at least a dollar. Most of them did and one 20-dollar bill was noted. Located downtown near the State Capitol, the church serves most of the professional and higher paid classes of Negroes in the city.

Rev. King said he is going to insist that the boycott not be exploited and htat money contributed to the cause is "properly handled."

Till Case Cited

He cited the Emmett Till case in Mississippi as an example of exploitation and said he does not intend to "get rich" filling speaking invitations when "our job is here in Montgomery."

The boycott was touched off after a Negro woman was fined $14 for refusing to move from a white section to a Negro section on a city bus.

National interest was sparked last week with the arrest and indictment of 100 Negro leaders of the movement, including 24 ministers.

The charges were brought under a 1921 law making it illegal for two or more persons to enter into a conspiracy to prevent a person or firm from carrying on a lawful business. Trials will begin March 19.

National Negro leaders have urged a March 28 sitdown strike by Negroes all over the country in protest to the mass arrests. King said Sunday he read about the proposal "with interest" but was not ready to comment on it.

Organization Of Stoppage Is Begun In New York

NEW YORK, Feb. 26.—(UP)—The first steps were taken Sunday toward organizing an hour-long nationwide work stoppage by whites and Negroes alike to mark the "deliverance day" demonstration set for March 28 in support of the Montgomery 2 to 3 p.m. the Wednesday before Easter for a nationwide hour of prayer for Montgomery Negroes.

However, the president of the Oklahoma chapter of the National Association for the Advancement of Colored People said he does not favor the idea of a national work stoppage.

Jimmy Stewart of Oklahoma City said special prayers and collections were being made for the Montgomery Negroes in 50 churches around the state, but that he does not believe the Oklahoma branch of NAACP will favor the "deliverance day" strike.

Stewart said the Oklahoma branch hasn't taken a stand on the question, but he personally believes "the Montgomery boycott fight would be helped more if we each sent an hour's wages down there, and I don't see why employers in other parts of the nation should be inconvenienced by such a sitdown."

Bus Seating Ruling Taken To High Court

Post & Times Herald P. 2 Washington, D.C.

Associated Press

The Supreme Court was asked yesterday in two appeals to overturn a decision hol[illegible] unconstitutional Alabama and Montgomery, Ala., laws requiring racial segregation of passengers on buses. 2-4-56

The appeals were filed by the Montgomery Board of Comissioners and by Alabama's Attorney General John Patterson on behalf of the State Public Service Commission.

They asked the High Court to reverse a decision by a special three-judge United States District Court June 5 which declared enforced racial segregation on Montgomery buses violated the Federal Constitution's guarantees of due process and equal protection of law.

The Montgomery Commissioners questioned the authority of the special court to act in the case. They said it should have dismissed the complaint filed by Negro attorneys on behalf of Negro bus riders, "or, at least, stayed it" pending action in a similar suit filed by Negroes in Alabama state courts.

State Denies Involement

"The evidence is undisputed," Patterson's appeal said, "that the Alabama Public Service Commission has never attempted or threatened to enforce the statutes and ordinances relating to segregation on buses operated by Montgomery City Lines, Inc. . . ." The Alabama Motor Carrier Act, he declared specifically provides that it does not apply to buses operated wholly within the limits of a city.

Negroes in Montgomery for months have conducted a boycott of the city's buses in protest against state and city segregation laws.

Court in Recess

The Supreme Court, now in summer recess, cannot decide whether to hear the case until after Oct. 1, when the new terms begins. If the justices decide to hear the case, each side will be asked to present briefts and make oral arguments.

Patterson's appeal added:

"The right of the passenger (on a bus) is only that of being carried safely, and with a due regard to his personal comfort and convenience. This cannot be done and peace and order maintained in Montgomery and other similar places if, by court degree, a Negro man is permitted to sit by a white woman. The Supreme Court should face squarely the truth and reality of that fact."

The appeal by the City Commissioners, filed by Attorney Walter J. Knabe of Montgomery, declared that "certainly be left to its own devices so

as public transportation if a fa[illegible] as police power and leg[illegible] islation are concerned."

State provides equal physical and equality facilities and other tangible factors, it should

Alabama Cleric Talks to NAACP

Eagle P. 1 Thurs. 3-22-56 Tulsa, Okla.

Rev. R. J. Glasco Says God is with Montgomery Negroes

By E. L. Madison, Jr.
Of the Eagle Staff

A minister charged with helping to spearhead the bus segregation boycott in Montgomery, Ala., told members of the Tulsa Branch of the National Association for the Advancement of Colored People Friday that "we are not worried and we know that God is working with us."

The Rev. R. J. Glasco, formerly of Muskogee, addressed the membership drive held at the Carver Youth center where over 500 members and friends of the Association heard him relate what he termed the true story behind the bus boycott.

Rev. Glasco said that for the most part the newspapers have not told the complete story of the Montgomery situation. In addition to all of the abuses of bus drivers to Negro passengers, he pointed to instances where drivers have deliberately driven away, leaving passengers who stepped down to let others off crowded busses.

He cited one instance where a driver became so abusive in his language to a Negro woman that a white woman passenger became embarrassed and got off the bus. This same white woman made editorial comment on the incident, it was reported.

Working Together

Eagle P. 6

"We in Montgomery are working together," Rev. Glasco toold the spellbound audience. He stressed the fact that the boycott in Montgomery is not a "one man show," but a situation involving the common men and women.

Attempts on the part of white leaders have been made to influence certain ministers to persuade Negroes to ride the busses again. "Before this would happen," said Rev. Glasco, "such a minister might meet disaster provided he made such an attempt."

The speaker made it clear that the common people, not the ministers, doctors, lawyers or businessmen, would give the signal to start using city bus facilities again.

He illustrated his point by saying.

"As long as we stick to the bunch, we won't get skinned." He referred a picture depicting a stalk of bananas all together on one side. The other side of the picture showed one banana un-peeled. This came about when the banana left the bunch.

Searching for Justice

Rev. Glasco declared that the Negro people of Montgomery are in search of justice without violence. Leaders in the boycott have urged members of their race to refrain from any form of violence at all times. The ministers and citizens at large believe that God is the answer to their problem.

"Every step we have made has been made with God on our side. He has been our legal counsel," Rev. Glasco further stated. He added that before the group takes a step on any phase of the matter prayer is used as a foundation.

Referring to the trial of the 90 Negroes indicted for instigating the boycott which opened Monday "as we go to court we sing a hymn to God." He said the Negroes of Montgomery would remain true to God and their native land.

The Alabama minister reported numerous "arrests" of Negroes wherein there were no real charges against them. He told of one case where a Negro was taken from his job in a parking lot and arrested on a vagrancy charge. An enraged judge told the arresting officer not to bring any more such ridiculous cases before him.

He also related an incident where a driver of one of the more than 200 cars made available by Negroes for working people was stoned by a policeman and charged with blocking traffic. The driver of the car had stopped, parked his car against the curb and was waiting for passengers.

Rev. Glasco said the bus company has refused appeals made by Negroes to hire Negro bus drivers. They have also refused to reach a "suitable" agreement with regard to the seating arrangement on buses.

Rev. King Hopes For "Peaceful" Bus Integration

Daily World Tues. 12-18-56 Washington, D.C.

WASHINGTON — (INS) — The Supreme Court reaffirmed Monday its ruling that racial segregation on intrastate buses is unconstitutional by denying Alabama's petition for reconsideration of the Montgomery bus case.

Boycott Leader Rev. Martin Luther King expressed hope "now that the city and state have exhausted all means of legally enforcing segregation," that Negroes will be able to proceed peacefully with integration on Montgomery buses.

And C. C. (Jack) Owen, president of the Alabama Public Service Commission said when the Supreme Court order is received, his commission, would release a new regulation pertaining to transit systems.

On Nov. 13, the high court upheld, without calling for arguments, a two-to-one district court decision that segregation on buses or other city or intrastate transportation is unlawful.

In its reconsideration plea, the State of Alabama argued that the federal government took away its police power.

Alabama authorities declared: "There now exists, a 'no man's land' in which the state, under the court's opinion, is powerless to protect property and prevent breaches of the peace which will inevitably result from the decision in this case."

ALABAMA ARGUES

The petition for rehearing argued that such issues have always been recognized as being covered by the states' police powers "and this has been the expressed opinion of many distinguished and learned justices who have heretofore sat on the Supreme Court."

Racial segregation on Montgomery buses became the focus of national attention earlier this year when Negroes in the Alabama city boycotted the transport system.

The court's November decision invalidated all state and local ordinances which enforce racial separation on local transport systems.

Attorney General Herbert M. Brownell, Jr., met with U. S. Attorneys from 13 states last week to discuss the Supreme Court decision. Brownell has expressed hope that local authorities and transport company officials will comply voluntarily with the court ruling.

EMERGENCY MEET

Meanwhile, Montgomery city officials called an emergency meeting to discuss the Supreme Court's ruling that racial segregation on interstate buses is unconstitutional.

W. A. Gayle, Mayor of the Negro-bus boycotted city, said he would meet with the rest of the city commission "as soon as possible."

ing of boycott leaders last night. The executive board of the Montgomery Improvement Association, the boycott's coordinating group, which King heads, met to discuss the decision.

King said the group would meet later to draw up recommendations to mass meetings of boycotters. He predicted the boycotters would vote to end their protest and return to city buses.

A similar boycott of segregated buses has been conducted by Negroes in Tallahassee, Fla. It began several months after the Montgomery protest started Dec. 5.

The Governors of Mississippi and Georgia, United States and State Senators, a State Attorney General and other officials were among those sharply criticizing the decision.

The Montgomery City Commission, named in the suit, had no immediate comment. President Jack Owen of the Alabama Public Service Commission said that "to keep down violence and bloodshed, segregation must be maintained."

With no immediate efforts reported of Negroes seeking to ride in the front parts of buses, there was no sign of violence here.

A caravan of about 40 carloads of robed Ku Klux Klan members toured Negro residential areas of Montgomery last night, horns blowing, but police said they had no reports of violence.

Gov. J. P. Coleman of Mississippi said that his state's segregation law "are not involved" in the decision and would still be enforced.

Bus Ruling Hailed, Criticized in Dixie

Post + Times Herald P. 27-a Thurs. 11-15-56 Washington, D.C.

MONTGOMERY, Ala., Nov. 14 (AP)—"We were badly treated on the buses, but now they've given us justice."

That was the reaction of a 78-year-old Montgomery Negro woman to the United States Supreme Court's decision yesterday that bus segregation is unconstitutional. The woman, Susie McDonald, and three other Negro women brought the suit that broke city and state bus-segregation laws.

White officials a cross the South took a strong stand directly opposed to hers.

Charges of unlawful interference with the states, common since the 1954 Supreme Court ban on public-school segregation, echoed again across Dixie.

Leaders of the 11-month-old bus boycott in Montgomery indicated the decision would bring the protest to an end, its purpose now removed.

Callinfi the decision "a glorious daybreak," the Rev. Martin Luther King Jr. said "everyone was very happy" at a meet-

38th Ala

Afro-American P. 17
Baltimore, Md.
Sat. 11-17-56

BUYS FIRST TICKET — Mayor Robert Wagner bought the first two tickets for a benefit concert to be held Dec. 5 at Manhattan Center to commemorate the first anniversary of the non - violent protest against bus segregation in Montgomery, Ala. Left to right: Mrs. Robert Wagner, Mayor Wagner, Mrs. Ralph J. Bunche and Mrs. Roy Wilkins, chairman of the committee. In front are Andy Levinson, 8, and Lynn E. Kilgore, 10. Mrs. Martin Luther King Jr., wife of the boycott leader, will appear as the featured artist.

Rev. King Tells Montgomery-ites Five Ways To Speed Integration

Call Fri 12-14-56 P. 13
Kansas City, Mo.

MONTGOMERY, Ala. (ANP)—The Rev. Martin L. King, this city's staunch leader of the successful year old bus boycott against segregation, told a packed church crowd here five ways of speeding up integration last week.

38th

Speaking at the opening of a southside Negro institute on passive resistance to Montgomery's racial segregation, the young minister and leader said Negroes can speed up the "inevitable end" of segregation by:

1. "We must continue to gain the ballot... one of the basic keys to the solution of our problem." He said both the Democratic and Republican parties have 'betrayed' Negro hopes.

2. "We must continue to struggle through legislation."

3. "We must donate large sums of money to the cause of freedom."

4. "Negroes must develop intelligent, courageous and dedicated leadership... one of the pressing needs of the hour."

5. "And, we must have the moral courage to stand up and protest injustice wherever we find it."

Rev. King declare that "Negroes should meet every act of violence toward an individual Negro with the fact that there are thousands of others who will present themselves in his place as potential victims."

"This dynamic unity, this amazing self-respect, this willingness to suffer and this refusal to hit back will soon cause the oppressor to become ashamed of his own methods," he stated.

The brilliant minister said the Montgomery example had taught Negroes to stick together to achieve their goals. He added "We have found a new an powerful weapon: non-violent resistance."

Rev. King said that for the success of the boycott the white people of the city must also be commended. He said if there had not been some discipline and moral sensitivity in the white community, we would have had much more violence in Montgomery

The 27-year-old leader said "Nobody has been able to convince me that the vast majority of white people in this community, or in the whole state of Alabama, are willing to use violence to maintain segregation. It is only the fringe element, the hoodlum element which could resort to the use of violence."

Rev. King told the overflow hymn-singing crowd that Negroes must continue to believe that the most ardent segregationist can be transformed into the most constructive integrationist, but he warned that the battle against segregation is far from won.

He said: "Segregation in America is still a fact. We confront it in the South in its glaring and conspicuous forms. We confront it in the North in its hidden and subtle forms."

Negroes Tell Of Bus Treatment At Trial

Herald P.1 B'ham, Ala.

BY ROBERT H. DENLEY

MONTGOMERY, Ala. — (INS) — Bitter, long-standing grievances over their treatment on Montgomery buses spilled forth from Negro witnesses Wednesday as the defense of one of their ministers, Rev. M. L. King, Jr., opened in Circuit Court.

As the prosecution rested its case against the 27 year old Baptist Negro minister accused of leading a bus boycott, the defense tried but failed to get an immediate verdice in favor of the defendant.

Rev. King is the first of 90 Negroes including 24 ministers, to go on trial in connection with the boycott that began on December 5.

All of the defense witnesses told of mistreatment or discourtesy on Montgomery buses and some said they stopped riding before December 5.

QUIT DEC 5

However, one witness—Mrs. Gladys Moore — said she quit December 5 and since then had gone to work by Taxi and returned home by car pool operated by an organization of which the Rev. King is president.

Circuit Judge Eugene W. Carter who is hearing the case without a jury, asked the witness.

"Why did you stop riding the buses on December 5 ?"

She replied:

"Well, nobody asked me to stop riding .....

The Judge cut off that answer and repeatedly asked Mrs. Moore why she happened to mention December 5 as the day to quit riding buses.. At one point she said:

"I stopped because we had been treated so bad through the years, we all decided to stop riding."

50,000 NEGROES

Judge Carter asked Mrs. Moore whom she meant by "ALL." the witness answered: "All of us—All 50,000 of Montgomery's Negroes."

The courtroom's predominantly Negro audience burst into applause. Judge Carter sternly warned that if there was recurrence of the demonstration he would send someone to jail for contempt.

"I kiow you have feelings," the Judge said, "But the courtroom is not the place to vent them."

The answer that finally satisfied Judge Carter as to why Mrs. Moore stopped riding buses on December 5 was:

"That was the day they had the trial for Mrs. Rosa Parks."

Montgomery's 16 week bus boycott apparently was triggered by Mrs. Parks' arrest after she refused to move from one seat to another when ordered to do so by the bus driver.

HANDBILLS USED

Although no testimony in this trial has shown it, handbills reportedly were circulated among the Negro population setting December 5 as the date for a boycott.

Richard S. Jordan, who also is under indictment, testified that he rode street cars or buses for nearly 20 years until last November and added:

"Many, Many times I have had unpleasant experiences on buses."

A chief resentment brought out in his —as well as other testimony was against being called "Nigger" by bus drivers.

Jordan said:

"Anywhere you can find a Negro in Montgomery, you can find someone dissatisfied with the bus service."

Mrs. Della Perkins, another witness, said she last rode a bus December 3. that was the day, she testified, when a bus driver told her:

"Get back to the back, you black ape."

She said she asked for her money back, was refused and got off the bus to walk.

Another witness, Mrs. Georgia Gilmore said she quit riding buses last October when having paid her fare at the front of the bus, the driver said:

" Go out Nigger and go around to the back door."

When she left the bus, she testified the bus driver drove away without her. She said:

"I decided then and there not to ever ride a bus again.

"I did not mind going around but he said, 'Nigger' and I resented his tone because I paid a fare and when they count the fares, they don't know if it is colored money or white money."

The state ended its case at midmorning with the testimony of Mayor W. A. Galye who said he attended about 20 conferences designed to settle the boycott. He testified he adoped a so-called "get tough" policy in late January because "nothing else could be done by the city to end the boycott."

Immediately after the state completed presentation of its case, defense counsel moved for a directed verdict of not guilty. Attorney Fred Gray argued that the state "has utterly failed to produce one Iota of evidence sufficient to support a conviction."

State Heading Toward Close In King Case

Advertiser Wed. 3-21-56 Montgomery, Ala. P.1

Prosecutors Attempt To Show Conspiracy Behind Bus Boycott

By TOM JOHNSON AND FRANK McARDLE

The state yesterday continued a battle to link the Rev. M. L. King, Montgomery egro minister, to the bus boycott and to establish a conspiracy to boycott the bus lines.

A final round of state witnesses is on the agenda for early this morning before Negro defense lawyers take over.

As the state hammered on the violence which has erupted in the boycott, a Negro woman Beatrice Jackson, 1501 W. Fifth St., testified a Negro man, identified only as "Sheet," warned her to stay off the buses and then hit and cut her.

HELD AS WITNESS

The woman was held as a witness after defense attorneys asked that the man who hit and cut her be brought into court.

Another Negro, Willie C. Carter, told of threats because he had ridden the buses of the Montgomery City Lines but Judge Carter ordered the testimony thrown out because no connection was shown between the incident and the Montgomery Improvement Assn., sponsors of the boycott.

K. W. Jones, a city detective assigned to the circuit solicitor's office, told of the car pool organization of the MIA and named several people who had operated cars for the improvement association. These included Fletcher Smith, Burr McEverhart, W. H. Johnson, Mathew Kennedy, Walter Smith and the Rev. S. Heard. He named the North McDonough, Monroe Street Parking lot, Maxwell's main gate and the Holt Street Baptist Church as pickup points.

RIGHTS QUESTIONED

Defense attorneys questioned the detective's rights to stop cars and his activities in the investigation. Jones told he had examined banks records of the group under a subpoena of the circuit solicitor.

Testifying their buses had been nit by thrown objects or gunfire were George Henderson, J. B. Gardner, C. A. Bedsole and A. E. Beasley, all Montgomery City Lines bus drivers. Henderson said his bus was shot at six times and hit twice in Washington Park Dec 6. Gardner said a bullet was fired at his bus in Boylston Negro section. Bedsole said a brick was thrown through a bus window Dec. 8 in Washington Heights. Beasley said a rock was thrown at his bus Dec. 10 on the Boylston route.

Joe Azbell, city editor of The Advertiser, testified he had covered the boycott from its inception and, making references to stories he had written, told of statements and incidents. He testified he was present when Negroes voted to approve a resolution to continue the bus boycott on Dec. 5 at the Holt street church. He also told of the first buses being boycotted on the morning of Dec. 5. On cross examination by Negro attorneys, he said he had not been threatened at any meetings.

He added that when a Negro group of 100 became angry following a bombing at the home of the Rev. King, the minister came out on the porch and appealed to the group to leave and "not get panicky and not to get your weapons." He said in all meetings he had covered there had been appeals for non-violence sounded.

Ealier witnesses testified the Montgomery Improvement Assn., which was organized on the day the boycott began, arranged the agenda of the first mass meeting and later handled the funds to support the boycott.

Judge Carter at one point indicated that the state's task for the remainder of the trial is not to show that a conspiracy existed but to link it with King.

CASE ESTABLISHED

"A prima facie case of conspiracy has been established," Judge Carter said.

As on the first day, the state often had difficulty yesterday with its own witnesses, supposedly but actually closer to "hostile" at times.

Many of these witnesses have been prominent figures in the boycott movement who might have been subject to indictment themselves had the state not elected to use them as witnesses.

Most of them testified grudgingly.

One of the most difficult for the state was another of its own witnesses, the Rev. U. J. Fields, pastor of Bell Street Baptist Church.

WISP OF GOATEE

Fields, an evasive young Negro with a mustache and a wisp of a goatee, gave answers which at one point drew an admonition from Judge Carter.

Admitting that he had attended several mass meetings, Fields insisted he could not recall if the bus boycott had ever been discussed.

Deputy Solicitor Robert B. Stewart asked Judge Carter to declare Fields a "hostile witness," a move that would have given the state the right to challenge the truthfulness of its own witness.

Instead, the judge admonished Fields to "tell the truth" about cussed at the meetings.

"You know whether it was or not," he said. "Now tell the truth."

'I DON'T SWEAR

Fields, when first called as a witness, refused to swear to the customary witness oath, saying, "I don't swear. It's against my religious convictions." But he promised to tell the truth and the judge accepted that.

Fields, as secretary of the improvement association, kept minutes of the organizational meeting on the afternoon of Dec. 5, but balked at answering questions about subjects not covered in the

minutes.

Asked how he was informed there was to be a meeting, Fields said he received a phone call from an unknown person. He said he did not recall who presided at the group."

He also professed not to know the purpose of the meeting.

He said his minutes did show the election of officers, including King as president, and the appointment of a resolutions committee, including a man named Gray. Fields said he could not say whether that was Atty Fred D. Gray, one of the defense witnesses.

COULDN'T RECALL

He was questioned about the words "transportation committee" which appeared in his minutes. "The words don't make sense to me now," he testified.

He said he could not recall whether the boycott was discussed at the first meeting of the improvement association, which grew out of a meeting of the Interdenominational Ministers Alliannce, a group of Negro clergymen.

The state attempted to show that the resolutions read at the first mass meeting at the Holt Street Batist Church on the night of Dec. 5 were prepared during the afternoon of that day by a committee of the association.

Fields was asked who prepared the agenda of the mass meeting. He replied: "Memory does not serve me well enough to answer."

He gave the same reply when asked if the agenda was put together during the afternoon before the meeting.

Fields did admit that he testified before the grand jury that an agreement was reached at the afternoon session to continue the boycott until "conditions improve."

(Negro leaders have maintained the boycott was continued indefinitely because of the "spontaneous" mood of the crowd at the meeting which followed the afternoon session.)

Rufus Lewis, chairman of a transortation committee appointed by the improvement association, described in detail how protesting Negroes have been transported during the boycott.

He said approximately 43 pick-up and dispatch stations were set up to accommodate persons who couldn't get transportation otherwise. About 200 private cars are used, he said, and drivers are paid $4 a day.

Lewis was asked if the improvement association had done anything besides promoting the boycott. He answered "yes" and mentioned that committees on registration and voting and on establishing a bank had been appointed by the association.

"Were all the committees set up after the indictments?" he was asked.

"I don't think so," said Lewis.

He answered "yes" when asked if Negroes had been urged not to ride the buses at the mass meetings.

The state called the operators of several service stations with which the association arranged to buy gas.

STATION OPERATOR

Among them were John L. Oliver, oerator of a station at 772 Holt St.; Joe Foster of Darby Service Station; Hezekiah Nunn of Day St. Service Station; and D. W. Williams.

All of them testified they were approached by a committee of "two or three," were told to sell gas to certain drivers and to take the drivers' tag numbers for identification.

All but Williams said they had never before seen the committee. Williams testified one of the men who approached him was the Rev. W. J. Powell, one of the indicted ministers.

The service station oerpators said they were paid every "two or three days."

Erna Dungee, financial secretary of the improvement association who was first called as a witness Monday, concluded her tekstimony yesterday morning.

Like many of the other witnesses, she professed not to know many of the details of the organization, including its financial status.

She said she didn't know the present bank balance of the improvement association, either in Montgomery or Atlanta, where the group also has an account. To the questions on finances she gave such answers as "I have no idea," "I don't remember," "I don't know," and "I can't tell you that."

She said the headquarters of the improvement association is now at the Citizens Club, where it was moved from the Alabama Negro Baptist Center.

The woman said the association has performed no direct function besides supporting the bus boycott and has sent no money "directly" for any other purpose.

Appeal on Bus Decision Fails

City of Montgomery and State of Alabama Lose

Times Picayune

BY KARL R. BAUMAN

WASHINGTON, Dec. 17 (AP)—The supreme court Monday rejected pleas by Alabama and the city of Montgomery for reconsideration of its Nov. 13 decision banning racial segregation on local buses.

New Orleans

The court thus disposed of the last preliminary to the sending out of official notice of the ruling.

Sun 12-18-56

This notice will be mailed in two or three days to a special three-judge United States district court in Montgomery which ruled that segregation violates the constitution. The supreme court on Nov. 13 affirmed that ruling.

While the ruling was limited to Alabama and Montgomery, it established the law to be followed by lower federal courts wherever the issue may arise again.

New Action by State Hinted

Segregation in Montgomery caused a long boycott of buses by Negroes, leaders of the boycott have announced plans to end it when bus service is integrated.

Jack Owen, head of Alabama's pubilc service commission, hinted after Monday's decision, however, that new action may be taken to preserve the present system of separate seating arrangements for white and Negro bus passengers.

Owen said at Montgomery the commission will issue an order designed to "preserve peace and harmony" on the buses. He declined to go into details but left no doubt it would be an attempt to maintain separate seating.

Negro Leaders Rejoicing

The high court's refusal to reconsider the case brought rejoicing from Negro leaders but left Mayor W. A. Gayle of Montgomery with "no comment" for the time being.

In asking the court to reconsider, the city said the Nov. 13 decision left "vital" legal questions unanswered.

The court also denied Monday for a second time a petition for review of the trial of Dr. Samuel H. Sheppard, Cleveland osteopath who is serving a life sentence for the slaying of his wife. The original denial was announced Nov. 13. Dr. Sheppard's counsel, in asking the second time for a review, contended a "Roman holiday" atmosphere had surrounded the trial.

Other Decisions

In other actions Monday the court:

1. Authorized a temporary increase up to 8500 cubic feet a second in the flow of water from Lake Michigan into the Illinois-Mississippi waterway. The permanent base flow is 1500 cubic feet a second. The increase of 7000 cubic feet, which will remain in effect through Jan. 31, was authorized due to an emergency in navigation caused by low water in the Mississippi river. Should further action be required, the court directed that justice Burton act for it.

2. Ruled unanimously that an Arkansas law requiring the licensing of building contractors cannot be appealed to contractors on government projects. Subjecting a federal contractor to the state license requirements, the court said, would "frustrate the expressed federal policy of selecting the lowest responsible bidder."

The case reached the court on a report by Leslie Miller Inc. of Fort Wort, Tex., which built facilities at Little Rock Air Force base under a federal contract. Later the firm was fined $200 on a charge of engaging in business without authority from the state contractors licensing board.

3. Agreed to review a decision upholding a dual price system for gasoline sales used by the Standard Oil Co. (ind.) in the Detroit area.

NEGRO LEADERS PLAN INTEGRATION 'PEACE'

Commercial Appeal Sat 12-15-56 Memphis, Tenn.

Montgomery Ministers Urge Non-Violence On Buses

MONTGOMERY, Ala., Dec. 14.—(AP)—Negroes awaiting the end of bus segregation in Montgomery are being schooled by their leaders to remain peaceful "even if others strike first."

And to guide them, Rev. Ralph D. Abernathy disclosed Friday an effort will be made to have a Negro clergyman or civic leader aboard every bus day and night during the early stages of integration.

The Supreme Court has ruled city and state bus segregation laws unconstitutional but the formal order has not been issued pending action on a request for city and state authorities for a re-hearing.

If the court acts on the rehearing petition Monday, the integration notice may reach Montgomery later next week.

Meanwhile, Rev. Abernathy said as many as 1,000 Negroes are attending weekly classes designed to "prepare our people for the return to the buses and for integration in general." He did not elaborate on the latter.

The weekly instruction periods, held in Negro churches, are conducted by the Montgomery Improvement Association, the organization which has directed the long mass Negro boycott against segregated city buses. Abernathy is vice president of the group.

Ministers and other MIA leaders along with officers of civic clubs and volunteers in each neighborhood are acting as instructors, the Baptist minister said. Besides weekly classes, Negro civic clubs also are urged to spread the doctrine of non-violence.

THE WALK GOES ON

Daily World
Atlanta, Ga.
Sat. 5-12-56

Federal Court Hears Montgomery Bus Case

MONTGOMERY, Ala. — Montgomery's mayor, who declared segregation's end would bring "Bloodshed", was ask to reveal his formula for knowing yesterday as Negroes opened their attack in federal court on city and state bus segregation laws.

Mayor W. A Gayle testified a breakdown in the segregation laws would bring "violence and bloodshed," as his attorneys moved for dismissal of the case

Negroes have staged a boycott of the City bus line for several months over the alleged cruel treatment of Negroes. The line has sought to remove racial barriers, but were later ordred by the state to replace them.

Atty. Gen John Patterson, acting for the Alabama Public Service Commission, and Walter Knabe, on behalf of the city of Montgomery, asked the dismissal, contending the three-judge Federal court does not have jurisdiction.

THREATENS ARRESTED

Mayor W A. Gayle took the stand Friday to declare:

"We'll arrest anyone who breaks the law, regardless of race, color or creed."

The plaintiffs, four Negro women, claim they were forced to give up seats on the buses to white persons. Two of them said they were arrested for failure to relinquish their seats.

Gayle said that any breakdown of segregation barriers in Montgomery would "lead to violence and bloodshed in this city."

When asked by one of the six Negroes attorneys for the plaintiffs how he knew there would be violence, he replied:

MY DUTY

It is my duty to anticipate violence and disorder and not to wait until it happens "

State and city attorneys, in asking the dismissal, argued that the suit was brought against a city ordinance and not against the statutes of the state of Alabama They contended the case should be tried in a state court.

END SEGREGATION

The women are asking an end to raccial segregation on Montgomery buses The case is an outgrowth of the six-months-old boycott of the buses by Negroes, marked by violence in its early stages last December

City attorneys contend that Negro leaders originally asked a different seating arrangement, rather than an end to segregation

The case was further complicated by an order from the National City Lines Inc., of Chicago Parent Co, of the Bus Firm, which ordered an end to segregation on the buses earlier this week.

The State Court yesterday ordered the Bus Company to comply with state segregation laws.

Presiding Judge Richard T. Rives said he did not believe there was any chance for an immediate decision in the case. He added that the three judges would have to "study and deliberate" on the evidence because this is an important case."

Knobe argued for an injunction to compel the bus company to enforce the city segregation laws on the Montgomery buses.

Knobe said that the bus company seemed to be more "interested in avoiding lawsuits than in public safety on buses."

The city called to the witness stand Clyde Sellers, police commissioner and an acknowledged member of the White Citizens Council.

* * *

"PUBLIC SAFETY and public health will be jeopardized and the future existence of the bus transportation here will be threatened if the segregation barriers on the buses were broken down," said Sellers.

In asking that the injunction petition be dismissed the bus company attorney cited the Fourth U.S. Circuit Court of Appeals ruling in the South Carolina bus case as an example that segregation was unlawful.

Afro-American
Baltimore Md.

He stated that "greater danger of physical disturbances" would result in the continuance of the segregation policy.

Sat. 5-12-56

HE POINTED out that the visement and said that he would give his decision in about three days.

ON MAY 11, the city and bus company are defendants in a case filed by the Montgomery Improvement Association on behalf of four Montgomery residents challenging the constitutionality of the bus segregation law.

A three-judge Federal Court will hear the case.

END INTEGRATION BUSLINE IS TOLD

Times-Picayune
New Orleans

Alabama Court Says Segregation Not Outlawed

Thurs. 5-10-56

MONTGOMERY, Ala., May 9 (AP) — Holding that the Supreme Court hasn't outlawed bus segregation yet, Circuit Judge Walter B. Jones directed Montgomery City Lines today to abandon its new integration policy.

The state court jurist ruled that nothing in the U. S. Constitution gives the federal government the right to prohibit the states from segregating bus passengers in intrastate transportation, and that the Supreme Court has taken no clear-cut stand against such segregation.

He held Montgomery city and Alabama state segregation laws constitutional and ordered the bus company to "comply and abide" with them.

In Chicago, Benjamin W. Franklin, vice-president of National City Lines, parent firm of Montgomery Bus Company, said, "We will obey the injunction, of course."

Franklin said no decision has been made on what, if any, future legal steps might be taken by the company.

Jones' decision granting an injunction against further compliance with the bus company's recent integration order came at the request of the city of Montgomery, whose officials and attorneys predicted rioting and other violence if the segregation laws are broken down.

The judge took note of that threat and observed in his written order:

"A situation of tension and unrest has been created in the city of Montgomery, which is likely to explode into violence at any time, if not restrained."

Most Montgomery Negroes have boycotted city buses for nearly six months, even despite the company's instructions to its drivers to refrain from enforcing the segregation laws.

Segregation Hearing Ends In Alabama

Courier-Journal
Louisville, Ky.
Sat. 5-12-56

No Decision Given In Bus-Law Suit

p. 2

Montgomery, Ala., May 11 (AP) —The three-judge panel in Federal Court completed a one-day hearing on city bus segregation this afternoon and adjourned without announcing a decision.

The judges gave no indication when the decision would be announced.

Two of the three judges agreed in observations from the bench, however, that there has been no Supreme Court decision as yet on the constitutionality of City and State segregation laws on bus travel within a state.

Judge Richard T. Rives of the Fifth United States Circuit Court of Appeals and District Judge Seybourn Lynne of the Northern District of Alabama said they do not construe the April 23 Supreme Court ruling as a decision on the merits of bus segregation within a state.

The third member of the panel, District Judge Frank M. Johnson, Jr., of the Middle District of Alabama, didn't comment.

Filed by 4 Woment

The hearing was on a suit filed by four Negro women contesting the racial barriers on city buses as unconstitutional.

City attorney Walter Knabe and Alabama Assistant Attorney General Gordon Madison argued that no matter what the Supreme Court may have done in other fields, it has not yet overturned the old doctrine of separate-but-equal facilities in city bus transportation.

Negro attorney Robert Carter of New York insisted, on the other hand, that the separate-but-equal theory "has been overturned" by the Supreme Court in every other field and also perhaps in city and intrastate transportation.

It was at that point that Rives, presiding over the hearing, said that in his opinion the Supreme Court hasn't decided the issue, and Lynne added, "That's my opinion, too."

Bem Price of the Associated Press writes about the Negro's situation in the North in tomorrow's Passing Show.

Mixed buses safer, Ala. court told

Afro-American
Baltimore Md.
Sat. 5-12-56

By AL SWEENEY
AFRO Staff Writer

MONTGOMERY, Ala. — "Continued segregation on local bus lines will result in greater danger of public disorder and subject the bus company to repeated prosecution under the civil rights laws."

So declared Robert Thrum of Chicago, an attorney for the Montgomery City Lines, Inc., Thursday.

The bus company was hailed into the Montgomery County Circuit Court by city officials for issuing an order to its bus drivers not to enforce segregation on the buses.

* * *

CITY ATTORNEY Walter Knabe said that the bus company had suffered heavy losses during the five-month bus boycott and if segregation on the local buses is continued the company would face numerous law suits.

"This would mean unbearable cost through court litigation," Thrum added.

HE SAID that the National City lines, operators of the Montgomery system, had carefully considered city laws and customs before issuing the order.

He pointed out that other southern cities operating as subsidiaries have ordered discontinuance of segregation on buses in line with the national firm's regulation.

Circuit Judge Walter B. Jones took the arguments under ad-

Court Ruling Expected Today Waited on Bus Segregation

Atlanta Ga.
Sat. 5-12-56

MONTGOMERY, Ala., May 11 (AP)—The three-judge panel in federal court completed a one-day hearing on city bus segregation this afternoon and adjourned without announcing a decision.

It gave no indication when the decision will be announced.

Four Negro women had brought suit contesting racial barriers on the buses.

Two of the three judges agreed in observations from the bench, however, that there has been no Supreme Court decision as yet on the constitutionality of city and state segregation laws on bus travel within a state.

Judge Richard T. Rives of the 5th U.S. Circuit Court of Appeals and Dist. Judge Seybourn Lynne of the Northern District of Alabama said they don't construe the Supreme Court ruling as a decision on the merits of bus segregation.

Major Airlines Drop Color Bar In Flight Jobs

Defender p.3
Sat. 10-13-56
Chicago Ill.

NEW YORK — (INS) — Major airlines operating in New York state have opened the door to the employment of Negroes as flight personnel.

A joint statement has been issued here by the chairman of the State Commission Against Discrimination, Charles Abrams and representatives of 18 lines including most of the nation-wide firms.

The statement said the airlines would not solicit personnel from agencies or schools which "discriminate in the referral of job candidates."

It "reiterated" a policy of non-discrimination.

"The airline representatives and members of the commission agreed to meet in further conferences for fulfillment of these objectives," the statement added.

At the present time no Negro pilots, stewardesses or other personnel fly for any regular airline in the U. S.

Bus Boycott Activity Echoes With Negro Minister's Arrest

Commercial Appeal Memphis Tenn. P. 19

By The Associated Press

MONTGOMERY, Ala., March 25.—A Negro minister who testified during the bus boycott trial last week was charged with disorderly conduct Sunday because he refused to obey an ouster order voted by "a particular group" within his congregation.

Rev. U. J. Fields said he was ordered to relinquish the pastorate of the Bell Street Baptist Church because a "particular group does not believe in taking a stand on what our people are pressing for."

Mar. 3-26-56

Fields, 25, was released under $100 bond after being arrested Sunday morning at the church on a warrant sworn out by George Durden, a deacon in the church. He will be given a hearing in city police court Friday.

Durden said the congregation voted to remove Fields from the pulpit solely "in the interest of peace and harmony within the church." He said the removal order was not connected with Fields' activity in the prolonged bus boycott here in protest to racial segregation.

Pressure Is Charged

But Fields charged that "pressure was put on some of my parishoners from outside" because of his "progressive" stand on racial questions.

"I do have a faction in my church who disagree and many of them can be used by outsiders," the Negro minister said.

Fields testified before the Grand Jury which returned indictments against almost 100 Negro leaders for taking part in the 17-week-old bus boycott.

He was also called by the state as a witness last week during the trial which ended in the conviction of Rev. M. L. King, another Negro Baptist minister, for violating Alabama's anti-boycott law.

Equal Rights Battle Urged By Minister

NEW YORK, March 25.—(UP) —Rtv. Martin Luther King Jr., Negro minister convicted as a leader of the Montgomery, Ala., Negro bus boycott, said Sunday that such a campaign could be used by Negroes everywhere in their struggle for equal rights.

The 27-year-old Baptist minister spoke at a meeting held in his honor in the Concord Baptist Church in Brooklyn, which has a largely Negro membership. The meeting was sponsored by the Brooklyn chapter of the National Association of Business and Professional Women.

"This is a protest of passive resistance depending upon moral and spiritual forces," King said. "It is non-violent. Our only weapon so far—and it will go on being our only weapon—is love, love and passive resistance."

That method can be used by Negroes everywhere, he said, defining the method as "to refuse to co-operate with injustice."

"We've come a long way but we've still got a long way to go," he said. "We are far from the promised land of justice and freedom in both the North and the South."

In the North, King said, injustices are hidden and subtle.

Charges Withdrawn Against Pastor

Star P. 2-A

MONTGOMERY, Ala., Mar. 31 (AP).—A disorderly conduct complaint against a Negro minister who testified during the bus boycott trial here has been withdrawn, City Judge Luther B. Waller said yesterday.

Mar. 31-56

The charge was brought against the Rev. U. J. Fields after a group within his church asked him to resign as pastor.

Washington, D.C.

Mr. Fields said a "particular group" at the Bell Street Baptist Church sought to force his resignation because they opposed "taking a stand on what our people are pressing for."

The case had been scheduled for trial in Judge Waller's court yesterday.

George W. Durden, a deacon in the Bell street church, signed the warrant charging the 25-year-old pastor with disorderly conduct.

Court records showed that Mr. Durden withdrew his complaint against the minister and agreed to pay court costs. Mr. Fields had been free under $100 bond.

Pastor Resigns in Protest

Herald P. 11-A

Bus Boycott Funds Misuse Charged

Wed. 6-13-56

Miami, Fla.

MONTGOMERY, Ala. —(AP)— A Baptist preacher said that leaders of the Negro protest against bus segregation here have been playing fast and loose with boycott funds.

The Rev. U. J. Fields did not specify any individual members of the Montgomery Improvement Assn., set up to coordinate the boycott for the city's 50,000 Negroes, but declared in resigning his post as recording secretary:

"All the money coming in here for transportation is not being used for that." He did not elaborate.

Officials of the MIA quickly denied any financial misconduct.

"No money received by this association has been misappropriated," said Dr. Moses W. Jones, second vice president.

"Definitely false," said the Rev. R. J. Glasco in referring to Fields' accusations. Glasco is chairman of the MIA finance committee. Glasco's comment was echoed by C. W. Lee, the organization's assistant treasurer, and by Mrs. Erna Dungee, the financial secretary.

Fields, one of the MIA founders, also said "I no longer can identify myself with a movement in which the few are exploiting the many."

The 25-year-old Negro minister said boycott leaders "have become egotistical and interested in perpetuating themselves."

"Individuals who are handling" money contributed throughout the nation to support the boycott "are using it for selfish purposes," he said.

MIA officials termed Fields' criticism "simply another attack designed to hinder our protest movement."

The MIA has been paying about $3,000 a week to provide car pool transportation for the bus boycotters.

Deacon Acts Against A Boycott Leader

World-Telegram P. 3

By The Associated Press.

MONTGOMERY, Ala., March 26.—A deacon has filed disorderly conduct charges against a Negro bus boycott leader because he refused to give up his pastorate.

Mon. 3-26-56

The Rev. U. J. Fields, 25, was arrested by city detectives at the Bell Street Baptist Church yesterday on a disorderly conduct warrant sworn out by Deacon George Durden.

New York

$100 Bond.

Mr. Fields posted a $100 bond and was freed pending a hearing Friday.

N. Y.

Mr. Fields, who testified during the boycott trial last week of Baptist Minister Martin Luther King Jr., said a "particular group" in his congregation voted to remove him because they "do not believe in taking a stand on what our people are pressing for." But Mr. Durden said the action to remove Mr. Fields was not connected with his boycott activity

38b 1956 ALABAMA REV. U.J. FIELDS
MONTGOMERY, ALA., BUS BOYCOTT

One Boycott Minister Ousted

Defender Chicago, Ill Sat. 4-7-56

MONTGOMERY, Ala. — (ANP) — The Rev. U. J. Fields, 25, pastor of Bell Street Baptist church was arrested on a disorderly conduct charge brought by one of the church's deacons.

Rev. Fields was a unique witness in the recent trial of Rev. Martin Luther King, who was convicted of leading the boycott in Montgomery. P. 2

Fields refused to take an oath before testifying, stating that oaths are against his religious beliefs.

After his arrest, he said that a "particular group" in his church is seeking his removal because they "do not believe in taking a stand on what our people are pressing for."

Deacon George Durden, who swore out the warrant, denied the action had anything to do with Field's boycott activities, but contended they were to "keep peace and harmony" in the church.

Durden refused to state what Rev. Fields had done to bring the demand for his resignation.

Fields blamed his troubles on "outsiders" who oppose his anti-segregation activities.

Fields retracts charges on misuse of bus protest funds

Afro-American Sat. 6-30-56

Baltimore, Md.

MONTGOMERY — "To acknowledge and confess the statement I made was not a statement of truth." P. 3

This was the reason the Rev. U. J. Fields gave last week for his appearance before a mass meeting and his apology for his attack on the Montgomery Improvement Association — the group spearheading the bus protest.

The Rev. Mr. Fields, former recording secretary of the group, had previously been quoted as saying that funds of the MIA were being misappropriated and its leaders were subordinating the anti-segregation protest to personal in-

Both charges were denied by MIA officials and their denial was followed by the Rev. Mr. Fields' ouster as pastor of the Bell St. Baptist Church by a membership vote of 40-0.

In apoloziing for the charges, the Rev. Mr. Fields told the mass meeting:

"To my knowledge, money sent to the organization has been used only for the purpose of transportation.

"I have no evidence at all that will allow me truthfully to say that money sent to the organization has not been brought back to the organization," he said.

The minister was introduced by the Rev. M. L. King, president of the MIA, who asked the audience to be forgiving toward Fields.

"Let he who is without sin cast the first stone," he added.

In Montgomery, Ala.

Courier Pittsburgh, Pa.

Pastor Apologizes

MONTGOMERY, Ala. — (ANP) — A young minister who was voted out of his pulpit after he charged that leaders of the Montgomery bus boycott were guilty of misconduct, withdrew the accusations and apologized to them last week.

The minister said that he had made the accusations while in a state of "anger and passion."

The Rev. U. J. Fields said he had "no evidence" for the charges. Sat. 6-30-56

The minister had charged that funds being contributed all across the nation to provide car pool transportation for boycotters were being misappropriated "for selfish purposes," and that Montgomery Improvement Association leaders had put personal interests before the anti-segregation movement by the city's 50,000 Negroes. P. 2

The proposal to accept the pastor's apology was made by the Rev. Martin Luther King Jr., president of the MIA.

First Bus Boycott Trial Delves Into Finances

World-Telegram + Sun
N.Y. Sun 3-21-56

By the United Press.

MONTGOMERY, Ala., March 20.—The prosecution in the trial of the first Montgomery bus boycott defendant hammered today at the financial affairs of the Montgomery Improvement Assn., an all-Negro organization formed after the boycott began 14 weeks ago. P. 2

New York, N.Y.

The 90 defendants, including the Rev. M. L. King, 27, who is being tried first, are accused of conspiracy to enforce an economic boycott, in violation of a little-used 1921 law. Mr. King is president of the MIA.

As the second day of the trial opened, the state called Stuart Patton, a Montgomery bank official, who identified photostatic copies of deposits and check withdrawals of the MIA at the Alabama National Bank of Montgomery.

Checks Identified.

Mrs. E. A. Dungee, financial secretary of the association, took the stand and identified a series of checks made out by the MIA as payment to automobile drivers and for gasoline. Most of them were for about $24.

The state is seeking to establish that a conspiracy existed in the wholesale private transportation of Negroes to jobs in private automobiles during the bus boycott.

Assistant solicitor Frank Stewart also questioned Mrs. Dungee about her attendance at the various mass meetings of Negroes that have marked the bus boycott.

She testified she attended the first meeting Dec. 5 but "only managed to get into the rear of the church." She said she wasn't sure whether Mr. King was present at that meeting.

Jour. 3-20-56

"Were you there when the money was taken up?" Mr. Stewart asked.

"Yes."

Put Into Account.

"Was the money taken up at these collections deposited to the (account of) the Montgomery Improvement Assn?"

"I'm sure it was."

J. H. Bagley, manager of the hard-hit Montgomery city bus lines, said the boycott was 90 to 95 percent effective. Most of the passengers had been Negroes. Loss of fares plunged the company into economic chaos, he said.

Bus Boycott Spontaneous, King Says

Defender P. 1
Sat. 3-31-56
Chicago, Ill.

MONTGOMERY, Ala., — The Rev. M. L. King, Jr., was found guilty Thursday of conspiring to sustain Montgomery's long bus boycott, and fined $500.

Judge Eugene W. Carter, who made the decision in the jury-less trial explained he reduced the punishment well below the maximum in recognition of the minister's attempt to prevent violence during the boycott that begin last Dec. 5.

The trials of 89 others on similar charges were postponed pending the Rev. King's appeal to the State Supreme court.

King, who was released immediately under appeal bond, told newsmen:

"This will not diminish in any way the interest in the bus protest. We will continue the protest in the same spirit."

"I have not asked anyone to refrain from riding the busses. My theme has always been to let your conscience be your guide."

Solicitor William Thetford, on cross examination, asked: "Did you have anything to do with calling the boycott?" The Rev. King, a native of Atlanta, Ga., replied:

"No, I did not. It was a spontaneous thing. When I heard about it, it had been started.

Thetford said that it was the state's understanding that the pamphlets circulated called a one-day boycott which the MIA was organized to extend, and asked "isn't that true?"

The Rev. King replied: "No."

The defendant said he could not recall who wrote three demands for a change in bus service which were presented to city officials stating:

Chicago, Ill.

"I think they came out of the mass meeting of more than 4,000 people."

Those proposals asked for more courtesy by bus drivers, a segregated seating arrangement on a first come, first served basis and employment of some Negro drivers. The Rev. King denied that he had ever rejected or accepted any compromise proposals to end the 10-week boycott.

28 OTHER WITNESSES

Estella Brooks, one of 28 witnesses called by the defense, told of her husband being shot and killed by policemen in 1950 after an argument with a bus driver. Her testimony was ruled out of the record because she was not present at the shooting.

The witnesses cited examples of abuse or discourtesy in defense of the Rev. King.

Solicitor William Thetford, who rested the state's case Wednesday, said he intends to produce rebuttal testimony, "probably" bringing back bus company manager J. H. Bagley to tell what has been done to answer Negroes' complaints in the past.

The 100-year-old courtroom was packed as it had not been since the trial began last Monday. Murmers of approval rolled through the predominantly Negro audience on several occasions and once spontaneous applause broke out when a witness said "all of us—50,000 Montgomery Negroes—decided to stop riding the buses."

MRS. PARKS' HUSBAND

One of the last witnesses was R. A. Parks, husband of the seamtress whose arrest for refusing to move to another bus seat led to the boycott. Parks said he last rode a bus on Dec. 5, to go to his wife's trial. In reply to cross-examination, he stated:

"I quit the buses because they don't have anything I want. I don't want to ride them."

One of the few other defense witnesses cross-examined was Rosa Lee Murray, who said she stopped riding on Dec. 5 because "I thought if the other Negroes could stop I could too."

"How did you know the others were stopping?" asked the solicitor. She said, "I saw it in the newspaper."

ATTENDS MASS MEETING

She told of attending mass meetings and of hearing the Rev. King speak but remembered only that the minister said "it was everybody's pleasure to ride or not ride the buses."

The state has attempted to show that the Rev. King as president of the MIA conspired unlawfully with others to boycott a business.

One defense witness, Mrs. Martha Walker, told of one incident when a bus pulled off too quickly, catching her blind husband's foot in the door. She managed to pull him loose and she testified, "the bus driver never even slowed down."

Most of the complaints concerned discourtesy of bus drivers and that they addressed Negroes as "niggers;" segregated seating arrangements that sometimes forced Negroes to stand while seats reserved for whites remained empty; and the practice of having Negroes pay at the front door then walk around to board the bus at a back door.

Court Says 'Guilty Of Conspiracy'

Call P.
Jonesboro, Ga.
Tri. 3-30-56

Delay Trials of Others Pending Appeal by King

By ROBERT H. DENLEY

MONTGOMERY, Ala. — (INS)—The Rev. M. L. King Jr., immediately began an appeal of his conviction Thursday, March 22, as Montgomery bus boycott leader while fellow Negroes vowed to continue their mass protest.

Defense attorneys for the 27-year-old pastor of the Dexter Avenue Baptist church, who was found guilty late Thursday of violating Alabama's seldom-used anti-boycott law, said his appeal may lead ultimately to the U. S. Supreme Court.

Circuit Court Judge Eugene W. Carter, who conducted the four-day hearing without a jury at the defendant's request, fined the pastor $500 plus $184.50 in court costs for his part in the 17-week-old boycott against segregated city buses.

Changed To Jail Term

The fine and costs were converted into a jail sentence since he chose to appeal rather than pay the money. He was sentenced to a total of 386 days. The sentence was suspended, however, after his lawyers served notice of appeal.

King's attorneys said that if the state appellate courts uphold the conviction, they will take the appeal to the U. S. Supreme court.

The maximum penalty under the law could have been a $1,000 fine and six months in jail but the judge explained he did not levy the more severe penalty because of King's activities toward preventing violence during the boycott that began last Dec. 5.

The trials of 89 other Negroes, including 23 other ministers, were postponed pending the outcome of King's appeal. The 90 Negroes were indicted by a grand jury Feb. 21.

Determined To Go On

Thursday night, an estimated 3,000 Negroes roared their determination to continue the bus boycott.

At one of the regularly-scheduled twice-a-week mass prayer meetings that have been held since early December, the Rev. King urged that Negroes continue their spirit of "passive resistance" and "non-violence" in their protest against bus service.

He asked if they wanted to continue the boycott, and they thundered: "Yes!"

Defense attorneys in final arguments yesterday contended the state had failed to produce sufficient evidence for a conviction.

The Rev. King told newsmen the verdict "will not increase or diminish in any way my interest in the protest." He continued:

"We will continue with the protest in the same spirit, with non-violence, passive resistance and using the weapon of love."

When he left the courthouse, the pastor was cheered by waiting Negroes with shouts of "Behold the King" and "Long Live the King."

Almost 25 Negro witnesses testified of long-standing complaints of being abused and humiliated by bus drivers. King's lawyers argued that even in a conspiracy did exist, it had a "just cause and legal excuse" as provided by the boycott law.

Atlanta, Ga.
3-30-56

State's attorneys used seven rebuttal witnesses, including six veteran bus drivers, who denied they had ever mistreated any Negro passenger.

Defendant Says Protest Spontaneous

Daily World
Atlanta, Ga.
Tri. 3-23-56

By ROBERT H DENLEY

MONTGOMERY, Ala.— (INS)—The Rev. M. L. King, Jr., denied on the witness stand Thursday that he called for Montgomery's long Bus boycott or ever urged anyone to join it.

The 27 year old Baptist Minister was the first of 90 Negro leaders to go on trial in Montgomery's Circuit Court for allegedly conspiring to violate an anti-boycott law.

All testimony ended before a lunch recess leaving only final arguments before the case goes to circuit Judge Eugene W. Carter for a decision. The defendant waived the right to a jury.

The state brought to the stand this afternoon seven rebuttal witnesses who told of abuses suffered on Montgomery buses.

"SPONTANEOUS THING"

The Rev. King, a native of Atlanta Georgia who came to Montgomery two years ago testified:

"I did not have anything to do with calling the boycott. It was a spotaneous thing. When I heard of it, it had been started. I do know who called it."

Asked if he ever urged anyone to refrain from riding the buses, he said, "No I have not. My theme has always been 'let your conscience be your guide."

The state has contended that a group of Negro leaders, including the Rev. King sustained the boycott by spiritual appeals to the city's 15,000 Negroes at a series of mass metings and supported it by organizing a car pool.

The Rev. King acted as a spokesman for Negroes in presenting to Bus Company and city official

three requests for more courtesy by Bus drivers. for hiring of Negro drivers on some Bus routes, and for a seating arrangement that would permit Negroes to sit from the rear frontward and whites from the front rearwad on a first come, first served basis.

4,000 PEOPLE

He testified Thursday that he did not know who drew up those three proposals, adding, "I think they came out of a mass meeting of more than 4,000 people."

He denied that he had ever rejected any compromise proposals but said those suggestions were always put to the people at mas meetings. He added "until this point the people have always found them unsatisfactory and have rejected them."

Seven more defense witnesses added their complaints against Bus drivers' treatment and segregated seating arrangements this morning to similar testimony given by 28 witnesses yesterday afternoon.

In rebuttal the state brought to the stand six Bus drivers, each of 20 years experience on predominantly Negro routes, without exception they testified that they had never had any difficulties with Negro passengers, had never abused passengers and in reply to the most common complaint of defense witnesses had never called one "Nigger".

The final witness was J. H. Bagley, manager of the Bus Company who testified that his home office made a routine secret check of Bus operations in Montgomery in the last three days of November, 1955.

He said:

"Not one act of discourtesy by drivers toward passengers was reflected in the report."

The courtroom was completely filled with spectators, overwhelming majority of them Negro.

Pastor Held In Boycott

Herald Trib. 3-18-56

MONTGOMERY, Ala. —(AP)— Negro minister, the Rev. Arvie Banks, was arrested at Clanton, Ala., on an indictment charging participation in Montgomery's continuing Negro bus boycott.

He was identified by Sheriff Mac Butler's office here as pastor of a Baptist church at Clanton. His arrest brought the total number of defendants in the mass boycott indictments to 93.

The boycott started last Dec. 5 in protest against segregated seating facilities on Montgomery City Lines buses. It has continued without letup.

Battle Against Tradition

Times P. 28-C Wed. 3-21-56

The Rev. Dr. Martin Luther King Jr.

New York, N.Y.

Special to The New York Times

MONTGOMERY, Ala., March 20—The battle against segregation in Montgomery is being led by young, southern-born but often northern-educated Negroes.

For some of them it has meant a break with the views of their parents; for all of them it has meant taking a strong stand against the traditions of their community. But in their current efforts, they have solidly behind them the counsel and support of their elders.

Man in the News

Outstanding among these young leaders, whose ages range from 25 to 32, is the Rev. Dr. Martin Luther King Jr. He is president of the Montgomery Improvement Association, which was organized to lead the current protest against bus segregation.

Dr. King is the first to be tried of ninety-three persons arrested in connection with the boycott of Montgomery buses by Negroes.

Dr. King is a rather soft-spoken man with a learning and maturity far beyond his twenty-seven years. His clothes are in conservative good taste and he has a small trim mustache.

He heads an upper middle-class group of Negro Baptists with dignity and restraint.

They worship in the historic Dexter Avenue Baptist Church. This is a red-brick building on the edge of the State Capitol Mall, near the long white marble steps atop which Jefferson Davis took his oath as President of the Confederacy.

Dr. King came here as pastor of the church in September, 1954, after finishing work on his Doctor of Philosophy degree at Boston University. He is particularly well read in Kant and Hegel, and the concepts of struggle as a law of growth.

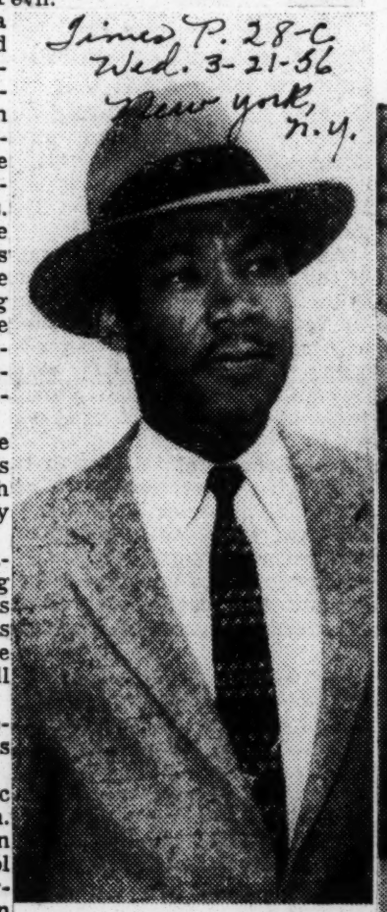
Dr. King is a Baptist preacher in a great southern tradition of resounding, repetitive rhetoric. And he can build to his climax with a crescendo of impassioned pulpit-pounding that overwhelms the listener with the depth of his convictions.

Among his convictions are these: That all men are basically good; that ultimately good will triumph over the evil in their nature; that segregation in all its aspects is evil, and that ultimately it must be swept away.

He continues to teach this doctrine in public in the heart of a state officially committed to defend segregation at all cost.

"Frankly, I am for immediate integration," he said. "Segregation is evil and as a minister I cannot condone evil."

Times P. 28-C Wed. 3-21-56 New York, N.Y.



Associated Press

All men are basically good

He sees the current bus boycott as just one aspect of a world-wide revolt of oppressed peoples.

Dr. King's maternal grandfather was the pastor of the Ebenezer Baptist Church at Atlanta, from 1895 to 1932. His father has been the pastor of the church from 1932 to the present.

Dr. King was his father's assistant at that church from 1948, after receiving his Doctor of Divinity degree, until 1953, when he went to Boston to work on his doctorate.

He did his undergraduate work at Morehouse College, and had his religious training at the Crozier Theological Seminary in Chester, Pa., where he was the top man in his class. He and his wife, a graduate of Antioch College in Ohio, have an 11-week-old daughter.

Another of the young Negro leaders here is the Rev. Ralph D. Abernathy, who is 29. He is pastor of the Negro First Baptist Church, and head of the negotiating committee that tried unsuccessfully last week to settle the boycott.

The only two Negro lawyers in Montgomery also have been leaders in the movement. They are Charles D. Langford, 32, and Fred D. Gray, 25. They have filed a suit to overthrow the city and state segregation laws and are defending the Negroes arrested in connection with the bus protest.

United Press Photo

The Rev. M. L. King and his wife outside Montgomery courthouse.

38b 1956

ALABAMA

REV. M.L. KING
MONTGOMERY, ALA. BUS BOYCOTT

NO INJURIES REPORTED—

Boycott leader's home is blasted

News P. 1. Birmingham, Ala.

Lee 1/31/56

BY AL LANIER

MONTGOMERY, Ala., Jan. 31 —(AP)—Standing in front of his bomb-damaged parsonage minutes after the blast, a young Negro minister issued a dramatic appeal last night for calmness despite mounting racial tension here over a prolonged bus boycott.

An explosion which police said was caused either by a hand grenade or dynamite shattered windows at the home of the Rev. M. L. King, the most outspoken leader in the boycott movement.

No one was injured in the blast about 9:15 p.m. (CST).

IT WAS THE FIRST act of violence reported since the initial week of the boycott, which began Dec. 5 in protest to the segregated seating arrangement required on buses by state and city laws. Shots were fired at a few buses during the first week, but they caused no injuries and little damage.

The Montgomery City Commission, whose members recently joined a pro-segregation organization after weeks of unsuccessful negotiations with boycott leaders, offered a reward of $500 for information leading to the arrest and conviction of those responsible for bombing King's home.

Rev. King's wife, their 7-week-old girl and Mrs. Roscoe Williams, a neighbor, were in the home alone when they heard a thud "like a brick hitting the front porch."

WITH MRS. KING carrying the baby, the two women ducked into a back room just as the explosion shattered windows, ripped a hole in the porch and cracked a porch column.

Arriving home 15 minutes after the explosion from a mass meeting at a church, Rev. King first assured himself of his family's safety and then addressed about 300 Negroes who gathered outside his home. News

He began by asking the group to be "peaceful." P. 4

"Don't get panicky," he appealed to the crowd. "Don't get your weapons. He who lives by the sword will perish by the sword. Remember that is what God said . . ."

Then he added: "I want it to be known the length and bredth of this land that if I am stopped this movement (the boycott) will not stop." 1-31-56

AS HE SPOKE, Negroes in the crowd cried "Amen," and "God bless you, Brother King."

Then Police Commissioner Clyde Sellers told the throng: "I will do everything in my power to bring the guilty parties to prison."

Mayor W. A. Gayle, also on the scene, told the Negroes the "entire white community is for law and order and none of us condone or believe in these sort of acts."

Rev. King then addressed the group again: "Go home and don't worry. We are not hurt, and remember, if anything happens to me there will be others to take my place."

A police guard was stationed at the parsonage throughout last night.

Rev. King, 27-year-old pastor of the Dexter Avenue Baptist Church, is a native of Atlanta. His father, Rev. M. L. King Sr., is pastor of one of the largest Negro churches there.

The young minister was fined $10 plus $4 costs last Saturday for driving 30 miles an hour in a 25-mile zone. King denied the charge and blamed his arrest on the commission's new get-tough policy with boycotters.

THAT WAS a reference to Mayor Gayle's statement last week that the city commission was through "pusseyfooting around" with boycotters. He said there would be no further efforts to reach a compromise because Negro leaders had time and again rejected "all reasonable proposals . . ."

At the same time, it was revealed that all three members of the City Commission had joined the Central Alabama Citizens Council, an organization pledged to fight racial integration by all legal means.

The breakoff of negotiations followed the rejection by boycott leaders of the commission's final compromise plan—a suggestion that 10 rows of seats in the back of buses be assigned to Negroes only and an equal number of front seats be allowed to whites.

With bus company approval, the commission also offered to authorize special buses for Negroes only at peak hours.

BUT BOYCOTT LEADERS, many of them ministers, refused to accept less than their demand for seats on a "first come, first served" basis. They explained that Negroes would continue to sit from the rear toward the front but would not be required to stand if any seats were vacant.

The protest movement was touched off by the $14 fine given Mrs. Rosa Parks, a seamstress who refused to move to the rear of a bus.

The pro-white Central Alabama Citizens Council today offered a $500 reward for a solution to the bombing.

State Sen. Sam Engelhardt of nearby Macon County, president of the council, announced the reward and said "we deplore this type of demonstration and will do all in our power to preserve segregation in a lawful manner."

"We must keep our present segregation laws by peaceful and legal means," the statement said

Reward Up in Bombing Of Home in Bus Boycott

Post + Times Herald P. 3

Wed. 2-1-56

MONTGOMERY, Ala., Jan. 31 (AP) — City Commissioners posted a $500 reward today for information leading to convictions for bombing the home of a Negro leading a race boycott of city buses.

King

The three Commissioners, all members of a pro-segregation white Citizens Council, went to the scene to supervise investigation after the bomb was tossed against the house last night. Washington D.C.

The explosion damaged the front porch and blew out windows of the home of the Rev. M. L. King, occupied at the time by his wife, his small daughter, and a visitor. No one was reported injured.

The bomb was believed to have been thrown from an automobile. King, spokesman for a group of Negroes waging a boycott of city bus lines in a 9-week segregation dispute, was away at the time.

Police said about 100 Negroes assembled at the scene, but there was no disorder. King, arriving home about 15 minutes after the explosions, advised the crowd not to "get panicky."

King had been attending a mass meeting of some 2000 Negroes at a church to discuss the boycott.

BOMBERS ARE SOUGHT IN NEGRO HOME BLAST

Commercial Appeal

Citizens Council Offers $500 For Information

Wed. 2-1-56

MONTGOMERY IS SCENE

Memphis, Tenn.

By The United Press

MONTGOMERY, Ala., Jan. 31. —The Central Alabama Citizens Council Tuesday offered a $500 reward for information leading to the conviction in the bombing of the home of a Negro leader in a boycott of city buses.

The council's action follows on the heels of a $500 reward posted Tuesday by city commissioners for the same purpose. P. 21

House Is Damaged

The front porch was damaged and windows were blown out last night at the home of Rev. M. L. King, 27-year-old Baptist minister. King's wife, his small daughter, and a visitor were the only occupants of the home at the time, but all escaped injury.

Announcement of the reward by the Citizens Council was made by Senator Sam Englehardt, chairman of the council.

Senator Englehardt said:

"Reasserting our conviction that we must keep our present segregation laws by peaceful and legal means, we are today offering a reward of $500 for information leading to the arrest of the person or persons responsible for the bombing of M. L. King's residence last night. We deplore this type of demonstration and will do all in our power to preserve segregation in a lawful manner."

Away During Blast

King, who was away at the time of the explosion, said he had received telephone threats since he had taken the leadership in the boycott begun Dec. 5. However, he said the incident Monday night was the first act of violence against him.

Police said there was no disorder Monday night from about 100 Negroes who gathered at the scene.

State Toxicologist Vann Pruitt said Tuesday tests showed dynamite was used in the bombing. Mr. Pruitt said at least "a half stick and maybe a whole stick" was thrown at the dwelling.

The arrest and conviction of a Negro seamstress for refusing to take a "Jim Crow" seat on a city bus touched off the boycott, and is now considered about 80 per cent effective by bus company officials.

Plea Turned Down

The Negroes have asked for a "first come, first served" seating arrangement on the buses, but have been turned down by the city commission.

Meanwhile, the general counsel for the Central Alabama Citizens Council said Tuesday that council membership "is pushing 10,000."

Atty. Luther Ingals of Montgomery said the organization is receiving "several hundred" applications a day for membership. He said the council had employed 15 full-time clerks to process the applications.

'Rebellion' Goes Into Eighth Week

Defender Sat. 2-4-56 Chicago, Ill.

MONTGOMERY — The eight-week-old bus boycott is still on here, but last week city officials served notice that they are going to quit "pussy-footing around," and don't care if Negroes "never ride city busses again." P. 1

Mayor W. A. Gayle, in urging white Montgomerians to quit giving rides to Negro city employees who have been boycotting city buses because of segregated seating, declared that "Negroes have made their own bed and white people should let them lie in it."

The boycott of city buses by Montgomery Negroes started Dec. 5 in protest to the segregated seating arrangement required by law. The boycott was touched off, however, when a Negro woman was fined $14 for refusing to move to the rear of a bus.

Negro ministers have been leaders in the boycott, and so far they have resisted and turned down several compromise plans suggested by City Commission. One compromise plan was to reserve 10 seats at the front for whites and 10 in back for Negroes. During rush hours special buses would be used to transport Negroes only along predominantly Negro routes.

Negro cooks and maids received "special attention" in Mayor Gayle's appeal.

"The Negroes are laughing behind the backs of whites who haul

the maids and cooks to and from work," he said.

Maids and cooks are as important to the Southern white as cotton and tobacco. They're the backbone of southern culture and food produced in the white mansions and on the plantations.

Boycott leaders have organized a pickup system at many points throughout Montgomery. They say as many as 200 automobiles are assigned each day to transport Negroes to and from work so they won't be forced to ride city buses.

One of the leaders in the citywide boycott, Rev. M. L. King, said "the boycott will continue until our proposals are given sympathetic treatments."

But Mayor Gayle said if Negro leaders "mean for us to destroy our social fabric, then there is no likelihood of an end to the boycott."

Associated Press wirepho

NEGRO MINISTER'S HOME BOMBED IN MONTGOMERY

. . . Left to right: Fire Chief R. L. Lampley, Mayor W. A. Gayle (a Reserve Army colonel), Rev. M. L. King, Police Commissioner Clyde Sellers

ON CHICAGO VISIT

King Says Boycott Part Of Revolt By Oppressed

CHICAGO, Feb. 14 (AP)—A leader of the 10-week-old bus boycott by Negroes in Montgomery, Ala., said today the boycott is part of a worldwide revolt of oppressed peoples.

"It's part of something that's happening all over the world," said the Rev. M. L. King Jr., 27-year-old Negro Baptist minister.

"The oppressed peoples of the world are rising up. They are revolting against colonialism, imperialism and other systems of oppression."

He said this revolt was an apparently spontaneous movement throughout the world. He said he did not know why it is occurring at this particular time.

The Rev. Mr. King—in Chicago for a guest sermon last Sunday at a Negro church—gave his views at a news conference arranged by a family friend who said he wanted to "give a segment of the northern press a chance to get an unbiased account of what is going on in Montgomery."

King, minister of the Dexter Ave. Baptist Church in Montgomery, is president of the Montgomery Improvement Assn. He said the association was formed to direct a boycott that began Dec. 5 in protest against segregated seating required on buses by state and city laws.

As of today, King said, only about 10 Negroes a day ride buses in Montgomery. About 65 per cent of the bus company's patrons were Negroes before Dec. 5, when Mrs. Rosa Parks, a Negro seamstress, was fined $14 for refusing to move back to the Negro section of a bus. King said this incident sparked a "spontaneous" boycott by the city's Negroes.

"This is a movement of passive resistance," King said. "We have kept violence out of the picture from our standpoint."

'INTIMIDATION'

Two weeks ago small dynamite bombs were thrown at the homes of King and another Negro leader. King said he did not believe the bombs were intended to do any personal harm but were "a symbol of intimidation."

"I'm well guarded everywhere I go in Montgomery, by my friends," King said. "I asked the sheriff for personal protection and that was denied."

The Montgomery County grand jury yesterday began an investigation to determine if Negroes boycotting the buses are part of a conspiracy violating the law.

"I don't doubt that they will indict some of us," King said.

CONFERENCE LOOMS

He said Alabama law prohibits boycotts "without just cause" but that Montgomery Negroes feel they have just cause.

King said litigation initiated by the improvement association — a federal suit challenging the constitutionality of the segregated bus seating laws, and an appeal of Mrs. Parks' fine—will take several months and that "I am not sure that the people will want to continue the boycott that long."

He said Negro leaders will confer shortly to decide whether to call off the boycott pending court decisions. The reason he gave for possibly ending the boycott was that car pools which have been organized to replace the buses have cost Negroes "a lot of money."

"But even if we decide to go back to the buses while the litigation is on, I don't believe more than 50 per cent of our people would go back until the system is changed," King said.

King later left by train for Atlanta. He said he would return to Montgomery tomorrow night.

Sheriff Says Gun Permit Denied King

The Rev. M. L. King who yesterday gave an interview on the bus boycott in Montgomery to Chicago newspapermen, was denied a gun permit by the Montgomery County sheriff.

However, the Rev. King received the assurances of Police Commissioner Clyde C. Sellers Mayor W. A. Gayle and Sheriff Mac Sim Butler that they would do "everything within their power" to protect him although they disagreed with his views and his actions.

A police car was left at his home following a recent bombing and Commissioner Sellers announced he would provide King with "complete police protection."

Despite King's statements that a meeting is planned to discuss ending the boycott, the minister denied telling two newspapermen that such a meeting was scheduled last Wednesday.

The newspapermen on two separate occasions were told by King that the Montgomery Improvement Assn.'s executive board would discuss the possibility of ending the boycott at the Wednesday meeting. King later said the newspapermen misunderstood him.

38b 1956 ALABAMA

REV. MARTIN LUTHER KING, JR.
MONTGOMERY, ALA. BUS BOYCOTT

The Rev. King Is Boycott Boss

Advertiser 4-A

27-Year-Old Baptist Pastor Seems To Be Deferred To By Other Leaders; He Says, Surprisingly, NAACP 'Looks Down Nose' At Boycott

38b

Montgomery, Ala.

By Tom Johnson

THERE seems to be uncertainty in the minds of the white community of Montgomery over the identity of the director of the bus boycott. Who is the acknowledged boycott leader? He seems to be the Rev. Martin Luther King Jr., a 27-year-old Negro Baptist preacher.

The Rev. King does not speculate on the ultimate fruits of the Negro movement, but he does declare the current boycott is directed solely toward obtaining a better seating arrangement for Negro passengers. However he is frank to admit that his own views are more ambitious.

JOHNSON

"Frankly," he says, "I am for immediate integration. Segregation is evil, and I cannot, as a minister, condone evil."

King is pastor of the Dexter Avenue Baptist Church, whose congregation includes 375 "professional people" on a "higher economic level." Many of his members come from Alabama State College. The president of the college, Dr. H. Council Trenholm, is a deacon in the church.

Times 1-9-56

King is a member of the Montgomery Improvement Association, a Negro organization of some 50 members which has been active in the conduct of the boycott. King, as spokesman for the association, has also served as spokesman for the protesting bus riders.

The association, apparently, is handling the boycott funds. Recently, a check for $5,017 was made payable to King, who, it is said, transferred the money to an out-of-town bank because the organization feared its funds might get "tied up" in the local bank. This I was told by an associate of King.

At all meetings where the boycott has been discussed, is the one who has enunciated the Negro demands for better seating, more courtesy and the hiring of Negro drivers on predominantly Negro routes. His remarks on these occasions have never been challenged or countered by other Negroe ministers, who accord him a deference that is surprising in view of his youth and relatively short residence in Montgomery.

Seems Older

KING had his 27th birthday Sunday. (He looks and acts older. Most people would guess him to be about 35.) He holds degrees from Morehouse College, Crozer Theological Seminary and Boston College, where he earned his doctorate. His title is Doctor of Systematic Theology, for which he wrote the dissertation, *A Comparison Of The Conceptions Of God In The Thinking Of Paul Tillich And Henry Nelson Wieman.* His wife, a native of Marion, attended Antioch College, Yellow Springs, Ohio.

Kink speaks openly and with an authoritative air on the Negro view of the bus boycott. He is convinced the boycott will not end so long as the present arrangement exists. Moreover, whatever effect the boycott has had on the bus company and on race relations in Montgomery, King says the Negro has profited—he has gained a "dignity" that he never knew before. He has discovered the voice of the protestant.

NAACP Disdains Boycott

KING says the National Association for the Advancement of Colored People has made not so much as a "small contribution" to the boycott. In fact, he says, the NAACP looks down its nose at the puny, deviationist efforts of local Negroes.

The goal of the NAACP is to gain full race mixing; it, therefore, sanctions no movement such as the local boycott which, King says, aims merely at achieving a "better form of segregation" within existing segregation laws.

To be sure, many Negroes involved in the boycott are members of the NAACP. ("Most well-thinking Negroes are members. If one tells you he is not, he is being dishonest.") And some of them have contributed money, but King says no help has come from the organization itself.

Admires Hegel's Philosophy

KING, who is from Atlanta, is motivated in his racial activities by what he terms the "social gospel," as distinguished from the gospel of personal salvation. He says:

"A minister should attempt to improve social conditions of men at every point where they are not proper—educational, cultural and economic. He must not only change a man's soul but a man's environment, too."

It is evident that he feels it folly to resist the changes that the Supreme Court decision gave momentum to. This is how he sees the boycott:

"It is part of a world-wide movement. Look at just about any place in the world and the exploited people are rising against their exploiters. This seems to be the outstanding characteristic of our generation. Why it had to happen at this time in history, I don't know. But it's happening."

Besides the religious philosophers, King was particularly interested in the German philosophers Kant and Hegel. The latter, his favorite, fathered the "dialectical process" which holds that change is the cardinal principle of life and that in every stage of things there is a contradiction which only the "strife of opposites" can resolve.

Further, as Will Durant, in his *Story Of Philosophy* defined dialectics: "Struggle is the law of growth; character is built in the storm and stress of the world; and a man reaches his full height only through compulsions, responsibilities and suffering."

King said he tries to translate the teachings of philosophy to his congregation.

Came Here In 1953

HE WOULD NOT comment on the possibility of a compromise settlement of the bus boycott, except to say: "We began with a compromise when we didn't ask for complete integration. Now we're asked to compromise on the compromise."

As an ardent member of the NAACP, King was asked to state his definition of the difference between the White Citizens Council, a champion of one race, and the NAACP, the champion of another.

The aims of the NAACP, he said, are "to get full rights for Negroes, to abolish injustice, to obtain the vote, to obtain protective legislation, improve the cultural life of Negroes and stop lynching," and to do all this through the courts.

On the other hand, the WCC "seems to be an organization to preserve the status quo and to buck the law of the land." King wasn't sure where the WCC stands on violence (he is opposed to it) and how it plans to achieve its goals. All official WCC statements reject violence of any kind.

In short, he thinks the aim of the NAACP is "constructive," the aim of the WCC to "block progress in race relations."

The Dexter Avenue church is King's first congregation. He came here full-time in September, 1953, after getting his doctorate. From 1948 to 1953, he was assistant pastor of Ebenezer Church in Atlanta. His father has been pastor there since 1932 and before that, his maternal grandfather was pastor of the church for 37 years.

Boycott Boss Gets $14 Fine In Speed Case

Advertiser Sun. 1-29-56

Montgomery, Ala.

Rev. Martin Luther King Jr., dapper 27-year-old leader in Montgomery's Negro bus boycott, was fined $14 by Recorder's Court Judge Luther H. Waller yesterday for speeding in a residential zone.

During the course of the hearing in the packed courtroom, Judge Waller warned Defense Atty. Charles Langford three times to stick to the facts of the speeding case and not attempt to bring up prior events.

P. 2-A

At the outset, Negro Atty. Langford informed the court that he would "like to show that a previous occurrence. . ."

Waller interrupted with an explanation of court procedure.

WARNS LAWYER

"You are a licensed attorney," the judge told Langford. "and should be familiar with court procedure. There is no necessity to show bias or hate or anything else. Please limit yourself to the facts at the time. Is that clear?"

Motorcycle Patrolman Grady L. Arnette testified he stopped King at Dericote and East Grove after following him for some four blocks and clocking him at 35 miles per hour in a 25 mile zone.

Arnette said he walked up to the car, asked King for his driver's license and informed him he was under arrest for speeding. The officer said King got out, turned and told a passenger to "take the car and go home" before he or his partner, R. H. Houlton, could make a note of the tag number.

"Isn't it customary to make a note of the tag number?" City Prosecutor Eugene Loe asked.

Arnette said that it was but the car took off within a minute after he had stopped the vehicle.

However, Prof. Robert E. Williams, who testified that he was the passenger who drove the car away, said the vehicle remained at the scene some "seven to 10 minutes"

"I got out, got some names and addresses from King and then drove off," Williams said.

King testified that he had noticed the two motorcycle patrolmen for several blocks and made a special effort to stay within the limit.

King, pastor of the Dexter Avenue Baptist Church, appeared miffed because the officers frisked him for weapons at the scene.

"That is a customary procedure," Judge Waller explained.

APPEAL NOTICE

King filed notice of appeal and was released under $50 bond signed by himself and James Maull.

Meanwhile, City Lines bus driver Daniel S. Johnson, 919 Key St., told police his bus had been fired upon about 6 p.m. Friday as he was driving in the 1600 block of South Holt street.

Johnson said the bus was not hit. City Detectives P. L. Berrey, W. H. Simpler, J. C. McKenzie and S. E. Sellers said they could not locate the bus at the time it was reported fired upon

Like Father, Like Son Are Pastors King

Leader of Bus Boycott Is 'Chip Off Old Block'

Courier Sat. 2-18-56 Pittsburgh, Pa

By WILLIAM A. FOWLKES

ATLANTA, Ga.—The Revs. M. L. King (Senior and Junior) presented a picture of calm, but forthright resolve in regard to the leadership of their people when this reporter interviewed them here last week.

The Rev. Mr. King Jr., whose name has been hurled into national limelight along with the Montgomery, Ala., bus boycott story, had stopped by his Atlanta father's home en route to Chicago for a speaking engagement. Pastor of Montgomery's Dexter Avenue Baptist Church, the Rev. Mr. King Jr. is "a chip off the old block."

MONTGOMERY, Ala. — The Rev. M. L. King Jr., pastor of Dexter Avenue Baptist Church here and one of the top leaders of the current boycott against the local city bus lines, has denied rumors that his organization is planning to discuss ways and means of ending the action.

The Rev. Mr. King Sr. pastor of Atlanta's Ebenezer Baptist Church for twenty-four years, is widely known as a "war horse" in the leadership of his people and church.

HE HAS figured in most of Atlanta's fights for equal and civil rights and was chairman of the Citizens' Committee which launched Atlanta's first suit for equal teacher pay.

At present time he is a member of the executive committee of the Atlanta Branch NAACP, helping to guide the policies of the organization on the community level.

As long-time president of the powerful Atlanta Baptist Association, the Rev. Mr. King Sr. figures heavily in the formation of policy and leadership of state and national Baptist groups.

WHEN THE Rev. Mr. King Sr. took over the helm of Ebenezer—widely known as one of the most financially sound churches in Atlanta—he succeeded his late and lamented, powerful father-in-law, the Rev. A. D. Williams, who had pastored the Auburn Avenue-Jackson Street congregation for thirty-seven years.

The Rev. Mr. Williams had set a terrific pace in leadership of the Atlanta community and his son-in-law, a Morehouse College graduate, willingly took over the torch.

With his wife, the popular and talented Miss Alberta Williams, the Rev. Mr. King Sr. worked, prayed and sang Ebenezer to its present place of leadership. (It has a membership roll of over 4,200.) Born unto this couple were the Rev. Mr. King Jr., who stood his ground although intimidated, bombed and threatened in Montgomery; Willie Christine King, an Atlanta public school teacher, and A. D. Williams King, a student at Morehouse and Atlanta funeral home employe.

Of his son's contributions at Montgomery, the Rev. Mr. King Sr. said:

"Although things have been critical and still require watching and praying, I never doubted for once that M. L. Jr. would help work things out."

(King Jr., indicated Friday that with the filing of the Federal court suits against segregated transportation in Montgomery, the bus boycott may be eased.)

Sheriff Says Gun Permit Denied King

The Rev. M. L. King who yesterday gave an interview on the bus ~~boycott in Montgomery~~ to Chicago newspapermen, was denied a gun ~~permit~~ by the Montgomery County sheriff.

However, the ~~Rev. King~~ received the assurances of Police Commissioner Clyde C. Sellers, Mayor W. A. Gayle and Sheriff Mac Sim Butler that they would do "everything within their power" to protect him although they disagreed with his views and his action.

Advertiser

A police car was left at his home following a recent bombing and Commissioner Sellers announced he would provide King with "complete police protection."

Despite King's statements that a meeting is planned to discuss ending the boycott, the minister denied telling two newspapermen that such a meeting was scheduled last Wednesday.

P. 2-A

The newspapermen on two separate occasions were told by King that the Montgomery Improvement Assn.'s executive board would discuss the possibility of ending the boycott at the Wednesday meeting. King later said the newspapermen misunderstood him.

AT MEETING TODAY

Advertiser Montgomery, Ala.

Group To Study Possibility Of Ending Boycott Of Buses

Wed. 2-8-56

Discussion of the possibility of ending the two-month-old Negro boycott of buses will be on the agenda of the executive board meeting of the Montgomery Improvement Assn. today.

P. 1

The Rev. M. L. King, boycott spokesman, said the matter would be presented to the association board of which he is president.

"I really couldn't say yet whether or not we will start back riding the buses," he said, "It will depend upon the meeting and the action taken on any recommendation the board may make," he said.

He explained that the executive board's action—one way or another—would be in the form of a recommendation to Negroes at large.

"If we suggest an end to the movement, it will be placed before the next mass meeting of the group," he said. The group usually meets at least once or twice a week.

Mayor W. A. Gayle said he was "always in favor of peace and harmony in our city."

King said the position of the boycotters had been "changed somewhat" byp the filing of a suit in federal court last week attacking Montgomery and Alabama travel segregation laws as being unconstitutional.

He said the litigation could last a "long time" and that he did not "know whether Negroes would want to continue the boycott until the suit is settled."

"We are now depending on the courts to give the final answer," he said.

Advertiser

King declined to say where today's meeting will be held.

Meanwhile, the Montgomery Ministerial Assn. passed a resolution urging that racial "bitterness, suspicion and hatred" be ended and that the "spirit of unity, peace and concord," be restored.

The resolution passed unanimously by the group states:

"A few weeks ago Montgomery was a city that was justifiably proud of its community spirit. Different racial, religious, and economic groups lived, worshipped, and worked here in an atmosphere of mutual respect and good will.

P. 2

"Today Montgomery is a 'House divided against itself.' The spirit of good will has given place to one of bitterness, suspicion and hatred.

Wed. 2-8-56

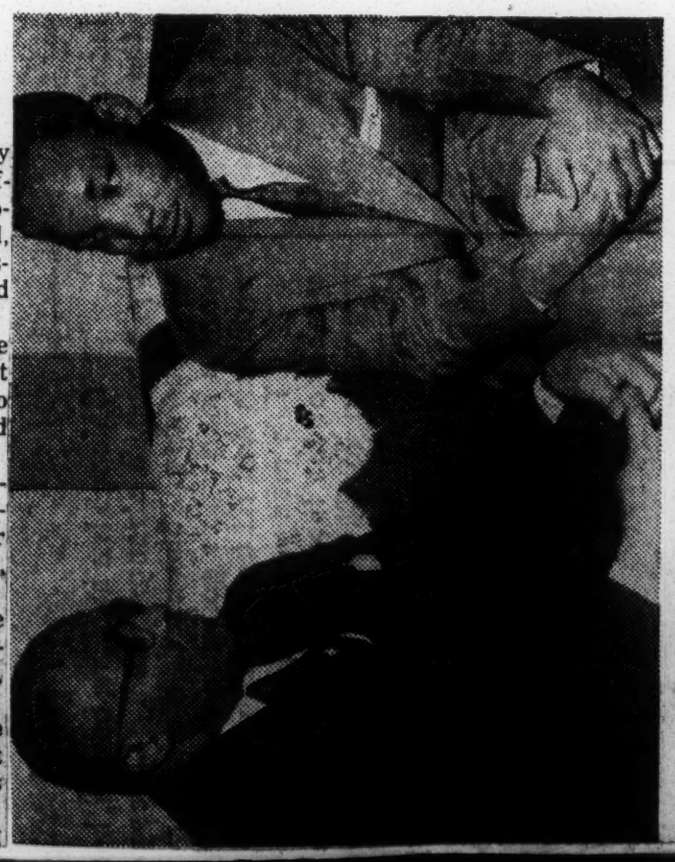
"The loss to Montgomery, morally and economically, is incalculable—a loss resulting from our own intemperate thinking, talk, and acting.

"That further harm may not be done, and that there may be restored the spirit of unity, peace, and concord to our city, we urge:

"(1) That every citizen exercise censorship of his own words, that malicious and unfounded rumors may cease.

"(2) That all measures savoring of force, intimidation, and reprisal be stopped and remedies sought at the council table.

"(3) That the differing groups select true representatives who will lay aside passion and together endeavor to reach an agreeable solution."



THE REVS. M. L. KING, SENIOR AND JUNIOR
. . . the "old block" from Atlanta and his "chip"

Boycott Jury Told Busmen Abuse Negroes

Post & Times Herald
Thurs. 3-22-56
Washington, D.C.

Witnesses Say None Of 50,000 of Race in Montgomery Escaped

MONTGOMERY, Ala., March 21 (AP)—Negroes testified today that white drivers abused "all 50,000" of their race in Montgomery and for the reason they stopped riding city buses.

Witness after witness testified about mistreatment by drivers as the defense presented its case in the trial of the Rev. M. L. King, one of 90 Negroes charged with conspiring to boycott the bus line.

Six defense lawyers attempted to show by the testimony that the 15-week boycott actually was a spontaneous protest demonstration rather than a calculated scheme to put the transit system on the rocks financially, as the state contends. The state rested this morning.

An Alabama law of 1921 banning such a conspiracy against a business provided the basis for the prosecution.

Spectators broke into applause today when witness Ella Perkins said none of the city's 50,000 Negro population was spared arrogant treatment from the city bus driver force. Circuit Judge Eugene Carter warned that if it occurred again "I'll make you all stand and go outside, or take you to jail."

A later witness, Martha Kate Walker, said that once last year she was taking her blind husband, who lost his sight in Germany in an accident after World War II, home on the bus.

As they left the bus, she said, "my husband had his left foot on the ground but his right foot still on the step when the bus started off suddenly.

"I screamed and a white lady on the bus told the driver to wait a minute but he kept on going," the witness said. She said her husband skinned his ankle in getting clear of the bus.

An earlier witness, Pullman porter Richard S. Jordan, testified that several years ago a bus driver bruskuely ordered his pregnant wife to give up her seat to a white passenger.

"I'm a man, and I'm supposed to protect her, but I just looked out the window," Jordan said bitterly.

Mrs. Perkins said that she and other Negro women had been called "ugly black apes" by the white drivers.

The first defense witness was 320-pound Georgia T. Gilmore, 35.

Mrs. Gilmore evoked laughter several time, while Judge Carter rapped sternly for order as she described her experiences on the buses.

She said she knew "quite a few other" Negroes who had stopped riding the buses before the city-wide boycott be-

She said she stopped because of the treatment she received from a driver.

"I know this fellow in particular," she said. "He's red-skinned and red-haired and wears glasses and has freckles. He's a very nasty bus driver.

"I boarded the bus when it was crowded. There were two whites on the bus. The people were half-way up the aisle and the driver said 'Come out, Nigger, and go around.' Well, I didn't move. Then an old lady near me told me to go around."

The witness said she then left the front door of the bus to enter from the rear, but "the light changed, and he pulled off and I was left standing there."

"So I made up my mind I wouldn't ride the buses any more. Now I take a taxi, but if it's warm I walk home."

Final state witnesses were Mayor W. A. Gayle and J. H. Bagley, manager of the bus company, who told of reports turned in on the case of Rosa Parks, Negro seamstress whose arrest for refusing to move to a rear seat was the spark that touched off the boycott.

WHO WON IN ALABAMA?

Daily Tribune
Mon. 3-26-56
Page 22
Chicago, Ill.

The Rev. Martin Luther King Jr. stands convicted of leading a boycott against the bus company in Montgomery, Ala. The judge decided that the organized refusal of Negroes to ride in the buses constitutes a boycott, that this boycott was undertaken without just cause or legal excuse, and that it hindered the conduct of a lawful business. The judge concluded from all this that the Rev. Mr. King had violated an Alabama statute enacted in 1921 and fined him $500 and another $500 in costs.

When the young preacher announced that he would appeal, the sentence was changed automatically to 386 days in jail at hard labor, and was suspended until the appeal has been heard. At the same time, the trials of 89 others who were indicted along with him were postponed until the appeal has been decided.

The higher courts will have to say whether the conviction was in accordance with the evidence, the law, and the Constitution. Meanwhile, we are left to wonder what the prosecutor in Montgomery and his advisors thought was to be gained by bringing this case. If the purpose was to break the spirit of the Negroes of Montgomery, the plan failed. The wholesale prosecution seemed to be vindictive and created sympathy for the defendants. This was heightened by their continued preaching of nonviolence.

The people of this country are accustomed to strikes. They do not ordinarily regard as criminal the efforts of employes to wring concessions from their employer by joint action directed at ruining him if he does not yield. Strikes in industry are lawful when the aim is nothing nobler than a wage advance of a dime a day or the discharge of an unpopular foreman. Nobody is sent to jail for even one day merely for joining a strike.

In face of that familiar fact, the ordinary man is going to find it hard to understand why some of the customers of a bus company may not do in defense of their human dignity, what all the employes of the same company may do with impunity to gain 50 cents a week. The collective action of the Negroes of Montgomery did not prevent the buses from running, yet the Rev. Mr. King was sentenced to 386 days at hard labor.

The conviction may be lawful but it will seem unjust to a good many people. What is, perhaps, the most remarkable aspect of this business is the unawareness it reveals of the art and science of public relations on the part of the prosecuting authorities in Montgomery. Apparently these men and their advisors in the community were wholly unaware that their prosecution would damage the cause of segregation that is so dear to their hearts.

In convicting the Rev. Mr. King they have managed to provide their opponents with a certified martyr. At the same time they have given the Negroes of Alabama an opportunity to prove that they understand Christian precepts. It will be harder from now on to pretend that all the Negroes of Alabama are so deficient or backward in moral standards that they must be segregated.

Court Fines King $500 On Boycott Law Charge

Advertiser Fri. 3-23-56 P.1

Montgomery, Ala.

Judge Orders Continuance In 89 Cases

By TOM JOHNSON
And FRANK McARDLE

The Rev. Martin Luther King, Negro leader of the bus boycott here, was convicted on a charge of violating a state anti - boycott law and was fined $500 and costs in Circuit Court by Judge Eugene Carter yesterday.

Judge Carter ordered a continuance in 89 other cases of Negroes charged with the same violation until a final appeal action is completed in King's case.

The jurist suspended payment of the fine until the appeal is heard by higher courts. The appeal eventually could go to the U.S. Supreme Court.

$1,000 BOND

Defense attorneys prepared to post a $1,000 appeal bond. They had previously stated they would carry the case "all the way to the U.S. Supreme Court" in the event of a conviction.

As King and his wife left the courthouse, they encountered a lively demonstration on the sidewalk. Television cameramen and news photographers fired away as a crowd of about 300 clapped and waved their hands.

They chanted, "Long Live King," or "Long Live The King" and "We Ain't Gonna Ride the Buses No More."

No demonstrations occurred in the courtroom.

Judge Carter announced he had been satisfied about the guilt of King in violating the anti-boycott law. But he added that he was levying a fine lower than the maximum because the minister apparently had "discouraged violence" in the bus boycott movement.

MOTION DENIED

Earlier a motion to dismiss the evidence entered by the state and rule a verdict for the defendant was denied by Judge Carter.

In his summary arguments, Circuit Solicitor William F. Thetford argued that the state had proved King had engaged in a conspiracy to hinder and prevent the operation of the bus company without "just or legal cause."

Defense attorneys Arthur Shores of Birmingham and Fred Gray of Montgomery, in their summary said that the state had failed to prove King had been a party to any conspiracy or agreement to hinder the bus company's business and that if such a conspiracy existed it existed with "just cause." Shores said King was merely a spokesman for the Negroes who selected him for their leader.

Shores, one of the six Negro attorneys defending King, said that the Baptist minister "didn't volunteer to be a rabble-rousing crusader, as the state attorneys have presented him."

Interpretations of the anti-boycott law took up most of the arguments. Thetford charged a group of 16 to 18 Negro leaders carried out the boycott "to gain personal power and influence." He added the boycott resulted from "hysteria built up at mass meetings" promoted by King and others. He pointed to violence in the firing on city buses and charged that King was directly responsible for boycott activity.

Thetford said the Montgomery Improvement Assn. had spent $30,000 for the sole purpose of keeping the bus boycott alive.

King himself was called as the final defense witness.

The state put him through a fairly brief but vigorous examination during which the young minister denied that he had ever urged Negroes to refrain from riding buses.

P. 2-A

He said his "emphasis" has been "let your conscience be your guide."

Another witness, the Rev. Robert S. Graetz, pastor of the all-Negro Trinity Lutheran Church, had earlier testified that on the "several occasions" he heard King speak, the Negro leader never openly advocated that bus patrons remain off the buses.

Graetz said he had heard "two or three compromise proposals" for ending the boycott discussed at meetings of the executive board of the Montgomery Improvement Assn., and had submitted such a plan himself.

He said the board had been "interested" in the compromises but none was ever "completely acceptable."

King was asked if he ever advocated violence on the part of protesting Negroes. He replied that his stand had been the "very antithesis of that," that he had urged non-violence.

He described the improvement association, of which he is president, as a group formed on the day the boycott began to improve race relations and "uplift the general tenor of the community."

NO SALARY

He said he is paid no salary but that seven office workers receive money for their services.

Thetford tried to show that the resolution adopted at the first mass meeting (Dec. 5 at Holt Street Baptist Church) was actually prepared during the preceding afternoon by a committee headed by King.

King admitted he was a member of a committee but said he did not recall helping draft the resolutions. He said his impression was that the resolutions were planned during the afternoon and actually drawn up that night.

Thetford referred to another portion of the minutes of the afternoon session which referred to an agreement to continue the boycott indefinitely, and asked King if such an agreement was reached.

"That's true according to the minutes," he said. "I just don't remember the discussion."

'SPONTANEOUS'

Thetford directed his questioning at trying to show that the boycott did not develop spontaneously" on the night of Dec. 5, as some Negro leaders have maintained, but was planned hours before by a group of 20 persons at the Mt. Zion AME Church.

Did the executive committee of the association agree during the afternoon to set up finance and transportation committees, as mentioned in the minutes of the meeting?

King's reply: "I don't remember."

Thetford tried to show that there were, as he phrased it, "two boycotts"—the first one planned for one day only (Dec. 5) and the second, which developed later, planned for indefinite duration.

"Did you have anything to do with the first boycott?" asked Thetford.

"No, I didn't," said King.

"Do you know anyone who did?"

"No, I don't," King replied. "It was a spontaneous beginning."

ONE-DAY BOYCOTT

Did the Montgomery Improvement Assn. take what started out to be a one-day boycott and, with its money and planning, extend the boycott indefinitely, Thetford asked.

"No, I wouldn't say that," the minister answered.

Thetford again referred to the minutes of the Dec. 5 afternoon session which referred to certain "recommendations" of the executive board being given to that night's mass meeting.

The solicitor wanted to know what the recommendations were.

King said he didn't know.

Was an agenda for the night's program drawn up at the afternoon meeting, Thetford asked.

"I imagine so," replied King.

Did the executive board draw up the three items the Negroes are said to demand as the price for ending the boycott — that is, a different seating arrangemnt, courteous treatment and the hiring of some Negro bus drivers?

"I don't remember," said King. He testified he "couldn't say" who formulated the demands or where or when they were drawn up.

"DIDN'T REMEMBER"

But he added, "I think they were done at the Holt Street Church (at the first mass meeting). I really don't remember." In any event, he said, the demands reflected the wishes of the "4,000 Negroes" present at the Dec. 5 mass meeting.

He confirmed that the weekly budget of the improvement association is $3,200 — "approximately that."

Thetford asked if all of the approximately $30,000 donated to the improvement association had been spent for the boycott.

King admitted "most of it" had. He said the money came from "free-will" offerings.

Asked how many white persons are members of the improvement group, King said he didn't know because "we don't keep records on the basis of race."

SOME OTHERS

He said he did know that Graetz was a member.

Thetford asked if there were any others.

"I know we have some others," said King.

"Who are they?"

"I don't know," said King.

King, pastor of the Dexter Avenu. Baptist Church, testified he came to Montgomery in 1954.

Thetford asked how many times he had ridden the city buses?

"Only Once," King replied.

Graetz preceded King on the witness stand.

He said, though, he couldn't remember having heard King urge Negroes to refrain from riding buses, he did "recall that there were times when they referred to people not wanting to ride."

The defense put on seven other witness before resting the case.

The Negroes have demanded the end of reserved seating for the race.

They said—and Manager J. H. Bagley confirmed—that the seating arrangement now in existence on buses reserves an equal number of seats for whites and Negroes.

That, they explained, means the rear 10 setas are held for Negroes, the front 10 for whites, with the middle section seated on a first come, first served basis.

Bagley, superintendent of the bus company since it began business in Montgomery 20 years ago, drivers employed on Dec. 5, the day the boycott began. None of them, he said, was a Negro.

Asked if he would hire a Negro driver, Bagley said, "It's never been the custom to hire Negro drivers."

Anyway, he answered: "I've never had an application."

All of them testified that as bus passengers they were abused and referred to in derisive terms or discourtesy.

REBUTTAL GIVEN

In rebuttal to the passengers' testimony, the state called bus drivers J. B. Saddler, O. T. Rainwater, C. H. Williams, W. H. Mills, C. E. Moseley, and O. O. Martin.

Each of them testified he had driven buses for several years on predominantly Negro lines and denied the use of abusive language

Fined $500 Plus Costs

First Defendant Is Convicted In Alabama Bus Boycott Trial

MONTGOMERY, Ala., March 22 (AP)—The first of the Negro bus boycott leaders, the Rev. Martin Luther King Jr., was convicted today. Defense attorneys immediately began an appeal that may lead ultimately to the U. S. Supreme Court.

King, 27-year-old pastor of the Dexter Avenue Baptist church, was fined $500, plus $500 court costs for violation of Alabama's seldom-used antiboycott law for his part in the 17-week-old boycott against segregated city buses.

The fine and costs were converted into a jail sentence since he chose to appeal rather than pay the money. He was sentenced to a total of 386 days.

The sentence was suspended, however, after Negro defense lawyers served notice of appeal. They have said they will take the appeal to the U. S. Supreme Court if the state appellate courts uphold the conviction.

Circuit Judge Eugene Carter, presiding over the trial in the absence of a jury, could have fined King $1,000 and added a six-month jail sentence under the state law.

But he said he decided on a lesser penalty because it was shown in testimony that the minister used his influence throughout the mass bus protest to urge his people to refrain from violence.

Circuit Solicitor William F. Thetford said immediately after the verdict that the state had agreed to postpone the trials of 89 other boycott defendants pending King's appeal.

The 90 Negroes were indicted by a grand jury Feb. 21.

Makes Statement.

In a statement to newsmen, King said the verdict "will not increase or diminish in any way my interest in the protest."

"We will continue with the protest in the same spirit," he continued, "with nonviolence, passive resistance and using the weapon of love."

As he left the courthouse, the minister was cheered by waiting Negroes with shouts of, "Behold the King" and, "Long live the King."

King expressed confidence to reporters that the federal courts will throw out his conviction and hold the Alabama law unconstitutional.

Defense attorneys Fred D. Gray and Arthur Shores insisted in their closing arguments that the state had failed to prove King committed any unlawful acts and that Negroes had a justifiable reason for refusing to patronize the bus company.

Nearly two score Negro witnesses had testified of repeated acts of mistreatment in the past decade at the hands of white bus drivers, and defense lawyers argued the boycott was the culmination of those experiences.

In pretrial arguments and repeatedly during the four-day hearings, the Negro lawyers injected the question of federal constitutional rights, admittedly with a view of taking their case into federal court if necessary.

Thetford, in his final argument, said the state had proved its case and that King had been clearly identified as "the leader" of the continuing bus protest.

King, testifying earlier today, denied commission of any unlawful act and said he had never urged other Negroes even to refrain from riding the buses.

Avoided Violence.

He emphsaized also that he had carefully steered clear of violence during the boycott; that he admonished Negroes to follow a policy of nonviolence and passive resistance to oppression.

State's attorneys completed their testimony with seven rebuttal witnesses, including six veteran bus drivers who denied they had ever mistreated any Negro passenger.

Negro witnesses for King said they were called such names as "niggers" and "ugly black apes" by bus drivers, that they were forced to stand while seats remained vacant in white sections of buses and at times forced to give up their seats to white passengers.

The purpose of that line of testimony was to establish a cause for the bus protest movement. Alabama's antiboycott law prohibits a conspiracy or agreement to withhold patronage "without just cause or legal excuse."

The bus company manager, J. H. Bagley, testified he had fired 21 drivers in 10 years for discourtesy to passengers. Bagley also produced a performance report by his parent company, National City Lines, Inc., of Chicago, based on a spot check of Montgomery buses last November. The manager said it failed to show one instance of driver discourtesy.

Bus Boycott Leader Found Guilty, 'Realistic Enough to Prepare for the Worst'

Montgomery, Ala.—Found guilty of leading a illegal boycott against the Montgomery city bus lines, the Rev. Dr. Martin Luther King, Jr., had this to say:

"I was optimistic enough to hope for the best but realistic enough to prepare for the worst," the Rev. Mr. King told those who gathered around him a few minutes after the verdict.

"I am sure that when taken to the high courts of the land it will be proven unconstitutional to convict a person under this law." "We have stood under the aegis of the Constitution throughout this struggle."

Defense attorneys immediately began an appeal that may lead ultimately to the U. S. supreme court.

Circuit Judge Eugene W. Carter sentenced the 27-year-old Baptist minister to serve 386 days at hard labor in the county of Montgomery—the equivalent of a fine of $500 and court costs of $500.

Postpone Cases

The sentence was suspended pending appeal and the Rev. Mr. King was released on $1,000 bond. The cases of 89 other Negroes arrested in connection with the Negro protest against the bus lines were postponed pending the appeal.

The protest began Dec. 5 over the arrest of Mrs. Rosa Parks, a 43-year-old seamstress, for refusing to give up her seat to a white person.

Nearly all of Montgomery's 50,000 Negroes have refused to ride the city buses since then. They have used a pool of 300 automobiles organized by the Montgomery Improvement Association, which is headed by the Rev. Mr. King.

The protest movement went on without interruption or incident Thursday. There was every indication it would continue to do so until some agreement was reached with the city and the bus company.

3 Years

Arthur D. Shores, one of the eight lawyers who defended Dr. King in the four-day misdemeanor trial, estimated that it would take 3 years for the case to come up in the Alabama court of appeals.

Defense attorneys have said they will take the appeal to the U. S. supreme court if appellate courts uphold the conviction.

The conviction was under a 1921 statute forbidding the hindering of a lawful business without 'just cause or legal excuse.'

There was no sign of emotion from the predominatly Negro audience as Judge Carter delivered his finding as soon as arguments were completed.

Cloth Crosses

The spectators—many of them wearing cloth lapel crosses reading 'Father, forgive them'—quietly left the court during the long wait to determine the trial costs and to set the amount of the bond.

Judge Carter announced that he was finding Dr. King guilty, but would fine him only half the possible penalty because he had continually urged his followers to observe a policy of nonviolence.

'Weapon of Love'

'This will not mar or diminish in any way my interest in the protest,' the young minister said. 'We will continue to protest in the same spirit of non-violence and passive resistance, using the weapon of love.'

As he left the courthouse, the minister was cheered by waiting Negroes with shouts of 'behold the King,' and 'long live the King.'

Defense Attorneys Fred D. Gray and Shores insisted in their closing arguments that the state had failed to prove King committed unlawful acts and that Negroes had a justifiable reason for refusing to patronize the bus company.

Nearly two score Negro witnesses had testified of repeated acts of mistreatment in the past decade at the hands of white bus drivers, and defense lawyers argued the boycott was the culmination of those experiences.

REV. M.L. KING
MONTGOMERY, ALABAMA BUS BOYCOTT

Boycott Leader Convicted, Vows Integration Fight

Appeal Stays $500 Fine, Trials of 89

Constitution Atlanta, Ga. Fri. 3-23-56

By REX THOMAS

MONTGOMERY, Ala., March 22 (AP) — The first of the Negro bus boycott leaders, Rev. Martin Luther King Jr., was convicted after a four-day trial today and defense attorneys immediately began an appeal that may lead ultimately to the U. S. Supreme Court.

The young minister later promised a cheering Negro audience that he would not give up the boycotters' struggle for "justice and equality."

King, 27, pastor of the Dexter Avenue Baptist Church in Montgomery, was fined $500 for violation of Alabama's seldom-used anti-boycott law for his part in the 17-week boycott of segregated city buses.

FINE DROPPED

The fine was suspended, however, after Negro defense lawyers served notice of appeal. They have said they will take the appeal to the U. S. Supreme Court if the state appellate courts uphold the conviction.

Court reconvened a short while later and King also was charged with court costs of $500 in addition to the fine.

COURT RULES

Under a formality of court procedure, however, the fine and costs were converted into a jail sentence since he chose to appeal rather than pay the money. He was sentenced to 386 days.

But the sentence was suspended when the defendant posted an appeal bond of $1,000.

As he left the courthouse, the minister was cheered by waiting Negroes with shouts of "Behold the king" and "Long live the king."

King promised tonight that the mass boycott will go on "no matter how many times they convict me."

Constitution

Speaking to a crowd that jammed the Holt Street Baptist Church, King said that because of the Negroes' protest against conditions in Montgomery, "maybe the idea of freedom in the Southland will be born right here in the cradle of the Confederacy."

"Now we are determined," the young minister declared. "No longer are we content to accept second class citizenship. We are determined to struggle for justice and equality until we achieve it."

His promise that the bus boycott would go on brought thunderous applause from the chanting, hymn-singing Negro audience.

Circuit Judge Eugene Carter, presiding over the trial in the absence of a jury, could have fined King $1,000 and added a six-month jail sentence under state law.

But he said he decided on a lesser penalty because it was shown in testimony that the minister used his influence throughout the mass bus protest to urge his people to refrain from violence.

Circuit Solicitor William F. Thetford announced immediately after the verdict was read that the state agreed to postpone trials of 89 other boycott defendants pending King's appeal.

The 90 Negroes were indicted by a grand jury Feb. 21.

In a statement to newsmen following his conviction, King said:

"We will continue with the protest in the same spirit, with nonviolence, passive resistance and using the weapon of love."

The minister expressed confidence to reporters that the federal courts will throw out his conviction and hold the Alabama law unconstitutional.

Defense attorneys Fred D. Gray of Montgomery and Arthur Shores of Birmingham insisted in closing arguments that the state failed to prove King committed any unlawful acts and that Negroes had a justifiable reason for refusing to patronize the bus company.

Nearly 40 Negro witnesses had testified to mistreatment in the past decade at the hands of white bus drivers, and defense lawyers argued the boycott was the culmination of those experiences.

Gray contended that the young pastor had done nothing to prevent the bus company from carrying on normal business.

Shores, on the other hand, argued that the Negroes had a just cause for refusing to ride the buses and that whatever King did "he has done perfectly within his own rights as guaranteed within the Constitution."

In pretrial arguments and repeatedly during the four-day hearing, the Negro lawyers injected the question of federal constitutional rights in the trial, admittedly with a view to taking their case into federal court.

Thetford, in his final argument, insisted that the state had proved its case and that King had been clearly identified as "the leader" of the continuing bus protest.

He described the defendant as one of a "selfish little group of men seeking power and influence among their race and seizing this opportunity."

King, testifying in his own behalf earlier today, denied any unlawful act and said he had never urged other Negroes even to refrain from riding the buses.

The Life Story of Martin Luther King Jr.

Courier Sat. 4-7-56 * Pittsburgh, Pa.

'A Young Minister Marked for Leadership'

P. 15 By EVELYN CUNNINGHAM

Martin Luther King didn't just happen all of a sudden. Although he was little known outside of Alabama six months ago, those close to him knew he was going to be important.

Dr. Benjamin E. Mays, president of Morehouse College, from which young King graduated, saw it.

Back in 1948 Dr. Mays said, "King is marked for leadership."

■

THREE YEARS later, Charles E. Batten, member of the faculty of Crozer Theological Seminary in Chester, Pa., said, "King seems to know where he wants to go and how to get there. Furthermore, he is making remarkable progress in arriving."

Add that to a heritage of leadership and religion and there is the man who looms as Number 1 candidate for THE leader Negroes have waited for for the last quarter of a century.

To know Rev. King even casually is to know that the Montgomery bus protest is by no means an end or a climax in a life profoundly devoted to achieving excellency in the field of Christian ministry. It is only a step and a beginning.

BEFORE THAT, however, there was another beginning. There was his father and his grandfather.

The latter, the Rev. A. D. Williams, was a power in Atlanta, Ga. in the 20's and early 30's. He, along with Peter James Bryant, were the accepted leaders of Negroes in Atlanta. Both figured in the fight for the first public high school for Negroes, for which a bond issue was authorized in 1924.

Among the friends and followers of Rev. Williams was a young minister, Rev. Martin Luther King. He assisted at Ebenezer Baptist Church which Rev. Williams had headed since 1894.

HE ALSO came to know and become attracted to Alberta Williams, calm, sweet, quiet-spoken daughter of the pastor.

Alberta attended Spelman Normal and won an A. B. degree from Morris Brown College. It was inevitable that she and young King should marry.

For a year after the marriage Mrs. King taught school. Then the babies began to come.

First there was Christine, now 28, and a teacher in the Atlanta public school system. Christine also went to Spelman, then later to Columbia University in New York where she received a master's degree.

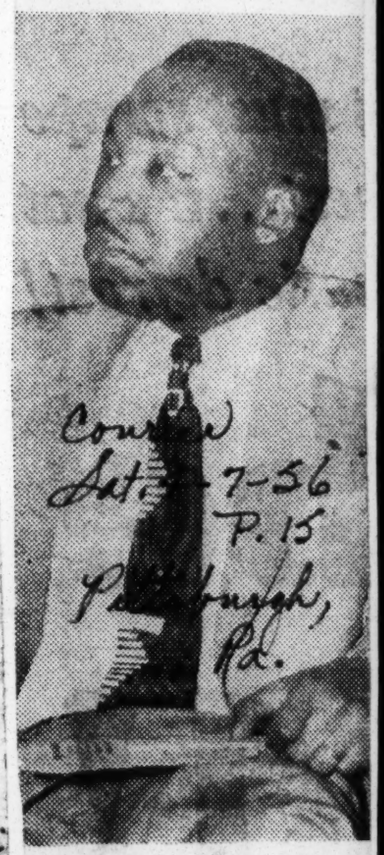
A YEAR AFTER Christine was born, on Jan. 15, 1929, came the boy they named Martin Luther King Jr. The following year the last child was born, A. D. Williams King, presently a student at Morehouse College, married and the father of three children.

Life in the King household was warm and happy. They were well-to-do and they were all influenced and motivated by a strong religious emphasis.

Mother and father were sharp personality contrasts. She was ever calm and placid; he was a fire brand.

While he was drum-beating through the state for the NAACP and the rights of Negroes she was making a home. As busy as he was in those

Man o' the Hour



Courier Sat. 4-7-56 P. 15 Pittsburgh, Pa.

REV. M. L. KING JR.

days he always found time, however, to give significance to the least thing his children were involved in.

IN 1932 Rev. King took over the Ebenezer Baptist Church.

Since that time he has increased its membership from 600 to 4,000.

He has managed to travel extensively, covering Great Britain, Europe, North Africa and the Middle East. He is currently erecting a Christian education building next to his church at a cost of $200,000.

A very large church, Ebenezer is considered a well-run edifice, both spiritually and financially.

MEANWHILE, Martin Luther King Jr. was distinguishing himself in his studies.

He had gone to the elementary schools of Atlanta, the Atlanta University Laboratory High School and the Booker T. Washington High School.

At 15 he entered college. The year before he experienced what he considers his fondest youthful accomplishment.

He won an Elks' oratorical contest. He doesn't remember the exact subject of his oration, but "it was something about the Negro and the Constitution."

■

(Next week: Why young King entered the ministry, the unique courtship of the girl who was to become his wife.)

'DEFEAT' INTO VICTORY—Despite being found "guilty" of conspiring to boycott segregated city busses in Montgomery, there's no defeat in the face of the Rev. Br. Martin Luther King, jr., 27, (center) as he shakes hands with one of his lawyers on the courthouse steps. Behind him is Mrs. King. The decision against the minister-leader only served to strengthen the determination of Montgomery's Negroes not to give in, and helped to bring the Montgomery Negroes' fight into sharper focus all over the world. (Newspress Photo).

38b 1956

ALABAMA

MONTGOMERY, ALA. BUS BOYCOTT
REV. MARTIN LUTHER KING, JR.

Blast Rocks Residence Of Bus Boycott Leader

Advertiser P. 1 Tues. 1-31-56

City Offers $500 Reward In Explosion

Montgomery Ala.

The City Commission last night offered a $500 reward for the capture and conviction of the persons who bombed the home of the Rev. M. L. King last night.

By JOE AZBELL
Advertiser City Editor

A bomb tossed on the porch of the home of the Rev. M. L. King, Negro boycott leader, 309 S. Jackson St. about 9:15 last night shattered windows, ripped a hole in the porch and cracked a porch column. No one was injured.

Neighbors reported that a light colored automobile was seen at the time of the explosion. It was believed to have stopped in front of the home as a white got out and placed or tossed the bomb on the porch.

Coretta King, wife of the Baptist minister, said she was sitting in the front room of the six-room white frame dwelling a half block from the Ben Moore Hotel when she heard footsteps and a thud "like a brick hitting on the porch."

She said she was talking with the wife of Roscoe Williams, Montgomery electrician, and that they feared the "thud" migh be "something dangerous." The two women ducked through a side door to the middle bedroom and went to a third room in the rear. As they reached the third room, they said that they heard the explosion.

In the rear room also was the Kings' seven and a half weeks old baby, Yolanda Denise

Vann Pruitt, assistant state toxicologist, said he believed the bomb to be either a hand grenade or a half stick of dynamite.

HOLE IN CONCRETE

The bomb hit on the south side of the porch about two feet from the concrete steps. It ripped a slight indention about a half inch deep, four inches long and two inches wide in the tile-like porch covering.

The bomb explosion shattered the four windows on the front of the house, sending glasses flying inside the living room on the north side and den and music room on the south side.

The house is about 15 feet from the sidewalk and about 30 feet from the street.

A neighbor, Ernest Walters, 301 S. Jackson, said he saw a light colored car stopped in front of the King house and then move away in a "terrific hurry." Walters said he was walking up his sidewalk when he saw the car and immediately after heard the explosion. He said he saw one man driving the car.

The Williams woman told essentially the same story as the wife of King. She said she was "shocked by the explosion.

Fear Drive Fails

Boycott Leader Arrested

Courier p. 3

MONTGOMERY, Ala.—The Rev. M. L. King, one of the leaders of the local bus boycott, termed his recent arrest by Montgomery motorcycle policemen an attempt to break up the nine-week-old protest movement staged by Negro citizens.

The Rev. Mr. King said police trailed him as he left a "pick-up" stop, and when he discharged one of the occupants of his car, officers pulled up and ordered him to pull over for "speeding."

At the jail, the minister said, he was held and refused bond, but when excited citizens learned of his arrest, and swarmed to the scene, he was released on a recognition bond.

The Rev. Mr. King said police had begun widespread arrests to break up the citizens' free transportation system. "More than 100 traffic violation tickets have been issued and some of the car pool workers have been frightened off," he added.

Sat. 2-4-56

MEANWHILE, THE Rev. Mr. King denied reports that his group had agreed to a "compromise plan," while Montgomery Mayor W. A. Gayle joined the Citizens Council and said the City Commission will make no further attempts to reach agreement.

The Rev. Mr. King charged that three ministers were hoodwinked into attending a City Commission meeting, but denied that agreement was near.

"The bus protest is still on and it will last until our proposals are given sympathetic treatment," the minister said.

The boycotters have requested more courteous treatment from the city's bus drivers; seating arrangements on a first-come first-served basis, and the employment of Negro bus drivers on lines operating in areas heavily populated with Negroes.

The protest grew out of the arrest on Dec. 1 and subsequent fining of Mrs. Rosa Parks, who refused a driver's request that she move to the rear of a bus.

Mayor Gayle charged that Negro leaders "are after the destruction of our social fabric," and added that "we have pussy-footed long enough."

"The vast majority of whites in Montgomery don't care whether a Negro ever rides a bus again," the Mayor declared.

* * *

POLICE COMMISSIONER Clyde Sellers and Commissioner Frank Parks, members of the City Commission, also announced they have joined the Citizens Council, which is devoted to preserving segregation by legal means.

Sellers said the city's police have been ordered to "break up" Negro groups which he claims have been "loitering" at certain times of day in white residential areas.

ON CHICAGO VISIT

King Says Boycott Part Of Revolt By Oppressed

Advertiser Montgomery, Ala. Wed. 2-15-56

CHICAGO, Feb. 14 (AP)—A leader of the 10-week-old bus boycott by Negroes in Montgomery, Ala., said today the boycott is part of a world-wide revolt of oppressed peoples.

"It's part of something that's happening all over the world," said the Rev. M. L. King Jr., 27-year-old Negro Baptist minister.

"The oppressed peoples of the world are rising up. They are revolting against colonialism, imperialism and other systems of oppression."

He said this revolt was an apparently spontaneous movement throughout the world. He said he did not know why it is occurring at this particular time.

The Rev. Mr. King—in Chicago for a guest sermon last Sunday at a Negro church—gave his views at a news conference arranged by a family friend who said he wanted to "give a segment of the northern press a chance to get an unbiased account of what is going on in Montgomery."

King, minister of the Dexter Ave. Baptist Church in Montgomery, is president of the Montgomery Improvement Assn. He said the association was formed to direct a boycott that began Dec. 5 in protest against segregated seating required on buses by state and city laws.

As of today, King said, only about 10 Negroes a day ride buses in Montgomery. About 65 per cent of the bus company's patrons were Negroes before Dec. 5, when Mrs. Rosa Parks, a Negro seamstress, was fined $14 for refusing to move back to the Negro section of a bus. King said this incident sparked a "spontaneous" boycott by the city's Negroes.

Advertiser

"This is a movement of passive resistance," King said. "We have kept violence out of the picture from our standpoint."

'INTIMIDATION' P. 2-A

Two weeks ago small dynamite bombs were thrown at the homes of King and another Negro leader. King said he did not believe the bombs were intended to do any personal harm but were "a symbol of intimidation."

"I'm well guarded everywhere I go in Montgomery, by my friends," King said. "I asked the sheriff for personal protection and that was denied."

The Montgomery County grand jury yesterday began an investigation to determine if Negroes boycotting the buses are part of a conspiracy violating the law.

"I don't doubt that they will indict some of us," King said.

CONFERENCE LOOMS

He said Alabama law prohibits boycotts "without just cause" but that Montgomery Negroes feel they have just cause.

King said litigation initiated by the improvement association — a federal suit challenging the constitutionality of the segregated bus seating laws, and an appeal of Mrs. Parks' fine—will take several months and that "I am not sure that the people will want to continue the boycott that long."

He said Negro leaders will confer shortly to decide whether to call off the boycott pending court decisions. The reason he gave for possibly ending the boycott was that car pools which have been organized to replace the buses have cost Negroes "a lot of money."

"But even if we decide to go back to the buses while the litigation is on, I don't believe more than 50 per cent of our people would go back until the system is changed," King said.

King later left by train for Atlanta. He said he would return to Montgomery tomorrow night.

York.

A collection estimated in the "thousands of dollars" was taken in the Concord Baptist church, in Brooklyn, where King was given a hero's welcome.

The rally was sponsored by the National Association of Business and Professional Women.

"We in Montgomery have discovered a method that can be used by the Negroes in their fight for political and economic equality," he said. "We fight injustice with passive resistance.

"And it works." He said, "The little brown man in India—Mohandas Gandhi—used it to topple the British military machine.

"Gandhi was able to break loose from the political and economical domination by the British and brought the British empire to its knees. Let's now use that method in the United States.

defendant's request, fined the pastor $500 plus $184.50 in court costs for his part in the 17-week-old boycott against segregated city buses.

The fine and costs were converted into a jail sentence since he chose to appeal rather than pay the money. He was sentenced to a total of 386 days. The sentence was suspended, however, after his lawyers served notice of appeal.

King's attorney said that if the state appellate courts uphold the conviction, they will take the appeal to the U. S. Supreme Court.

The maximum penalty under the law could have been a $1,000 fine and six months in jail but the judge explained he did not levy the more severe penalty because of King's activities toward preventing violence during the boycott that began last Dec. 5.

The trial of 89 other Negroes, including 23 other ministers, were postponed pending the outcome of King's appeal. The 90 Negroes were indicted by a grand jury last Feb. 21.

Thursday night, an estimated 3,000 Negroes roared their determi-

cient evidence for a conviction.

The Rev. King told newsmen the verdict "will not increase or diminish in any way my interest in the protest." He continued:

"We will continue with the protest in the same spirit, with nonviolence, passive resistance and using the weapon of love."

When he left the courthouse, the pastor was cheered by waiting Negroes with shouts of "Behold The King" and "Long Live The King".

Almost 25 Negro witnesses testified of long-standing complaints of being abused and humiliated by bus drivers. King's lawyers argued that even if a conspiracy did exist, it had a "just cause and legal excuse" as provided by the boycott law.

State's attorneys used seven rebuttal witnesses, including six veteran bus drivers, who denied they had ever mistreated any Negro passengers.

Bomb Montgomery Home Of Former NAACP State President

advocate

Ind. 2-2-56

MONTGOMERY, Ala., Feb. 6.— A second bomb was hurled into the yard of a Negro dwelling Wednesday night in strife-torn Montgomery, Ala., where Negroes have been boycotting local trolleys. P. 1

A bomb exploded in the front yard of E. D. Nixon, former state president of the National Association for the Advancement of Colored People. It was the second bombing this week. Earlier, the home of Rev. M. L. King was bombed by unidentified persons.

Mr. Nixon, who is a Pullman car porter, had tried unsuccessfully to attend the Jefferson-Jackson Day dinner for Democratic party leaders. He was refused an invitation and Gov. G. Mennen Williams of Michigan cancelled his engagement to speak at the affair.

Brooklyn Gives Hero's Welcome To Rev. King

World P. 1

Jackson, Ms.

Tues. 3-30-56

NEW YORK. — (INS) —The Rev. Martin Luther King Jr., convicted Alabama bus boycott leader, Monday, March 26, was pledged financial support for his civil rights battle after addressing an overflow audience of 2,500 persons in New

Passive Resistance Goal To Continue

World Tues. 3-27-56

B'ham, Ala. P. 1

Convicted Minister Begins Montgomery Protest Appeal

BY ROBERT H. DENLEY

MONTGOMERY, Ala. — (INS) — The Rev. M. L. King, Jr., began an appeal Friday of his conviction as a Montgomery bus boycott leader while fellow Negroes vowed to continue their mass protest.

Defense attorneys for the 27-year-old pastor of the Dexter Avenue Baptist Church, who was found guilty late Thursday of violating Alabama's seldom-used anti-boycott law, said his appeal may lead ultimately to the U. S. Supreme Court.

Circuit Court Judge Eugene W. Carter, who conducted the four-day hearing without a jury at the

nation to continue the bus boycott.

At one of the regularly-scheduled twice-a-week mass prayer meetings that have been held since early December, the Rev. King urged that Negroes continue their spirit of "passive resistance" and "non-violence" in their protest against bus service.

World

He asked if they wanted to continue the boycott, and they thundered: "Yes!"

P. 6

Defense attorneys in final arguments yesterday contended the state had failed to produce suffi-

Rev. King Trial Tops Mark For Coverage, Court Records

Advertiser P. 1

Montgomery, Ala.

The boycott trial of Rev. M. L. King, in addition to attracting the widest news coverage for any single trial in Montgomery County history, produced an awesome collection of court records.

Testimony from 77 state and defense witnesses coupled with the vast array of documentary evidence will consume at least 500 transcript pages, according to Hallowell Lewis, court reporter. Lewis is preparing a transcript in testimony on appeal which he said will "take up at least that many pages." The bulky court records will include 51 state prosecution exhibits in addition to the testimony.

Sat. 3-24-56

Circuit Judge Eugene W. Carter, who served as presiding judge in the four-day court bout, said the King trial drew "more press, radio and televsion coverage" than any other single trial since he has been serving as criminal judge of the 15th Judicial Circuit.

Judge Carter left town yesterday for a welcomed rest after the court ordeal. His whereabouts were not disclosed, although it was believed he was exercising his favorite hobby—fishing.

Court costs of the Rev. M. L. King trial was not available

esterday. The full total is expected to be revealed next week.

38b 1956

ALABAMA

MISSISSIPPI NEGROES HOLD PROTEST MEET

Fear Thinned Group Hears Ala. Minister

Daily world Sat. 4-28-56 Atlanta, Ga.

By PAUL BURTON

JACKSON, Miss. — (INS) — A mass-meeting of several hundred Negroes declared Friday there is a "General State Of Unrest" among Mississippi's Negro population and accused Gov. J. P. Coleman of issuing what was termed "an open invitation to violence." P. 1

The Mississippi Regional Council of Negro Leadership met under the watchful eyes of a dozen State Troopers, and spokesmen said fear thinned their ranks.

Normally, from five to seven thousand persons attend the annual session in Jackson. Some 200 were present Friday morning, and an additional 100 joined the afternoon meeting.

The group adopted a resolution roundly criticizing Gov. Coleman for asking New York Congressman Adam Clayton Powell and the Rev. M. L. King, leader of the Montgomery, Ala., Negro bus boycott, not to come to Mississippi.

The Governor's telegrams, and his description of both men as "agitators," the Council said was interpreted as "an open invitation to violence had they appeared."

Coleman was criticized for what the Council called "the effort being put forth . . to give the outside world the impression that there is a tranquil state of race relations in Mississippi . . ."

"There is a general state of unrest among the Negroes in Mississippi," the group declared, charging that Negroes "are not permitted to share in democracy. The resolution added:

Daily world

"As long as the 986,000 Negroes in Mississippi are denied their God-given American rights in the fields of educaton, voting and justice, there will be no thankful er quar there will be no tranquil era in Mississippi." P. 4

The Chief speaker of the morning session, a Montgomery minister who has been active in the bus boycott, urged Mississippi Negroes to form boycotts of their own to achieve their goals.

The Rev. B. T. Lamerth, one of a score of ministers arrested for taking part in the Montgomery boycott called on the Negroes to boycott particularly white merchants operating in Negro neighborhoods.

A WHITE MAN COMES

"A white man comes into our neighborhood and opens up a store," he declared, "and when he gets rich on our trade, he builds a big house downtown ,and you can't go in the back door. We've got to move them out and you can move them out without doing a harmful act. All you have to do is to stay out of his store for 30 days. He'll move out."

Speaking of the Montgomery boycott, Lamerth said Negroes plan to continue it until the Supreme Court specifically knocks down municipal and state laws requiring segregation on intra-state public transportation in Alabama, or until city officials voluntarily agree not to enforce jim crow laws.

A suit attacking the laws will be heard in a federal court in Montgomery May 11.

OBTAIN VOTE

Lamerth urged Mississippi Negroes to strive particularly to obtain the vote in their state. The list of 20,000 registered Negroes in Mississippi has reportedly been shrunk to 8,000 through use of economic pressure applied by the pro-segregation white citizens councils.

The Rev. J. P. Redmen, of Greenville, Miss., chairman of the first session of the fifth annual meeting of the Mississippi Regional Council of Negroe leadership, said fear caused by statements from state officials kept thousands of Negroes away from the session.

He referred to Gov. James P. Coleman's telegrams to two men who had been invited to speak at the meeting. They are the Rev. Martin Luther King, Jr., leader of the Montgomery boycott and U. S. Rep. Adam Clayton Powell, (D) of New York.

Coleman said he felt the men were "agitators" and would stir up strife among the Negroes if they came to Mississippi. Both men replied that previous commitments

The council then asked Coleman to speak and he also refused because of previous commitments.

Rev Lamerth, during his address, prayed:

"May God forgive every race-baiting citizen from the governor on down."

Rev. King Not To Speak In Mississippi

world P. 1. Fri. 4-27-56 B'ham, Ala.

MONTGOMERY, Ala. --(INS)-- The Rev. M. L. King, Montgomery Negro minister, will not speak in Jackson, Miss., Friday, but he said the request of Gov. J. P. Coleman was not responsible.

Coleman wired King, and New York Rep. Adam Clayton Powell asking both not to keep speaking engagements in Jackson Friday night.

King said he has not accepted the invitation to attend a regional conference of Negro leaders in Jackson because he has a previous engagement. He said:

"If I had accepted (the invitation) I would go. I would have a moral obligation to go. I want it understood that Gov. Coleman's telegram had nothing to do with my not going."

The Rev. King added:

"I would not have gone with the intention of disturbing the so-called peace of the community, although I wonder what type of peace he (Gov. Coleman) was talking about?"

REV. M.L. KING
MONTGOMERY, ALA. BUS BOYCOTT

Boycott Leader Rips Gradualism

Defender Chicago, Ill.

COLUMBUS, Ohio — (ANP) — Speaking for a creed of 400 $10-a-plate dinners here last Saturday, Dr. Martin Luther King, leader of the Montgomery, Ala., bus protest, answered novelist William Faulkner who recently cautioned Negroes to slow up. P. 2

In his address to the Ohio NAACP, Dr. King went to some detail to reply to Faulkner who recently wrote an open letter to Life Magazine in which he urged Negroes to slow down in their drive for first class citizenship.

"Tell Mr. Faulkner, who encourages the use of gradualism, that segregation is a cancer to the American way of life and that one does not treat cancer by rubbing vaseline on it," stated Rev. King. Sat. 4-28-56

All through his address the speaker emphasized the idea that the protest in Montgomery was being conducted without violence and with love of fellowman and love of country as the most important ingredients.

"We do not have hate in our hearts, we do not want to put the bus company out of business, we want to put justice in business," declared Rev. King.

He also pointed out that the reference to the Negroes' refusal to ride the segregated buses in Montgomery as a boycott is incorrect. "It is a protest. We refuse to cooperate! We refuse to pay our dime to be treated in the manner to which we are objecting."

REV. KING CRITICIZES FAULKNER

world P. 5 Fri. 4-27-56 B'ham, Ala.

COLUMBUS, Ohio — (ANP) — Speaking for a crowd of 400 $10-a-plate diners in Columbus last Saturday night, Dr. Martin Luther King, leader of the Montgomery Ala., bus protest, answered novelist William Faulkner who recently cautioned Negroes to slow up.

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$5 Fine Assessed To Negro Pastor In Traffic Case

Advertiser Montgomery Ala. P. 2

A false fire alarm at the church of Rev. Martin Luther King Jr. last week resulted in a $5 traffic violation fine for the pastor of another Negro church in Recorder's Court yesterday.

Patrolman C. T. Rowland said a 1956 Mercury belonging to Rev. Ralph David Abernathy, 29-year-old pastor of the First Baptist Church for Negroes, had rolled unattended into a parked truck causing slight damage. 4-27-56

Rev. Abernathy was charged with failing to set his hand brake. One of the Negro spokesmen in the current bus boycott, Abernathy testified he heard that the Dexter Avenue Baptist Church was on fire, rushed to the scene and parked. When he came back he said he discovered that his car was gone.

Judge John B. Scott fined the minister $1 plus $4 court costs.

Rev. Martin Luther King Lashes Writer Faulkner

Call Ast. 4-27-56 P. 5

Jenora City, Mo.

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Daily Wed. 5-56 P. Atl

MINISTERS CONFER with the Rev. Martin Luther King (Center) leader of the historic Montgomery bus boycott. Rev. King is shown with the Most Rev. Horace W. B. Donegan (left) Bishop of New York, and the Rev. James A. Pike. Meeting was held at the Cathedral of St. John the Divine in New York. Rev. King delivered a sermon in memory of past advances in championing the cause of abolishing racial discrimination.

3 BOARD MEMBERS RESIGN

Alabama Journal Montgomery, Ala. 9/

Next Move Is Awaited In Gray's Draft Case

Tues. 9-18-56

By JOE KOENENN

With the resignations of three members in his hand, State Selective Service Director James W. Jones, late yesterday praised local board 51 as "one of the best in the state."

He added that he certainly regretted their action" which came, according to the members, as a result of intervention from the national director in the induction of Negro Atty. Fred Gray.

A spokesman for the office of the national director said today that Gen. Lewis B. Hershey was merely exercising his legal rights as director and added that if the board reviewed the "new evidence" and still insisted on keeping Gray in a 1-A classification, there was nothing the general could do about it.

The spokesman said that since Hershey had nothing to do with appointment of board members, he would have no comment to make.

In submitting their resignations, the three men agreed that, in their "personal opinion," the National Assn. for the Advancement of Colored People had brought pressure to bear in the case."

They also agreed that no state or local pressure has been brought to bear on them and that they have not heard of any action by Gov. James E. Folsom in the case.

FOURTH MEMBER REMAINS

A fourth member, W. Glenn Harrison, did not resign but said that he did not condone Gen. Lewis B. Hershey's action in the case. He plans to stay on, he said, to see "how much rottener the thing gets." He added that he might resign later on.

Advertiser

In letters addressed to Jones, the board chairman, F. A. Miller, and members, G. C. Gilder Jr., and Hugh M. Smith quit their nonpaying jobs with the board. Their action follows a similar resignation last month by Joseph Petranka, head of board 157. 1-2-A

GRAY CASE UNDECIDED

The induction of the bus boycott leader remains undecided. Hershey, national director, has twice asked that the case be reopened. Now that the board no longer exists to consider the case, national or state officials may transfer it to any other board in Alabama, or Gen. Hershey may let the whole matter drop. If neither of these courses are followed, the new board 51 will have the matter before it when it is formed. Tues 9-18-56

Jones said that it would be a minimum of 20 days before board could be re-constituted. He pointed out that the resignations must first be acted on by a Presidential termination of appointments and then new recommendations must be processed by the Governor's office. These recommendations would be submitted to Washington where the President would issue appointments.

Jones pointed out that his office had nothing "to do with the Gray case whatsoever." He said that calls for inductees to board 51 would, until a new board is appointed, be divided and reassigned to other boards in the state.

WAS PART-TIME MINISTER

Gray, at the time of his 1-A classification, served as part-time minister for a church here. He appealed that classification arguing that he is now a full-time clergyman and should, therefore, be exempt from service. The board contended that Gray's full-time ministerial duties came after his classification and that it was too late to change his status. Hershey ordered the board to re-open the case and to delay Gray's induction for 30 days. This would have meant that Gray would be inducted Sept. 17. Hershey issued a second order which delayed the case indefinitely.

Miller, in his resignation letter said, "The decision of the national director to play politics with draftees renders my position as chairman of Local Board 51 untenable."

OTHER LETTERS QUOTED

Smith's letter said in part. "Together with my fellow board members I have spent many hours in regular meetings of the board over a four-year period. We have had many difficult decisions to make during these years and I am proud to say that without exception we have made every possible effort to accord fair and just treatment to every registrant and have never allowed any outside agency or individual to influence our decisions.

"Our decision to classify the registrant (Gray) in 1- Awas upheld by the State Appeal Board and the Presidential Appeal Board

"If General Hershey has the authority to over-rule our local board then our usefullness is ended. I must necessarily resign as my conscience would never allow me to vote for the induction of any registrant while Fred David Gray is allowed by administrative order to evade his responsibility to his country."

The fifth member of the board Richard O. Grable, also submitted his resignation but for a different reason. He has been selected to serve in the National Guard as a warrant officer. Selective Service rules prohibit members of the Guard or reserve activities to serve on selective service boards.

WCC Seeks 'Walkout' In Autauga

By STEVE LESHER

Four new developments occurred yesterday in the controversial Fred Gray draft case, building fires under Alabama's hot potato to a new peak.

From Washington, the national Selective Service director refused to accept resignations from six Alabama draft board members.

Sen. Lister Hill backed to the hilt a request for a congressional investigation into Alabama draft deferments.

Advertiser

An Alabama white citizens council has organized a committee to ask for the resignations of a local draft board or that they halt inductions.

Mont. Ala.

In Montgomery, a city commissioner revealed he had Fred Gray under "protective surveillance" but that he would now call police off Gray's trail.

6 RECEIVE LETTERS

In letters to six Alabama draft board officials, Lt. Gen. Lewis B. Hershey, national draft director, said he would not take action on the board members' resignations. Letters were sent to Peyton Drake of Local Board 137 in Madison County; Paul L. Reaves, James E. Holmes and Carl J. Strang of Local Board 3 in Barbour County; James M. Stanton of Local Board 33 in Hale County and F. J. Petranka Jr. of Local Board 157 in Montgomery County.

Montgomery

Petranka said he has written to Hershey "asking him to take immediate action on my resignation.' Stanton said his resignation would stand and there was ndication that the other four men would not be influenced by Hershey's request trat they reconsider their resignations.

HILL BAKCS PROBE

Meanwhile, in a telegram to H. M. Gipson, chairman of the Autauga County draft board, Sen. Hill said that he "strongly" feels that "a thorough investigation should be made" of draft deferments in Alabama.

The Autauga board has halted inductions and wired Hill, Sen. John Sparkman and Rep. Kenneth A. Roberts of the fourth district requesting a congressional investigation into draft deferments in the state.

Hill added that he is "contacting both the Senate Committee on Armed Services and the Sen-Operations urging such an investigation." Earlier, Sparkman had said he agreed a "check" should be made, but questioned whether a congressional probe was necessary. No comment has been received from Roberts.

In Lipscomb, Ala., a small community near Bessemer in Jefferson County, the Lipscomb White Citizens Council has organized a committee to ask for the resignations of Local Board 70 in Bessemer, or that the board halt inductions.

A spokesman for the council, James W.artley, said his group contacted the board for an appointment "but we never received a reply from them.'

Hartley said purpose of the appointment was "to ask the board to either turn in their resignations or halt inductions from Bessemer." He said the Lipscomb Council is affiliated with the Alabama Assn. of Citizens Councils of which State Sen. Sam Engelhardt Jr. of Macon County is executive secretary.

Birmingham

NO ACTION TAKEN

A draft board spokesman, Van D. Jones, said "no action was taken on the counciil's request for an appointment because the chairman of the board was absent from the meeting and we felt we should hold off action until he was present."

Montgomery

Hartley revealed the committee originally was formed in order "to probe into the Gray case." Hartley said the Bessemer board clerk informed him that if the Gray file was to be opened, it would be opened in Montgomery. missioner Clyde C. Sellers said he was called off a "protective surveillance" of Gray after the 25-year-old Negro attorney charged he was being "intimidated and humiliated" by local police.

FOLLOWED BY POLICE

Gray told The Advertiser he was followed "without apparent reason" by two motorcycle patrolmen on at least one occasion for "about 20 minutes." He said he was stopped by "the same policemen" one morning, for a check of "my headlights and windshield wipers on a bright, sunny morning." Sellers said he ordered the surveillance because of threatening telephone calls he (Sellers) had received in connection with Gray.

Sellers said since Gray objected, he would call a halt to any extraordinary protection of Gray.

DRAFT CONTROVERSY

The controversy began shortly before Gray's scheduled induction into the Army last Sept. 17 when Hershey ordered Local Board 51 of Montgomery to reopen the Gray case.

Gray had appealed to the state and Presidential Appeals boards on the ground he was a minister and therefore exempt from draft. His appeals were denied.

When Hershey stepped in and sparked a total of 14 resignations of draft officials in the state; halting of inductions in Autauga request or a congressional probe.

In his letter to six draft officials refusing to accept their

resignations, Hershey described his interventon into the Gray case as "routne procedure in the operation of the Selective Service System."

He said "it . . . comes as a matter of great surprise to me that certain members of the system find it necessary to resign when the director of selective service requests reopening to consider new evidence."

Hershey stressed the "fundamental . . . principles of religious freedom" which led to the law that "exempts, not defers, ministers of religion."

ACTIVITY BASIS

He said "the determination in each individual case, as to whether such spiritual leader qualifies for ministeral exempton under the law, is resolved on the basis of his ministeral activities and not on the secular activites n whch he might engage for purpose of earning a livelihood, whether such activities be carpentry, fishing, tent-making or of a more professional character, such as the practice of law.

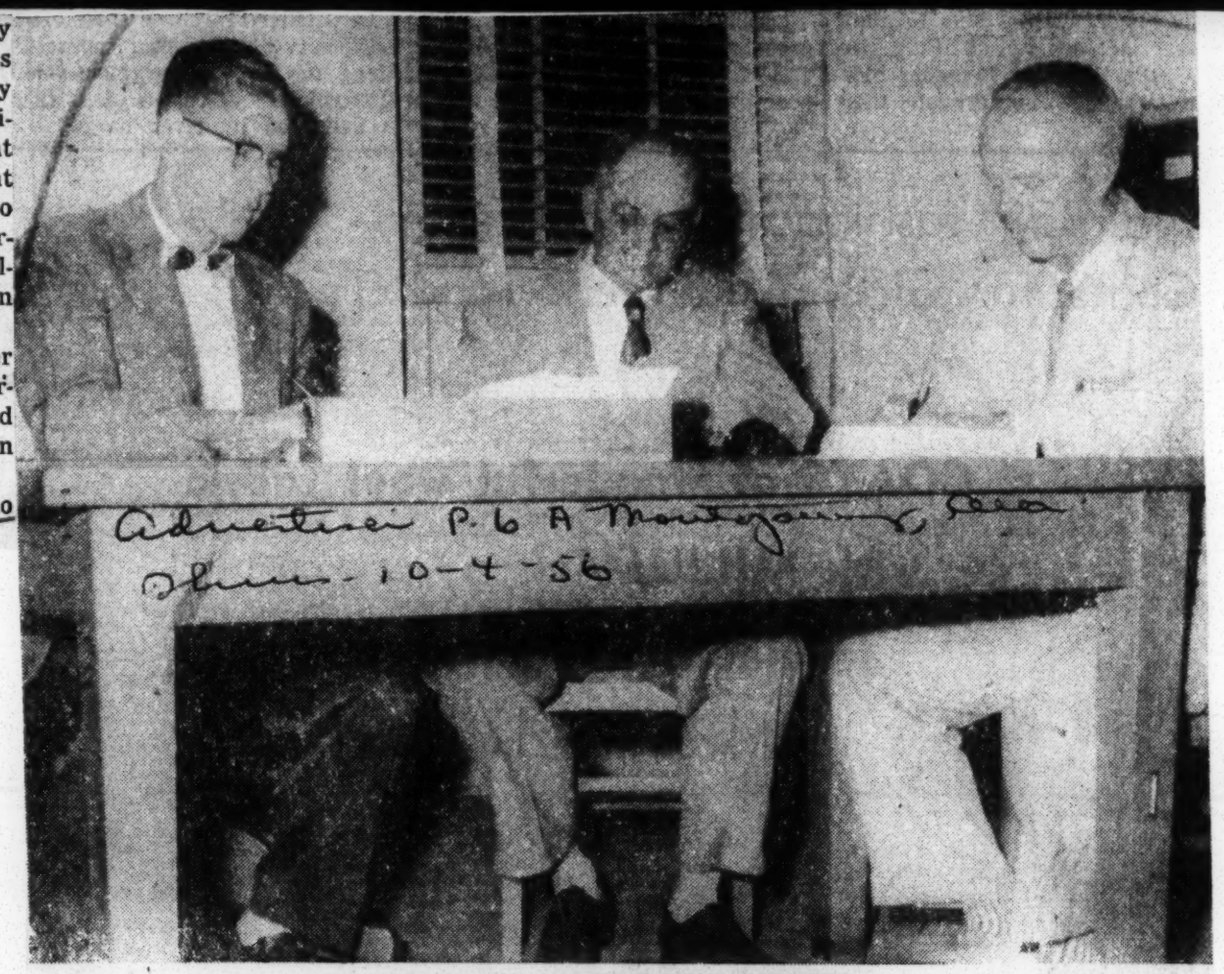
"Let us not forget that greatest of them all worked as a carpenter and that His ministry at times was on a part-time basis."

The letter concluded "I am taking no action on your resignation because Selective Service in your community can ill afford to do without your services.'

sumably, in the view of Gen. Hershey and top draft officials. But to us it seems entirely reasonable that the Montgomery officials feel they made a correct decision on the basis of the circumstance at the time that decision was made. What happened later, their opinion seems to be, is irrelevant and represents a circumstance which would not have developed had the board's original ruling been allowed to stand.

There is an obvious need for further clarification of the situation. It is imperative that the public know the facts and feel fully satisfied as to the operation of selective service.

The issue should not be allowed to drag on.



Advertiser P. 6 A Montgomery Ala
Thur - 10-4-56

PROBE REQUESTED

Members of the Autauga County draft board have ordered all inductions in the county stopped and have requested a congressional investigation into draft deferments in Alabama. The members are (left to right) W. C. Godwin, Allie Trice and Chairman H. M. Gipson. Sen. Lister Hill yesterday wired Gipson that he was in favor of such an investigation.

The Fred D. Gray Draft Case

The functioning of selective service in Alabama is involved in developments in the case of Fred D. Gray, a Montgomery Negro attorney who, it has been claimed, has been serving as a minister.

It is essential that selective service continue working well, and it is absolutely necessary that the public generally have confidence in it. It is, further, essential that the members of local draft boards have the freedom to act as they see fit in specific individual cases without facing the prospect of Washington reversal of their decisions on questionable grounds.

As we understand it, the Montgomery board, which has resigned, holds that when it classified Gray, who has been active in the bus boycott, the attorney was not preaching. But when selective service headquarters in effect reversed the board's decision, it was held — by headquarters—that Gray had at that time begun serving as a minister on a full-time basis.

Whether Gray had been, or had not been, preaching before is irrelevant, pre-

Over Fred Gray case—

Draft revolt in Alabama subsides

MONTGOMERY, Ala., Nov. 22—(AP)—A revolt among Alabama draft officials over the Fred Gray case appeared to be subsiding today with only one local board still refusing to call up eligible draftees.

The Bullock County board which was given a quota of seven for December, said it was "unable to find" any acceptable 1-A registrants but that three volunteers from the county were available.

Members of the Autauga County board decided to resume normal operations and fill the December quota of five as usual. The county was given no quota for this month.

FOURTEEN Alabama draft officials resigned in protest against an indefinite delay ordered by Gen. Lewis B. Hershey, national selective service director, in the scheduled induction of Gray, a Negro attorney here who has been active in the fight against bus segregation.

Three of the five members of Gray's board resigned and no quotas have been assigned that board since then.

Lawrence K. Andrews of Union Springs, a member of the Bullock County board, said his group hasn't budged from its announced plan to refrain from calling up any more draftees until the Gray case is settled.

AT A MEETING this week attended by Robert Owens, board chairman; Andrews and Earl Brannon, the other member, the group decided it had made a "diligent search," but had been unable to find any 1-A acceptable registrants to meet the December quota.

At Clayton, Paul I. Reaves, a member of the Barbour County board which announced that all members as well as the county appeals agent, Circuit Judge George C. Wallace, had resigned, said the group has never quit functioning.

Reaves explained that Gen. Hershey declined to accept resignations of the board members and they decided to continue their work. He said the county's quota of four for next month probably would be met with volunteers.

H. M. GIPSON, chairman of the Autauga County board which balked earlier at inducting registrants and called for a congressional investigation into the draft situation, said the board has been "satisfied with the investigation."

The board halted inductions shortly after Gray's induction was held up.

At that time the board explained that its action was taken "until the public mind is clarified on why certain registrants receive indefinite postponement of induction and others do not."

GIPSON SAID the Autauga County board never did take the position that "we would withhold inductions until the Fred Gray matter was settled."

"We felt that a general misunderstanding was going on in regard to draft postponements and we wanted it cleared up," he said. "We feel that this has been done."

Draft Board on Strike

Dixie whites can dish it out, but when it comes to taking it, it's a horse of a different color. In Alabama, the draft boards are plenty worked up because, Negro, the boards were persecuting received consideration from powers beyond the boards' reach.

Attorney Fred D. Gray, a legal spokesman for the Montgomery bus boycotters was given an indefinite deferment from induction over protest of the Alabama local boards by Lt. Gen. Lewis B. Hershey.

Fri. 9-28-56

The draft board members were so hot, that three of them just quit the board, and the others said they would stay there and set up a new "F-G" (Fred Gray) classification for all elegible 1As for the duration of the squabble.

The board members said they were going to protect their boys, and not send anybody from Bullock county until they could send Attorney Fred Gray.

"WON'T DRAFT" TOWN IGNORED IN NEW QUOTA

Daily World Fri. 10-19-56 Atlanta Ga.

MONTGOMERY, Ala. — (INS) — Alabama's Selective Service Commission is filling their draft quota for November without the help of three county draft boards.

Autauga, Barbour and Bullock counties, who had rebelled against the Selective Service headquarters' deferment for Fred Gray, a Montgomery Negro minister, were not requested to furnish a single draftee.

"If they saw they're not going to send in any draftees as a part of their protest, why send them a quota?" Selective Service Director James E. Jones said Thursday.

He said he hadn't planned any immediate action against the protesting trio, because he didn't believe the revolt to be serious enough."

"The only thing that I'm really concerned about," he said, is that the men at these draft boards are good men and we would hate to lose them, but the issue is between the Boards and Washington."

The three boards had previously demanded a Congressional investigation of the National Selective Service System, contending that National Director Lewis B. Hershey had intervened on behalf of Gray.

They said that Gray, who acted as an attorney in prosecuting a suit attacking Alabama segregation laws, had therefore relinquished his draft status as a minister.

Members of the Bullock County Board had resigned their posts, while the other two draft boards refused to draft anybody until the Gray case was altered to their satisfaction.

Jones announced a November draft call of 375, 50 higher than that of October and 108 higher than the September call.

Draft Call Will Bypass 4 Counties

Advertiser Fri. 10-19-56 Montgomery, Ala.

No Quotas Assigned To Boards Balking Over Fred Gray Case

If Alabama meets its November draft quota of 753 it will be without help from boards in four counties which balked over the handling of the Fred Gray case.

Two of the boards have flatly refused to call up any more registrants until the young Negro attorney who has been active in the Montgomery bus boycott is inducted. Members of the other two boards resigned.

State Selective Service Director James W. Jones said he didn't assign quotas in Autauga, Barbour or Bullock counties because he has been informed they had no registrants available.

He added that a similar situation exists as far as Gray's local board is concerned. A majority of Local Board No. 51 in Montgomery resigned after Gray got an indefinite delay of his induction which the board had ordered.

In all, 14 Alabama draft officials resigned in protest after Lt. Gen. Lewis B. Hershey, National Selective Service Director, ordered the young Negro's induction halted.

TAKING NO ACTION

Since then Hersey announced he was taking no action on the resignations. However, most of the Alabama officials have reaffirmed their intention to quit.

Jones said he had no alternative but to skip over the boards which aren't functioning since his office has no authority to induct anyone without approval of local draft officials.

He ordered Bullock County's quota canceled this month, after the Bullock board reclassified its eligible registrants and put them in an occupational exempt category.

Shortly before, the Bullock board announced that it was setting up a new "F.G." (Fred Gray) classification for all youths in the county and wouldn't call up any more "until Fred Gray goes."

PLAN ABANDONED

This plan was abandoned in favor of using established classifications for exemtpion.

The Negro attorney was exempt several years under a 4-D or practicing minister classification. After he achieved prominence during the bus boycott, his local board reviewed his case and put him in 1-A.

Gray was ordered up for induction in August, but was given a 30-day delay on instructions from National Selective Service. Hershey asked the local board to reopen Gray's case but members declined.

When the local board refused to reopen Gray's case, Hershey ordered the induction put off indefinitely which triggered the resignations of three members of his board. Advertiser

These quotas were given to Alabama's other 54 counties next month:

Baldwin 6, Bibb 3, Blount 5, Butler 3, Calhoun 10, Chambers 2, Cherokee 3, Chilton 4, Choctaw 3, Clarke 4, Clay 4, Cleburne 3, Coffee 6, Colbert 6, Conecuh 4, Coosa 4, Covington 4.

Crenshaw 4, Cullman 6, Dale 6, Dallas 6, DeKalb 6, Elmore 4, Escambia 4, Etowah 8, Fayette 3, Franklin 5, Geneva 3, Greene 3, Jackson 6, Jefferson 58, Lamar 5, Lauderdale 6, Lawrence 4, Lee 3, Limestone 5.

Lowndes 3, Macon 4, Madison 10, Marengo 4, Marion 3, Marshall 4, Mobile 23, Monroe 8, Montgomery 6, Morgan 5, Perry 4, Pickens 4, Pike 5, Randolph 3, Russell 3, Shelby 4, St. Clair 4, Sumter 4, Talladega 6, Tallapoosa 6, Tuscaloosa 10, Walker 10, Washington 4, Wilcox 4 and Winston 4.

2 More Boards Request Probe In Draft Case

Advertiser Montgomery

By STEVE LESHER

A congressional probe into Selective Service procedures has been requested by two more Alabama draft boards as a result of the red-hot draft controversy surrounding a Montgomery Negro attorney.

Fri 10-5-56

One of the boards may halt inductions if the investigation is not begun "reasonably soon," a spokesman said.

Members of the Limestone and Covington county draft boards reported yesterday they notified their congressmen and U.S. Sens. Lister Hill and John Sparkman that they are in favor of a congressional investigation into draft procedures.

RESULT OF DEFERMENT

Spokesmen for both boards said no names were mentioned in the letters to the congressmen but both said the requests for a probe were a direct result of an indefinite deferment granted Fred David Gray, a 25-year-old Negro attorney, by National Selective Service Director Gen. Lewis B. Hershey.

The Autauga County draft board initiated the move for an investigation earlier this week when they reported they had contacted Hill, Sparkman and Congressman Kenneth A. Roberts of the fourth district and asked the 83 draft boards in Alabama to act on a request for a probe.

Hill wired the Autauga board that he would back the request and would contact two Senate committees to start the ball rolling.

SPARKMAN BACKS 'CHECK'

Sparkman was quoted as saying he agreed "a check" should be made on the handling of the Gray case but added he "didn't know" if a congressional investigation would be necessary.

Roberts has not replied. The Covington board contacted Congressman George Grant of the second district, while Congressman Robert E. Jones of the eighth district was contacted by the Limestone board.

Grant previously had stated he was "fully in favor" of a probe into Selective Service procedures and Jones said yesterday he "would be most happy to assist Senator Hill and Senator Sparkman in their endeavor to enlighten the people of Alabama." Jones said he had not recieved the request from the Limestone board.

INDUCTIONS HALTED

Although the Autauga board coupled their request with an immediate halt of inductions in the county, neither the Covington nor the Limestone boards took similar action.

But a spokesman for the Limestone board said the question of whether to halt inductions "will probably come under discussion." Thomas H. Gilbert of Athens said if the investigation is not conducted "reasonably soon," it is "likely that the board may vote to halt inductions."

Inductions have been halted in Bullock and Autauga counties.

HERSHEY STOPPED DRAFT

The draft controversy began last Sept. 17 when Gray, the Negro attorney, was to have reported for military induction. Gen. Hershey ordered the case reopened based on "new evidence" that Gray is a full-time minister. The reopening

DRAFT QUIZ URGED BY 2 MORE BOARDS

Commercial Appeal

Move Follows Negro Leader's Induction Delay

MONTGOMERY, Ala., Oct. 4. —(UP)—Draft boards in limestone and Covington counties Thursday joined with the Autauga Board in urging Congress investigate the national selective service system. P. 4

The proposed investigation stems from Selective Service Director Gen. Lewis B. Hershey's order "indefinitely postponing" the induction of Negro attorney Fred Gray.

Board 20 of Covington and Limestone Board 40 wired Alabama congressional leaders calling for the investigation.

Senator Lister Hill has wired the Autauga Board he was following its request and planned to contact Senate committees dealing with the armed services and Government operations.

Autauga Chairman H. N. Gipson said the group had asked Senators Hill, John Sparkman and Representative Kenneth Roberts to seek an investigation "not only for the Fred Gray case but similar cases in Alabama that have not received so much publicity."

Oct. 10-5-56

Alabama has had 14 board members resign since Gray's postponement. It was given the bus boycott leader by General Hershey in order that new evidence could be reviewed on Gray's claim of being a full-time minister.

General Hershey said, however, he would not accept six of the resignations. In a letter to the men, he said their service is "vital" to the selective service system.

He said he was also "deeply concerned to have such resignations tendered without (the members) having the opportunity to review the principles involved."

In addition to the resigning officials and the requested investigation, the Autauga and Bullock boards say they will not draft any more youths until Gray is inducted.

order in effect postponed the Negro's induction indefinitely.

On Sept. 17, three members of Montgomery County Local Board 51 resigned. Since then 11 other draft officials in the state have resigned in protest of Hershey's action.

Six officials who had resigned received letters Wednesday from Hershey refusing to accept their resignations. The six indicated Hershey's letter would not change their plans of deciding against further affiliaton with Selective Service.

It was learned Wednesday that the Lipscomb, Ala., White Citizens Council has formed a committee to ask the Bessemer draft board members to either resign or order inductions halted. The board was asked for an appointment by the council committee but has taken no action on the request.

Draft Board Sends Home Bullock Boys

Post Herald

UNION SPRINGS, Sept. 28 (AP) —Members of the Bullock County Draft Board are standing firm on their decision not to call up any more registrants for the draft until Montgomery Negro Atty. Fred Gray is drafted.

Birmingham Post Herald

Lawrence K. (Snag) Andrews, one of the board members, said today five youths ordered up for the October call have been reclassified in 2-C and 2-A, occupational exemption classifications.

Sat. 9-29-56

The board previously had announced that it was setting up a new "F-G" (Fred Gray) classification for all eligible registrants, white or Negro.

"There is no change in the stand of the board," he said. "Our position is firm that no Bullock County boy shall take the place of Fred Gray in the Army. We have simply used legal and with criticism of the Gray case and in Bullock County the board said it would not call up any draftees until Gray dons a uniform.

Mon. 10-1-56

Gipson said draft boards are "a go-between for the system and the citizens.

Post Herald

"In order to maintain good feeling we believe it is best to hold off further inductions until this thing is cleared up," he said. "The people as a whole are very much dissatisfied now.

"We're not trying to get out of anything. We just want to maintain the good feeling."

Gipson said Autauga County has a two-man draft quota for October and only one volunteer available. He said the other place would go unfilled until "the confusion is cleared up." The other 82 boards had not been heard from so far, Gipson said.

The letter from Gipson and the other two Autauga board members, A. C. Trice and W. C. Godwin, also said:

"A resulting clarification of policy from such congressional investigation is deemed necessary for due administration of Selective Service act of 1948 as amended, in a fair and impartial manner, because of action by the Selective Service System in the indefinite postponement of induction of certain registrants tending to establish a precedent."

Hill, Sparkman and Roberts were not available for comment. Neither was James W. Jones, Alabama Selective Service director.

In letter to Russell—

Hershey explains why he had Fred Gray deferred

News

Fri. 10-26-56 Birm. Ala.

P. 19

BY JIM FREE
News Washington correspondent

WASHINGTON, D. C., Oct. 26 —Gen. Lewis Hershey, director of selective service, said today he ordered deferment for Fred Gray of Montgomery because the local draft board in Alabama refused to reopen the case to check on new evidence that came in after Gray's 1-A classification was upheld by the presidential appeals board.

38 P

In a letter to Chairman Richard Russell (D., Ga.), of the Senate armed services committee, Hershey said this new evidence showed that Gray, a Montgomery, Ala, Negro, assumed full pastoral duties with his church on Aug. 9, 1956.

Draft Case

HERSHEY SAID the local board had evidence that Gray was a parttime minister for a full two years before it reclassified him into 1-A on Feb. 7, 1956.

While Gray also was parttime attorney, Hershey said the board had been exempting Gray for five years from the draft because of his parttime activities as a minister.

After the local board's reclassification, Hershey said, he received a letter from the Alabama state director of Selective Service. This letter advised that the local board felt compelled "to take some action to revoke registrant's ministerial classification, due to the tremendous pressure being brought to bear on the local board because of the registrant's activities in the bus boycott then existing in Montgomery."

CHAIRMAN RUSSELL wrote Hershey earlier this month asking for an explanation of Gray's deferment by national Selective Service headquarters. The Georgia senator was disturbed about this action after the White House appeals board had upheld the 1-A classification.

Russell asked for an explanation of national headquarters apparent delay in handling the case. The Georgian voiced concern about such a deferment based on evidence submitted after the time Gray had originally been ordered into the service.

The senator said his committee might propose changing the draft law to set a cut-off date—after which local boards would not consider new evidence about eligibility for deferment.

Gen. Hershey told Russell that such a cut-off date "if it were practicable, might simplify the administration" of the draft. But, he added that he felt it would be a mistake to establish a cut-off date.

"It is of the utmost importance that the system at all levels retain maximum flexibility, and this flexibility cannot be maintained" under a cut-off date.

HERSHEY TOLD Russell that there has been in the past three years 79 other cases in which he had ordered deferment after action by the Presidential Appeals Board.

In 45 of these cases this was done because the Supreme Court issued a decision holding that it was necessary for preachers to have full-time duties to get deferments.

In 22 other cases the deferments were granted because of new evidence—as in the Gray case.

Folsom Hints Assembly Call On Court's Work Law Ruling

Journal & Constitution Sun. 5-27-56 Atlanta, Ga.

Governor Says Nullification Action Could Be Taken in State

38a Ala

By FRED TAYLOR

Staff Writer, The Birmingham News
Special to The Atlanta Journal-Constitution

MONTGOMERY, Ala., May 26—Gov. James E. Folsom threatened to call another special session of Alabama's lawmakers as a lackluster Democratic primary runoff campaign moved toward Tuesday's voting climax.

Not that the runoff election results would have any bearing on whether Folsom called a sixth extraordinary session in less than a year and a half, since he and those on the so-called "Folsom slate" were overwhelmingly defeated in May 1 voting. Furthermore, he has evidenced no interest personally in the outcome of the remaining two statewide races and a few local ones to be settled in the runoff, even though some of his leaders have.

Nullification Threat

The governor, returning this week from a vacation jaunt to Miami and Havana, said he might resort to the doctrine of nullification, if the U.S. Supreme Court insists on "trying to cram force measures down our throats."

Folsom was referring to the high court's ruling outlawing state "right-to-work" laws governing the railroad industry.

"If such force measures are pushed upon our state, then I will immediately call another special session of the Legislature and recommend the ordinance of interposition or nullification," said the governor.

Alabama, along with 17 other states, has a "right-to-work" law. The one in this state, passed by the 1953 Legislature and signed into law by former Gov. Gordon Persons, has been opposed by Governor Folsom "in theory." And he has said repeatedly he would work for its repeal, but he has made no real attempt to have it repealed.

In brief, the Alabama law provides that a worker is not required to join a union, unless he so desires.

As for the doctrine of nullification, Alabama's Legislature already has passed an interposition resolution on the segregation question, declaring the high court's integration decision "null, void and of no effect."

Author of the resolution was Talladega's freshman Rep. Charles W. McKay Jr., chairman of the Sylacauga White Citizens Council, who defeated Gov. Folsom for Democratic national committeeman in the May 1 primary.

Folsom, who let the resolution go into effect without his signature, called it "hogwash" and urged the legislature to authorize a constitutional convention to enact nullification "legally."

ALABAMA

Observers are convinced that Governor Folsom's refusal to sign the McKay resolution, and his "soft" attitude on segregation, were contributing factors in his lopsided defeat for the key party post.

But the governor pointed out that "I recommended four constitutional conventions and such an ordinance of interposition could have been accomplished legally in any one of them."

He added that he "did not veto the McKay resolution of nullification. I just did not sign it, because it was of no effect as a resolution."

"I did sign the only real segregation bill passed by the legislature, and that was the 'freedom of choice' bill, which is in no way a force bill," declared Folsom.

Two Statewide Races

He was referring to the Boutwell "freedom of choice" constitutional amendment, which will be voted on statewide Aug. 28, and a statutory enactment implementing this proposal to set up three types of public schools. Parents and guardians would have the right, under these measures, to send children to all-white, all-Negro or to mixed schools.

The two statewide races to be decided in Tuesday's balloting are those between veteran Public Service Commission President Jack Owen, seeking a second term as head of the state rate-making body, and Birmingham's Billy Tucker, insurance man and former Auburn football star, and a runoff for the one remaining unfilled Democratic delegate-at-large seat.

Selma's N. L. Horne, railroad man, who is strictly unpledged, is opposed for this delegate place by Anniston's H. R. Batchelor, loan and insurance man, who leans to Adlai Stevenson. Horne led Batchelor in the first primary.

IN UNIVERSITY TALK

Folsom Hails State Future, Defends Rep. Powell's Visit

Advertiser Fri. 5-11-56 Montgomery, Ala.

TUSCALOOSA, Ala., May 10 (AP) —Gov. James E. Folsom today urged University of Alabama students to remain in this state when they graduate, and share in Alabama's golden future.

Addressing a Governor's Day audience, Folsom said "Markets are going Southward . . . industry must follow. The payrolls are coming to Alabama because we are blessed with more navigable streams and water than any other state."

He urged the students to remain in Alabama and, if possible, "organize your own business."

About 4,500 persons were on hand for the speech.

The governor touched on the visit to the executive mansion at Montgomery of Rep. Powell, Negro congressman from New York. Powell's visit at the mansion was used against Folsom in his unsuccessful race for Democratic national committeeman.

Folsom intimated that he discussed means of keeping an Alabama segregation suit out of the U.S. Supreme Court with Powell.

"I've heard a thousand stories about a social affair in my house with a Negro congressman," Folumm said. "I never answer charges during a campaign, but now I will.

Advertiser

"The congressman was in my office, to the back of the house, on a matter of business and business only.

P.6-A

"For another thing, I never drink Scotch."

Folsom also said he had replied to "resolutions from the British Isles" urging more rights for Negroes during the recent racial strife in the state.

The governor said his reply was that "100 years ago it was a penitentiary offense to teach a Negro to read and that today we have one of the best educational systems for Negroes any place in the United States.

38a

"When you resolute to free the Gold Coast colony slaves in America and when you do something about it, then you send me a resolution about Alabama," Folsom said he replied to the unidentified authors.

"As long as I am governor, the boys in khaki uniforms won't be sent abroad to protect these slave colonies or any other slave colonies."

Preview Of A Pattern

(From The Christian Science Monitor)

The Montgomery (Alabama) City Lines, Inc., grievously hurt financially by the boycott of its busses by Montgomery Negroes, canceled its segregation ruling on hearing of the Supreme Court's decision. The City of Montgomery declares it will continue to enforce local laws and ordinances requiring segregation on public conveyances. Daily World P. 6

The officials point out the decision was handed down on a South Carolina, not an Alabama, case and that technically it did not deal with segregation at all. Montgomery Negroes, realizing they are caught in the middle, have voted to continue their boycott of the bus lines. Tues. 3-8-56 Atlanta, Ga.

Legal opinion agrees the Supreme Court's decision of outlawing segregation on intra- as well as inter-state transportation. But it is true that technically the court's ruling dealt with whether in enforcing South Carolina's segregation laws the Columbia bus drivers were acting as employees of the company or as special police officers of the state. And Montgomery Negroes would be working against their own cause if they complied with local laws, and would be arrested if they didn't.

This may all seem quite frustrating to many on both sides of the segregation controversy. But it supports informed predictions that adjustment to desegregation ruling will have to be worked out state by state and community by community. It supports deductions that the high court, in ruling on the narrowest grounds possible, is giving latitude for adjustments to be made in just this fashion.

And one can hardly avoid noting such a process nevertheless may be affording the two races time to hammer out the multiplicity of new accommodations necessary for them to live side by side in harmony.

Look Who's Riding

Editor, The Advertiser:

As a very interested citizen of Montgomery it seems that the Negro citizens would realize that while they are walking in the cold rain and mud the leaders and "big wheels" are riding in big new cars. Advertiser

These leaders don't feed them and they should think of that before donating their grocery and rent money. I feel for people who are so foolish as they can't see what is best for those who live here in the South. The North is North—the South is South and one or two people can't cram the North's ways on the South simply because they want to. Stop and think Negro citizens, if not I hate to think of Montgomery's future! Mon. 2-6-56 P. 4-A Montgomery, Ala.

Violence has already begun. So far I thank God no one has been hurt. Stop and think of this alone—don't let a loud-mouth influence you. Do what your own mind tells you.

MRS. C. T. BROWN.

Montgomery.

Outside Provocation

Editor, The Advertiser: Advertiser

I feel that Negroes and whites have lived for years peaceably in Alabama and could have lived on that way if some of those agitators had stayed out.

The feeling has been much worse since some meetings have been held for speakers from outside Alabama. P. 4-A

Did you ever stop to think these bombings could have been done by some one not of the white race? Things have been done to stir up all that could be.

I feel sorry for the good colored people who have to suffer the acts of a few agitators. Mon. 2-6-56

M. J. WOODFIN.

Deatsville, Ala. Montgomery, Ala.

Futile Gesture

Editor, The Advertiser:

I have talked to any number of Negroes since this boycott started and am convinced that it is not the responsible educated type of Negro who is back of this. For many years Negroes and whites have gone along side by side in harmony, and these agitators from elsewhere come and prey upon the emotions or ignorance of a certain class and stir up the trouble. My maid tells me that many Negroes are told that "white people have it in for them." She also says they are told the bus men and white people will "jump on them" if they ride the buses.

If they were not being intimidated by their own, many would have started riding long ago. The futility of their actions is so apparent.

Don't they know that even if the federal court should outlaw segregation on the bus and other public transportation within the state, it would be a simple matter to just do away with such public transportation? So what do they hope to gain? Surely a small handful of disgruntled citizens, be they black or white, cannot change our way of life in the South which will endure until the end of time.

MRS. T. J. CARBRET.

Montgomery.

Can't Solve A Problem By Running From It

Mon. 2-6-56 P. 4-A

After continuously reading articles concerning Autherine Lucy and the Alabama bus boycott, it is time all America and Alabama know how I feel as an American soldier and a native of Birmingham.

I am on foreign soil defending my country in the interest of peace and humanity, defending the rights of 160,000,000 fellow citizens, trying to protect human rights and the right to pursuit of happiness.

My pals ask me why I don't go north because the South is getting worse instead of better. But I have them to know the Negro has made and is still making great progress and you can't solve a problem by running away from it.

To Lucy and all Alabama, I am with you even to death. Keep the good work up without violence. The pen is mightier than the sword. Retaliate without the use of destructive means. Use divine guidance. Then we will learn peace doesn't mean the absence of war, but the presence of justice.

The men can fight and die together on foreign lands during combat, why can't we live together during peacetime?

I have brothers who fought with the Army and the Marines during World War II and this past Korean conflict, and yet they had to come back home only to be denied the rights which they gallantly and heroically fought for.

We have as Negroes shown that we can produce some of the greatest, as Joe Louis, Mrs. Bethune, Ralph Bunche, Marian Anderson and Lena Horne.

Upon the completion of my tour of duty, I am coming home, not to start trouble, not to run from it, but as spiritually and intelligently as I can to help make it better.

LEON BOOKER,

U. S. Army, Okinawa.

Guardian Imposter

Editor, The Advertiser: Advertiser P. 4-A

I am very sorry to hear from [The Manchester Guardian] correspondent in Washington of a regrettable incident in connection with the recent agitation over Miss Lucy. He tells me that a colored student from England appeared in the city and represented himself as our correspondent—or, at all events, purported to be gathering material for an article on our behalf.

I write to say that we have no knowledge of this man at all and that we have not commissioned him or any other person, (apart from our regular correspondents, Alistair Cooke and Mr. Freedman), to write for us on this difficult subject. Montgomery, Ala.

For your interest I am enclosing all the material which we have had on this subject from our correspondents and in our editorial columns. I am not enclosing news agencies' messages. I hope it will be clear from these cuttings that even if our attitude differs from your own, we are not unaware of the difficulties of the situation and of the disadvantage of trying to force changes prematurely. Mon. 3-12-56

[Name Illegible]

Acting Editor, *Manchester Guardian*.

Manchester, Eng.

What Did Th Supreme Court Actually Rule?

Advertiser P. 4-A Thurs. 4-26-56

IT NOW appears that Montgomery City Lines, acting presumably on instructions from the parent National City Lines, may have acted with unseemly, unnecessary haste in ordering drivers here to disregard city and state segregation laws. Montgomery, Ala.

Second-look appraisals of what the court actually meant in its Monday ruling leave considerable doubt that the court intended to abolish segregation on intrastate transportation. Since the court seemed to leave standing the decision by the U.S. 4th Circuit Court of Appeals that "We do not think the separate but equal doctrine can any longer be regarded as a correct statement of the law," wire services and most newspapers jumped to the conclusion that bus segregation had gone the way of school segregation.

The very brevity of the Supreme Court's ruling, however, should have generated some doubt that the court was laying down a broad new principle of law. Also, the court knows the turmoil existing in the South today resulting from the school ruling, and the justices could hardly be unmindful of the consequences of another exacerbating ruling at this critical time.

★

IT IS idle to argue that the Supreme Court simply rules on the law without regard to what happens. The court

has found it expedient often before to employ the proverbial law's delay, and might very well have done so in the bus case if the court has any feeling at all for social consequences of its actions. And we cannot believe the court is totally devoid of such feelings.

The Associated Press, which said categorically Monday that the Supreme Court had ended segregation on intrastate transportation, hedged yesterday with the following:

WASHINGTON, April 25 (AP)—Government lawyers were divided today on what the Supreme Court meant by its cryptic action Monday in a case challenging race segregation on intrastate buses.

The Court's brief order refusing to review a lower court decision was widely interpreted at the time as ending segregation on any form of public transportation. But some lawyers reviewing the case said the high court could have acted on narrow, technical grounds.

The Supreme Court almost never elaborates on its orders. No explanation could be obtained from it today as to just what it meant.

According to legal opinion here and in Washington, the court might have simply declined to consider a matter which had not been through final judgment in the lower courts.

★

IF THIS is true, the bus company has painted itself into a corner, announcing that it will not defend segregation although, as the AP story indicates, laws requiring separation of the races on intrastate transportation may remain intact. In any event, National City Lines would have been well advised to have waited until its attorneys had time to weigh the effect of the court's ruling.

But if the bus company is guilty of haste, the Supreme Court is guilty of vagueness and the nation's press, perhaps, of conclusion-jumping — none of which has helped an already sorrowful situation.

From Mr. Wechsler

GROVER C. HALL, JR.
Editor-in-Chief
The Montgomery Advertiser
Montgomery, Ala.

Advertiser P.4-A 3-7-56

Dear Mr. Hall:

When I invited you to work with Ted Poston on the series you had proposed on race discrimination in New York. I did so because in my judgment he was best qualified by background and experience to get the full story. Poston has been covering race relations in this city for more than 20 years and if Murray Kempton or I or anyone else were to prepare a series of this sort, he would be the first man to interview. As I wrote you, Kempton entirely concurs with my estimate of Poston.

Montgomery Ala.

I can only assume that your reply ignores my proposal that you work with Poston (and reiterates your desire to collaborate with Kempton) simply because Poston happens to be a Negro. That is your privilege. But I am sure you would not expect me to abide by Montgomery's segregation system in handing out assignments on *The Post*.

As a newspaperman I had also hoped you would realize that in offering Poston's services I did so in all good faith; the fact that he has lived as a Negro in this city for most of his adult life would surely make him more rather than less sensitive to the discriminations that survive here. In short, I was proposing an arrangement under which you would obtain maximum knowledge and perspective about the New York story. At the same time I made it clear that all the facilities of *The Post* would be at your disposal; I am sure Kempton and I and everyone else here would have done whatever we could to supplement Poston's effort to make your inquiry a fruitful one.

You say that you want to do this series with Kempton because of your "prior plans and personal relationship" with him. Yet you also say that, if he is unavailable, you would be willing to undertake the project with me. To the best of my recollection we have never met; I must therefore conclude that the only thing that qualifies me as a satisfactory substitute for Poston is that I am not a Negro.

I am sure you will realize on reflection that for me to replace Poston under these circumstances would be an affront to one of my most valued associates. It seems to me an unhappy consequence of the segregation position that a Southern newspaperman would prefer to get an inadequate story with the help of someone like myself rather than work with a Negro reporter who could most effectively help him.

It seems to me equally sad that you apparently cannot consider the lively prospect of publishing Poston's report side by side with yours in *The Montgomery Advertiser*—as I had offered to do in *The Post*.

I fear the world will quickly weary of our published communications; let me simply express the hope that you will reconsider your decision and come up to New York to start working with Poston on Monday.

In any case we are, of course, proceeding with our series.

Sincerely,

JAMES A. WECHSLER,
Editor, *The Post*.

★

To Mr. Wechsler (Finis)

MR. JAMES A. WECHSLER
Editor
The New York Post
New York, N.Y.

Dear Mr. Wechsler:

Thank you for your March 15 telegram bearing on my proposal to equalize press coverage of race disharmony between New York and Alabama. I am, of course, running your statement in full in the Saturday edition of *The Montgomery Advertiser*.

I had originally proposed that I handcuff myself to your star columnist, Murray Kempton, for a week in New York as he rooted out the story of New York's racial discrimination. Kempton told me he had planned for sometime to do such a New York series, that he would be delighted to bird dog the story for me, and also that he was going to render the series regardless of whether I came to New York.

I made ready to take plane this weekend, not as an act of sniveling or frivoling, but to play a part in surrendering the South's corner on the production of news of race strife. If the story of race strife is national, then the American press has a duty to nationalize it.

Kempton assured me the story grew on trees in New York. A Nov. 8 editorial in *The New York Times* uncorked the phrase, "the explosive issue of segregation in New York's own schools."

Your Mayor Robert Wagner followed along with the statement:

"I have been increasingly concerned with the realistic situation of factual segregation in our elementary and high schools."

Plainly the story was there, informing the nation of the sorrowful but evident fact that the Negro encounters rejection wherever he migrates in significant numbers. I say compassionately, as my father wrote years ago in *The Advertiser*, it is a hard lot in life to be born a Negro.

Anyhow, my first proposal and your acceptance did not mesh. My lively, antic friend Kempton has gone silent and his ancient project is sunk without trace. Next, since you are an editor and I am an editor, I proposed a parley-at-the-summit collaboration with you. Again, you rejected my proposal.

Your alternate proposal—my reliance upon the assistance of the well known Negro reporter, Ted Poston—is obviously an inadequate arrangement for obtaining this particular story.

By the way, I have lately printed some nettling things about the news handling of race strife in Chicago (where a hundred policemen are on duty today to guard 24 Negro families at Trumbull Park) and Detroit. The response was a phone call from that austere Roman, John S. Knight, who publishes in both these cities. He said that he was directing his papers to give me anything I asked should I wish to visit either city. He was as good or better than his word, for almost instantly I had a challenging but hearty invitation from Basil Walters, who bosses Knight's *Chicago Daily News*, to come and get it, free style.

Finally, Mr. Wechsler, even though Kempton is a fugitive from me and his own project, I have the hope that our exchange of notes may have made some Southern editors and publishers wonder if the time hasn't come to rise from their inert hams and commence staffing Northern race strife to give the American people perspective on what Adlai Stevenson calls "an *American*, not a Southern, dilemma."

Give my regards to Broadway.

Yours faithfully,

GROVER C. HALL, JR.
Editor-in-Chief
The Montgomery Advertiser.

'My Own Experience'

Advertiser 3-12-56 P.2-B

230 W. 76st
New York, 23, N.Y.
Apt. 45-1

Sun. 3-18-56

To The Editor.
Dear Sir. Montgomery Ala.

I am not sure that you are interested in what I have to say, but after reading an article which appeared in one of our news papers [*The New York Post*] which I think as a Negro, I am very much interested. I Thank it is only my duty to rbing something to light, now that an opportunity has arrived.

I am not saying that I agree with the Policies, or the laws of the South the sole purpose of this letter is simply to give you, or whome it may consurn some idea of what it's like here in thi Great City of N.Y.

I am happy to say that we Negroes do have quite a number of privilidges of which we are diffently deprived in the South, but I will have to confess that equality is far, far from what our great northern press would have others to believe.

We are supposed to have laws that say you cannot refuse employment or housing facilities to a citicen because of race, creed, or color. Well I can tell you about the only difference one can earnestly see is that in the South the policy is to say straight forward that he is against the Negro and every thing he represent. And the policy here is to deceive, conive and pretend that we are all brothers while if the truth was known, he really feel as you do in the South. I wish to thank you sir for giv-

acomoditions to Negroes regardless of his ability to pay. in other words,

ing your precious time to read this letter, and I do hope it will of some worthy cause for you, my country, and my people.

(Now let me make this Cristel Clear. I am not now, nor have I ever, nor Will I ever belong to the Cominest party. Nor any other rotten organization as the (Cominest Party).
(I AM AN AMERICAN).

Sincerely yours

Jerome Crews
230 W. 76 st
N.Y.C.
Apt. 45-1.

38b 1956 ALABAMA EDITORIALS (BOYCOTT

READERS' POINT OF VIEW: *Negroes' Views of the Integration Question*

Courier-Journal P. 8

To the Editor of The Courier-Journal:

Since this Alabama bus boycott and segregation mess has started, the white race of people in the South should stop and think why the Negroes are in their Southern states. I myself am a Negro and I am proud of my race of people. For one thing, they are honest people if the Southern white people let them be. The Southern white people brought the Negroes to this country and treated them like dogs. Did they have to? No, they didn't; they did it because they could.

My guess is that they would like for it to be that way today. The Southern white people should not care much about mixing in their schools or on their buses. After all, you may as well mix in the day as to mix at night. And I am sure you want to know why I say these things, because there aren't any full blooded American Negroes in the U.S.A. If there are I haven't seen any, because the Negro race of people are black as soot. The Negro in this country today is mixed with white people. And why? Because the Southern white people sold them like stock for mixing in the South. You don't call that mixing, or do you? Thomas Jefferson once said, "All men are created equal, all men are born the same." God made the Negro equal to any race above the grave, although once made a captive and sold to man, a slave. Of all the crimes recorded our histories none tell of a crime more brutal. It was said by men of wisdom, "No knowledge shall they have, for if you educate a Negro you unfit him for a slave."

Bowling Green, Ky. MRS. BESSIE JOHNSON RAY.

Thurs. 3-22-56

No Color Envy

Reading my Sunday Courier-Journal I don't like what I read, so I am going to attempt to answer one question for John C. Epsie, Sr. First I am going to ask him one. Why would he think anyone in his or her right mind would want to be changed from Negro to white? I have never in my life heard one Negro say he wished he was white. Oh yes, we stare at the other races, wishing we could give our children better advantages, lovely homes, plenty of nice clothes for all occasions. Yes, we look real long at you white people, but not because of color.

Take my color; I like it fine. I am clear brown.

Louisville, Ky.

I can look in my mirror when I get up in the morning or any time of day and I like what I see. But on the other hand, if I were white I could get a fat-paying job at Goodall Plant or Corning Glass. It does look like they would hire half of each race, but I don't suppose that will ever happen down here in Kentucky.

When you see or hear of someone "passing," it's for money alone. All this "superior" and "aristocratic" business should first come from within. Imagine having to tell folks, "I am a superior race, I am an aristocrat." Whatever you are and wherever you are, Father Time will take care of us all.

The wheels of the gods grind slowly, but surely.

Danville, Ky. MRS. ELIZABETH THOMAS.

Editorial of the Week

Weekly P. 3-B

Alabama Trial; National Tragedy

New Orleans, La.

The views expressed in this column do not necessarily express the editorial opinion of the Louisiana Weekly.

(San Jose Mercury, March 23)

Thinking, feeling Americans in all parts of the country must experience a sense of profound sadness, not to say alarm, when they read of the so-called bus boycott trial now in progress in Montgomery, Ala.

Sat. 4-7-56

The spectacle of a community so torn with fear and mutual distrust that one portion seeks legal action against another over a simple matter of personal choice is indeed a sad one.

There can be little doubt that the Negroes on trial for "conspiracy" to boycott racially segregated buses feel persecuted. There is no doubt whatsoever that their white neighbors are acting out of economic and political fear.

In such an atmosphere of fear and suspicion it seems unlikely the court will arrive at anything approaching a just verdict. Indeed, what sort of verdict is possible in a case whose basic feature is an incredible attempt to force the use of a public conveyance? There is as much sense in this as there would be in an attempt to force all blue-eyed blond individuals to ride San Jose City Lines buses for any reason whatever.

Were the race issue not so explosive in the South, the Montgomery trial would make excellent Gilbert and Sullivan. Unfortunately, the trial has all the makings of a first-class national tragedy. The issue is a fundamental one: should a citizen, whatever his race, creed, color or political belief, be allowed free choice in meeting a simple, everyday need: transportation?

In all justice, the answer should be as simple as the question: yes.

The Montgomery bus trial will make no friends for the South outside of the South. It will not aid the South in its attempts to nullify or delay implementation of the Supreme Court's desegregation ruling.

It will set back, for who knows how long, efforts by men of good will in both races to find a common meeting ground where the legacy of slavery can be ameliorated and eventually dissolved.

In the larger picture, the nation as a whole will suffer because of the trial for the simple reason that it cannot ignore the South. The South is still, albeit grudgingly, a part of the Union; its citizens are still Americans.

Where this tragedy will lead one can only guess. There is more at stake for the Nation in the decision of the Montgomery court than too many persons realize. At this point, perhaps prayer is the only weapon left to men of goodwill.

Desegregation: Economic Weapons

Daily World P. 2

(From The Christian Science Monitor)

The Negroes of Montgomery, Alabama, have started something which will not be stopped by the conviction of the Rev. Martin Luther King, Jr., on the charge of organizing an illegal boycott. The bus boycott is not halted. Trials of 89 other defendants were suspended pending appeal of the King case, and that may take several years to reach a final adjudication.

Sat. 4-7-56

It is difficult to see how that process can do anything but hurt the segregationists' cause. For even eventual upholding of this conviction — which is by no means certain — would not kill the idea of nonviolent use of economic power. Meanwhile at every step there would probably be a continuance of bad publicity for the methods adopted to enforce white supremacy. Also, unhappily, there may be a spreading use and abuse of boycotts, damaging to both races and to the South as a whole.

Atlanta, Ga.

The Montgomery boycott developed as a protest by most of e city's 50,000 Negroes against discrimination on the busses. In e King trial there was abundant testimony intended to show stification — which might be a defense under the law. It left tle doubt that treatment of the Negroes on busses fulfilled but alf of the "separate but equal" standard.

Southerners honestly convinced that the two races will do etter if kept separate — at least in certain associations — will find eir case damaged by the ugly evidence of insult and humiliation this record. Senator Eastland recently declared segregation was ot based on any sense of racial superiority. But as practiced it often hard to disengage from manifestations of "white supremacy" which are not pretty even when as unconscious as the scrimination practiced in the North.

Negroes have by no means been the only ones to employ onomic weapons in the segregation struggle. Whites months go began firing or denying credit to Negroes who signed petions for desegregated schools. Whites have set in motion some of the most harmful rumor-bred boycotts of business firms accused — usually with no truth — of aiding the NAACP. Whites, indeed, appear to have suffered most, being also on the receiving end of boycotts by Negroes for supporting the White Citizens Councils.

It is clear that the economic weapons are dangerous ones, and southern leaders are deeply concerned by the harm they are doing. One remedy is to expose the false reports which start many of them. But a more fundamental answer is also being sought in steps to cultivate moderation and positive improvements

in race relations. Leaders in Montgomery would be well advised to follow this course.

So far the Negroes there have had all the best of it — especially in national and world opinion. They have asked for a rule which obtains on busses in other southern cities like Memphis. This still aims at segregation, but with a first-come-first-served rule. Whites are seated in front, Negroes in the back, but either race may overflow its own area if there are seats elsewhere. Whites at present are in the poor position of trying to compel Negroes to ride busses. Also to stand even though there may be empty seats.

Moreover, some of the Negro leaders appear to understand that the spirit in which economic weapons are used is vital. They have emphasized calmness and nonviolence. Mr. King pleaded on one occasion, "We must use the weapon of love. We must have compassion and understanding for those who hate us." Economic power, if exercised in that spirit, will not be easily stopped.

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Desegregation: Economic Weapons

Daily World p 4

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Fri. 3-16-56

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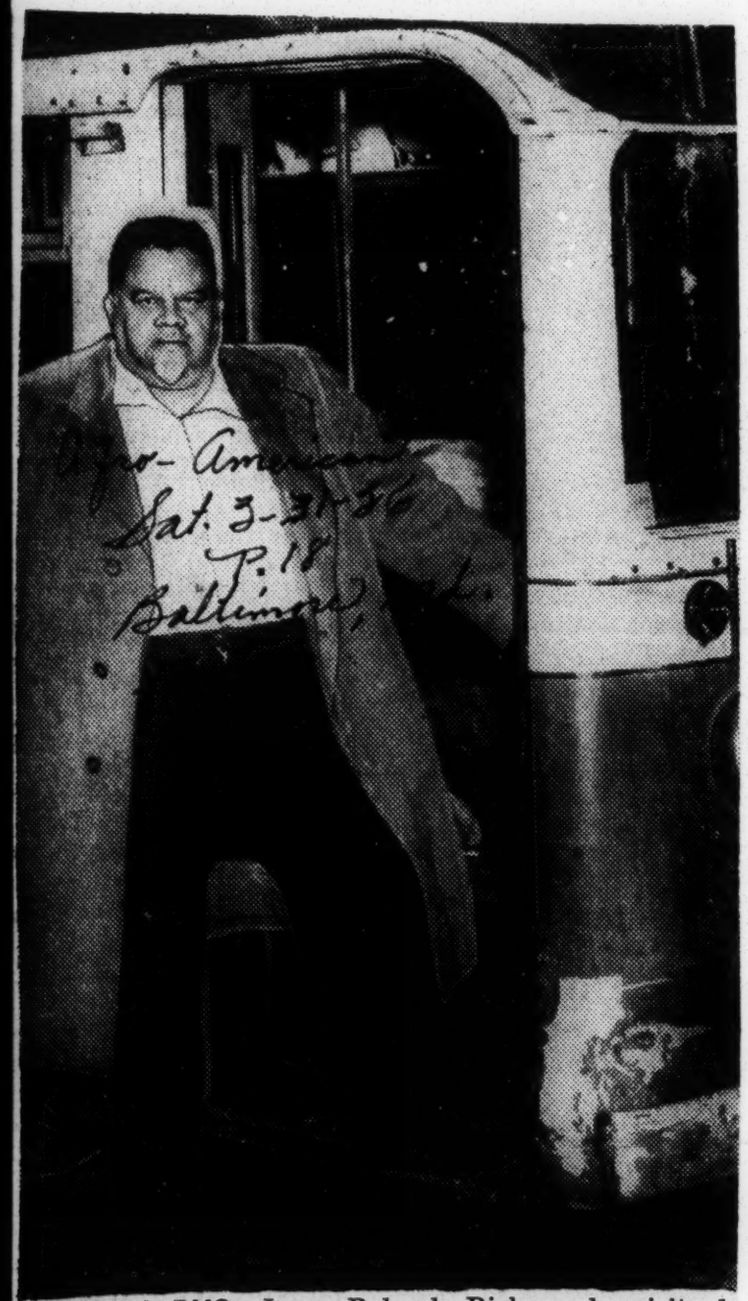

FREEDOM BUS—Jesse Boland, Richmond spiritual adviser, known as "Master X," stands beside the 36-passenger bus he plans to give to the Montgomery Improvement Association of Alabama to support the bus protest there. The Rev. M. L. King Jr., president of the association, said in a letter to Mr. Boland: "We would gladly accept the bus." (Story on Page 6)

Negroes Ask 1-Hour U.S. 'Strike'

Herald Miami Fla. Feb. 2-25-56

Leaders Call for Stoppage March 28

See story on Page 2-A

NEW YORK — (UP) — A group of New York Negro ministers Friday night called on the nation's Negroes to stop work for an hour on the Wednesday before Easter to offer up prayers in support of the Montgomery, Ala., bus boycott.

The call came from a meeting organized by Rep. Adam Clayton Powell, New York Democrat, in protest against the arrest of church leaders in the Montgomery boycott.

Powell, a Negro, called for a prayer campaign "for deliverance from persecution and for the deliverance of persons afflicted with racial prejudice."

He said the "National Deliverance Day of Prayer" would be held on Holy Wednesday, March 28.

"Between the hours of 2 p.m. and 3 p.m. on that day, no Negro man, woman or child shall work or attend school," he said.

Powell said the prayer campaign was approved by an emergency meeting of Negro spirtual leaders in New York City.

Powell is pastor of the Abyssinian Methodist Church, which claims the largest Protestant congregation in the world.

Powell said he told the leaders of the Montgomery, Ala., bus boycott about the plans for the day of prayer. He said they told him they would join the program.

Powell, named chairman of the Prayer Day movement, said the entire demonstration should remain a spiritual one with religious leaders providing the impetus.

He termed the campaign "a spiritual answer to those "people behind 'the dark curtain' of Alabama who have cast aside the laws of the nation and the moral laws of God."

He said it was the general feeling among his "colleagues in Congress that the anti-Negro movement in the South was aimed at keeping the Negro from voting."

Powell said the firemen, policemen and hospital attendants would be exempt from the work halt March 28.

Rap Powell's Sponsorship Of Prayer Day

Informer P.7 Feb 3-24-56 Hawaii, Jap.

NEW YORK (NNPA) — Representative Adam Clayton Powell, Democrat, of New York has been accused by a group of Baptist clergymen on Long Island with political motivation in promoting a "national deliverance day of prayer."

Mr. Powell, pastor of the Abyssinian Baptist Church here, is promoting the day of prayer in connection with racial tensions and violence in the South.

The Baptist Minister Fellowship, composed of ministers of fifty churches in Queens, Nassau and Suffolk counties, made the charge against Mr Powell at a meeting Tuesday.

The Rev. James R. Moore, executive secretary of the group, said Thursday that it was the general feeling among members that Mr Powell was promoting the day of prayer "as an opportunist, for his own political prestige."

A spokesman at Mr. Powell's church denied the charges.

The Long Island ministers have planned a "week of fasting and praying for freedom from oppression of all minority groups through out the world." The week is set for March 26-30, inclusive.

On each of the days, eight churches in central locations in the three counties will hold prayer services at noon and 8 p m. Special collections will be taken, the money going to further the efforts of the ministers in Montgomery, Aa., who are leading a boycott of the bus lines there in protest against segregation rules on the buses and harsh treatment by the drivers.

Hawaii Jap

'Political,' say pastors of Powell's prayer program

Afro-American P.5 Baltimore, Md.

NEW YORK (NNPA) — Rep. A. Clayton Powell has been accused by a group of Baptist clergymen on Long Island with "political motivation" in promoting a "national deliverance day of prayer." 3-24-56.

The Rev. Mr. Powell, pastor of the Abyssinian Baptist Church here, is promoting the day of prayer in connection with racial tensions and violence in the South.

The Baptist Ministers Fellowship, composed of pastors of 50 churches in Queens, Nassau and Suffolk counties, made the charge against Mr. Powell at a meeting last Tuesday.

THE REV. JAMES R. MOORE executive secretary, said that it was felt among members that Mr. Powell was promoting the day of prayer "as an opportunist, for his own political prestige."

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38b 1956

ALABAMA

BUS BOYCOTT
ATTY. CHARLES D. LANGFORD

Trial Scheduled For Negro Lawyer On DWI Charge

Advertiser
Montgomery Ala.
June 7-19-56

A Negro attorney who has been active in the fight against bus segregation in Montgomery faces trial in Recorder's Court July 28 on a drunk driving charge.

Charles D. Langford of Montgomery was arrested by city police on a residential street shortly after 2 a.m. yesterday. He was taken to jail and later released on $200 bond.

P-1-C

Under Alabama law, conviction of driving while intoxicated means automatic revocation of the driver's license.

Langford as an attorney has represented Negroes boycotting segregated city buses and also the four Negroes who won a three-judge federal court order holding segregation unconstitutional.

REP. ADAM CLAYTON POWELL, JR.
BUS BOYCOTT, MONTGOMERY, ALA.

Negro lawmaker—

Powell says bus boycott may spread

News 3/14
Birm., Ala.

NEW YORK, March 12— AP —Rep. Adam Clayton Powell (D., N. Y.) says the Negro boycott of buses in Montgomery, Ala., may spread to other cities.

The Negro congressman said yesterday he would send a telegram to the Chicago owner of the Montgomery line telling him the boycott may hit his buses in other cities.

Powell said the Montgomery line, boycotted by Negroes since Dec. 5 in a protest over segregated seats, is one of 40 owned by National City Lines, Inc., of Chicago. Three of the 40 lines are in the North.

PHON. 3-12-56

The congressman-clergyman discussed the boycott during a "prayer meeting for national deliverance" at the community church. He said the meeting was one of a series and the first to be held in a non-Negro church.

POWELL SAID he would ask the National Bus Lines president, E. Roy Fitzgerald, "to reexamine the Montgomery situation or face the possibility of people walking in other cities as well."

Powell did not indicate specifically how a spread of the boycott might be accomplished.

The New York City Democrat also told of replies he had received to letters he sent to President Eisenhower and the FBI on the civil rights situation.

The reply from a presidential assistant, he said, was "patently deceitful, sheer hypocritical buck-passing."

POWELL SAID he urged Eisenhower to call a conference of Southern white and Negro leaders and also join with a biracial committee of clergymen in five minutes of prayer "for the deliverance of the persecuted and the salvation of the prejudiced."

The reply from Eisenhower's office, he said, suggested that recommendations for a bipartisan civil rights commission and a prayer period should come from Congress.

The congressman said a letter to the FBI asking for investigation of the White Citizens Councils in the South brought this reply from Asst. Atty. Gen. William F. Tompkins:

"The organizations to which you refer, along with many others, have been under review. Appropriate action will be taken if warranted."

Southern white man Negro's best friend

CLEVELAND, March 12—(AP) —"The finest friend a Negro has in the world," says a Negro minister indicted for boycotting buses in Montgomery, Ala., "is the Southern white man."

However, the Rev. L. Roy Bennett, president of a Negro ministerial alliance in Montgomery, added that a "substrata" element is fighting for survival and causing confusion.

The Rev. Mr. Bennett addressed a rally here yesterday where $3274.18 was collcted to aid Montgomery Negroes in their legal battles.

"All we want is a dime's worth of ride for 10 cents," he said, adding that "we're going to fight until we can sit down where we darn please."

Congressman Calls Arrests 'Barbarism'

Herald 3/10
Birm., Ala.

WASHINGTON —(AP)— Rep. Adam C. Powell Jr., New York Democrat, asked "White House" protection Thursday for Negroes indicted in Montgomery, Ala., in connection with a bus boycott there.

PHON. 3-24-56

Powell, a Negro, said in a telegram to the President that the arrest of Negro ministers in Montgomery, on boycott charges is a "new low in American barbarism."

It was announced Wednesday 115 persons had been indicted, but the sheriff's office in Montgomery estimated Thursday the number was around 90. Among those taken into custody were 24 Negro ministers and around 50 other persons.

Negroes have been staying off the buses as a protest against racial segregation.

Court Fines King $500 On Boycott Law Charge

Judge Orders Continuance In 89 Cases

By TOM JOHNSON
And FRANK McARDLE

The Rev. Martin Luther King, Negro leader of the bus boycott here, was convicted on a charge of violating a state anti - boycott law and was fined $500 and costs in Circuit Court by Judge Eugene Carter yesterday.

Judge Carter ordered a continuance in 89 other cases of Negroes charged with the same violation until a final appeal action is completed in King's case.

The jurist suspended payment of the fine until the appeal is heard by higher courts. The appeal eventually could go to the U.S. Supreme Court.

BOND

Defense attorneys prepared to post a $1,000 appeal bond. They had previously stated they would carry the case "all the way to the U.S. Supreme Court" in the event of a conviction.

As King and his wife left the courthouse, they encountered a lively demonstration on the sidewalk. Television cameramen and news photographers fired away as a crowd of about 300 clapped and waved their hands.

They chanted, "Long Live King," or "Long Live The King" and "We Ain't Gonna Ride the Buses No More."

No demonstrations occurred in the courtroom.

Judge Carter announced he had been satisfied about the guilt of King in violating the anti-boycott law. But he added that he was levying a fine lower than the maximum because the minister apparently had "discouraged violence" in the bus boycott movement.

MOTION DENIED

Earlier a motion to dismiss the evidence entered by the state and rule a verdict for the defendant was denied by Judge Carter.

In his summary arguments, Circuit Solicitor William F. Thetford argued that the state had proved King had engaged in a conspiracy to hinder and prevent the operation of the bus company without "just or legal cause."

Defense attorneys Arthur Shores of Birmingham and Fred Gray of Montgomery, in their summary said that the state had failed to prove King had been a party to any conspiracy or agreement to hinder the bus company's business and that if such a conspiracy existed it existed with "just cause." Shores said King was merely a spokesman for the Negroes who selected him for their leader.

Shores, one of the six Negro attorneys defending King, said that the Baptist minister "didn't volunteer to be a rabble-rousing crusader, as the state attorneys have presented him."

Interpretations of the anti-boycott law took up most of the arguments. Thetford charged a group of 16 to 18 Negro leaders carried out the boycott "to gain personal power and influence." He added the boycott resulted from "hysteria built up at mass meetings" promoted by King and others. He pointed to violence in the firing on city buses and charged that King was directly responsible for boycott activity.

Thetford said the Montgomery Improvement Assn. had spent $30,000 for the sole purpose of keeping the bus boycott alive.

King himself was called as the final defense witness.

The state put him through a fairly brief but vigorous examination during which the young minister denied that he had ever urged Negroes to refrain from riding buses.

He said his "emphasis" has been "let your conscience be your guide."

Another witness, the Rev. Robert S. Graetz, pastor of the all-Negro Trinity Lutheran Church, had earlier testified that on the "several occasions" he heard King speak, the Negro leader never openly advocated that bus patrons remain off the buses.

Graetz said he had heard "two or three compromise proposals" for ending the boycott discussed at meetings of the executive board of the Montgomery Improvement Assn., and had submitted such a plan himself.

He said the board had been "interested" in the compromises but none was ever "completely acceptable."

King was asked if he ever advocated violence on the part of protesting Negroes. He replied that his stand had been the "very antithesis of that," that he had urged non-violence.

He described the improvement association, of which he is president, as a group formed on the day the boycott began to improve race relations and "uplift the general tenor of the community."

NO SALARY

He said he is paid no salary but that seven office workers receive money for their services.

Thetford tried to show that the resolution adopted at the first mass meeting (Dec. 5 at Holt Street Baptist Church) was actually prepared during the preceding afternoon by a committee headed by King.

King admitted he was a member of a committee but said he did not recall helping draft the resolutions. He said his impression was that the resolutions were planned during the afternoon and actually drawn up that night.

Thetford referred to another portion of the minutes of the afternoon session which referred to an agreement to continue the boycott indefinitely, and asked King if such an agreement was reached.

"That's true according to the minutes," he said. "I just don't remember the discussion."

'SPONTANEOUS'

Thetford directed his questioning at trying to show that the boycott did not develop spontaneously" on the night of Dec. 5, as some Negro leaders have maintained, but was planned hours before by a group of 20 persons at the Mt. Zion AME Church.

Did the executive committee of the association agree during the afternoon to set up finance and transportation committees, as mentioned in the minutes of the meeting?

King's reply: "I don't remember."

Thetford tried to show that there were, as he phrased it, "two boycotts"—the first one planned for one day only (Dec. 5) and the second, which developed later, planned for indefinite duration.

"Did you have anything to do with the first boycott?" asked Thetford.

"No, I didn't," said King.

"Do you know anyone who did?"

"No, I don't," King replied. "It was a spontaneous beginning."

ONE-DAY BOYCOTT

Did the Montgomery Improvement Assn. take what started out to be a one-day boycott and, with its money and planning, extend the boycott indefinitely, Thetford asked.

"No, I wouldn't say that," the minister answered.

Thetford again referred to the minutes of the Dec. 5 afternoon session which referred to certain "recommendations" of the executive board being given to that night's mass meeting.

The solicitor wanted to know what the recommendations were.

King said he didn't know.

Was an agenda for the night's program drawn up at the afternoon meeting, Thetford asked.

"I imagine so," replied King.

Did the executive board draw up the three items the Negroes are said to demand as the price for ending the boycott — that is, a different seating arrangemnt, courteous treatment and the hiring of some Negro bus drivers?

"I don't remember," said King. He testified he "couldn't say" who formulated the demands or where or when they were drawn up.

"DIDN'T REMEMBER"

But he added, "I think they were done at the Holt Street Church (at the first mass meeting). I really don't remember." In any event, he said, the demands reflected the wishes of the "4,000 Negroes" present at the Dec. 5 mass meeting.

He confirmed that the weekly budget of the improvement association is $3,200 — "approximately that."

Thetford asked if all of the approximately $30,000 donated to the improvement association had been spent for the boycott.

King admitted "most of it" had. He said the money came from "free-will" offerings.

Asked how many white persons are members of the improvement group, King said he didn't know because "we don't keep records on the basis of race."

SOME OTHERS

He said he did know that Graetz was a member.

Thetford asked if there were any others.

"I know we have some others," said King.

"Who are they?"

"I don't know," said King.

King, pastor of the Dexter Avenu. Baptist Church, testified he came to Montgomery in 1954.

Thetford asked how many times he had ridden the city buses?

"Only Once," King replied.

Graetz preceded King on the witness stand.

He said, though, he couldn't remember having heard King urge Negroes to refrain from riding buses, he did "recall that there were times when they referred to people not wanting to ride."

The defense put on seven other witness before resting the case. All of them testified that as bus passengers they were abused and referred to in derisive terms.

REBUTTAL GIVEN

In rebuttal to the passengers' testimony, the state called bus drivers J. B. Saddler, O. T. Rainwater, C. H. Williams, W. H. Mills, C. E. Moseley, and O. O. Martin.

Each of them testified he had driven buses for several years on predominantly Negro lines and denied the use of abusive language or discourtesy.

They said—and Manager J. H. Bagley confirmed—that the seating arrangement now in existence on buses reserves an equal number of seats for whites and Negroes.

Bagley said, superintendent of the bus company since it began business 20 years ago, there were 93 or 94 bus drivers employed on Dec. 5, the day the boycott began. None of them, he said, was a Negro.

Asked if he would hire a Negro driver, Bagley said, "It's never been the custom to hire Negro drivers for either drivers."

Anyway, he answered: "I've never had an application."

Negro pastor denies urging bus boycott

News P.1

Thurs. 3-22-56

By REX THOMAS

MONTGOMERY, Ala., March 22—(AP)—The Rev. Martin Luther King Jr., denied today he ever encouraged any Negro to refrain from riding segregated city buses during the 17-week-old mass boycott.

The 27-year-old Negro Baptist minister, first of 90 Negroes called to trial on boycotting charges, also testified in his own defense that never at any time did he advocate violence during the boycott but had urged his people instead to refrain from violence.

Defense attorneys rested their case at the conclusion of King's testimony. The state announced it would have some rebuttal evidence before the guilt or innocence of King is turned over to Circuit Judge Eugene Carter to decide in the absence of a jury.

Despite King's disavowal of urging Negroes to stay off the buses, Circuit Solicitor William F. Thetford sought to show that the Negro minister at least indirectly was a party to that.

Thetford referred to a resolution drawn up by the Montgomery Improvement Assn. which was organized the day the boycott began last Dec. 5. King is president of the association.

KING INSISTED his attitude toward Negroes riding the buses was "Let your conscience be your guide."

The 27-year-old pastor of the Dexter Avenue Baptist Church said he urged his people repeatedly to refrain from violence, by contrast his own house was bombed the night of Jan. 30 and that he had received "numerous threats" against his life.

Earlier, the white pastor of an all-Negro church who has helped in the boycott testified he has never heard King urge other Negroes not to ride the buses.

The Rev. Robert S. Graetz, 27-year-old white pastor of the Trinity Lutheran Church in Montgomery whose congregation is all-Negro, was called as a defense witness.

Graetz identified himself as a member of the Montgomery Improvement Assn. which has supported the bus boycott and is made up almost entirely of Negroes.

The white minister also testified he has driven his own car in a motor pool which has provided transportation for the boycotting Negroes, but said he has received no money on gasoline.

News P.23

GRAETZ TESTIFIES as he understands it the association intends to continue the boycott until its original demands for better seating arrangement on buses are granted or until some compromise is reached. But he quoted King as saying that the prospects of an acceptable compromise are slim.

AS THEY DID yesterday, the Negro lawyers produced more witnesses who told of white bus drivers habitually refering to them as "niggers;" ordering them to give up seats to white passengers; making them stand while seats in the white section of buses remained vacant, and in some instances ordering them to board the rear of a bus after paying their fare and then driving off before the Negroes could get on.

One witness, Mrs. Mary Banks, said "some drivers act nice and ask white people to get up," but most of the testimony told of what the Negroes called a persistent policy of mistreatment.

State's attorneys in cross-examination brought out that some of the witnesses have attended Negro mass meetings since the boycott started, but they had difficulty getting the witnesses to say that they heard the bus protest discussed at those meetings.

ONE NEGRO, Joseph Alford, said he attended some of the rallies but all he knew about the boycott was what he had read in the newspapers. Alford said he stopped riding city buses two months before the boycott began last Dec. 5.

Defense attorneys yesterday presented witness after witness who told of mistreatment or embarrassment as passengers on city buses.

ONE OF THE 26 Negro defense witnesses who took the stand Wednesday was R. A. Parks, husband of Mrs. Rosa Parks. Negroes have refused to ride city buses here since Mrs. Parks was fined $14 Dec. 5 for refusing to move to the rear of a city bus.

Parks testified he had once been forced to take another bus to reach his destination because the driver of the bus he was riding wouldn't let him off when he buzzed for a stop.

He said he hasn't ridden the buses since the day his wife was fined for violating state and city laws requiring segregated seating facilities on buses.

ANOTHER NEGRO defense witness, Mrs. Gladys Moore, said she stopped riding buses after years of mistreatment of her and members of her race. She said she chose Dec. 5 as the day to stop riding because Negroes as a group picked that date.

"We all decided, 50,000 Negroes in Montgomery decided, we wouldn't ride the buses any more," she said. "We all did it after that thing happened to Mrs. Parks. She was treated so bad."

Other witnesses testified that drivers habitually referred to them as "niggers" and occasionally as "you ugly black apes."

They said numerous complaints were made to the bus company and to the Montgomery City Commission.

Boycotters hail leader

Afro-American 3-31-56

500 strong

Balt. Md.

By AL SWEENEY
AFRO Staff Writer

MONTGOMERY, Ala. — "Long live King!" the crowd at the trial of the Rev. Martin Luther King shouted as the leader of the Montgomery Improvement Association came out of the courthouse following his conviction.

He was fined $500 and $500 court costs on conviction of violating the state's anti-boycott law for his part in the bus segregation protest that has kept colored riders off the city's busses for 16 weeks.

When he stated his intention to appeal, the fine and costs were converted into a jail sentence of 386 days.

"I find the defendant guilty.

"I could sentence him to six months at hard labor and fine him $1,000 under the law, but I am going to fine him only $500."

It was Judge Eugene Carter who spoke.

His words were among the last recorded in the four-day testimony in the trial of the Rev. Mr. King, accused of leading a conspiracy to violate the state of Alabama's boycott laws.

* * *

THE COMPLAINANT was the Montgomery City Bus Lines, whose operation, the state charged, was being hindered by the boycott or protest waged by the Montgomery Improvement Association.

Following the decision, William Thetford, county solicitor, said that the state agreed to postpone trial of the 91 other so-called "boycott cases" pending the outcome of the appeal filed by the Rev. Mr. King.

Judge Carter granted the indefinite postponement until the Alabama Supreme Court and the Federal Supreme Court reviewed the case.

"I can say that I expected the judge's decision. Of course I hoped for the best, but was realistic enough to prepare for the future.

"When this is heard by a higher court, I feel confident that the decision will be reversed.

"We have carried on our movement under the color of the Constitution . . .

"The movement will go on. We will continue our non-violent, passive resistance protest emphasizing weapon of love."

* * *

JUDGE CARTER told the AFRO following the decision:

"I hope that this (decision) will end the struggle in Montgomery. We have always been a friendly people, here. The races have gotten along well in the past.

"I SAW one of my good friends among the indicted. I am not going to tell you who, though," the judge chuckled.

"No comment," snapped Solicitor Thetford.

"There is always the Man Upstairs," said young Fred Gray, who handled a portion of the final argument.

"We had prepared for an appeal bond 24 hours ago, so we anticipated the decision."

"I am not surprised. I had hoped that it would have turned out differently. But, I am not fearful nor surprised," said the minister's wife, the attractive Mrs Correta King, as she kissed her husband affectionately on the cheek.

Baltimore, Md.

AFTER ARRANGEMENTS were made for the appeal bonds, about 5,000 people waited for the Rev. Mr. King to emerge from the court house.

"Long live King!" they shouted.

"Are we going to ride the buses?" someone yelled.

"No!" the throng thundered as the Rev. Mr. King moved through the crowd of well wishers and newsreel cameramen.

Thursday morning saw the defense present six more bus riders who said that they had been mistreated by the drivers of the city bus lines.

Miss Willa L. Moore said that she hadn't ridden a bus since 1949, when a driver took her past her stop and told her:

"N—r you're lucky you can ride a bus."

J. B. SADDLER was asked if he ever used harsh words in talking to colored passengers.

"No, I asked them to kindly move to the rear."

Q.—Did you ever use the word n—r, black ape, or cow, in referring to colored people?

A—No, sir. I never use such terms. My colored folks know that I treat them nice.

T. Ringwater, C. H. Williams, W. H. Mills, C. E. Mosely and O. O. Martin were other white bus drivers who "never used derogatory remarks," they testified.

* * *

J. H. BAGLEY, manager of the bus lines, returned to the witness stand in rebuttal.

Under the cross examination of Peter Hall, one of the defense attorneys, Bagley admitted that the company had no policy against hiring bus drivers.

Bagley admitted that the National City Bus Lines, the operator of the Montgomery bus firm, operated the city buses in Mobile.

"Don't they have a first-come-first-served policy in Mobile?" asked Hall.

"So, I have learned," said Bagley.

"Isn't Mobile in the state of Alabama?" said Hall.

"I imagine so—I mean it is," said Bagley.

"Well, if both cities are in he state, why can't the Montgomery company grant the wishes of the Improvement Association for the same seating arrangement?" said Bagley.

"I don't know," he said.

* * *

ON THE MATTER of courtesy, Bagley admitted that "perhaps, there should be more courtesy on the part of bus drivers."

"Now, with this testimony in mind, do you think that the demands of the colored citizens of Mongtomery are unreasonable?" asked Hall.

"I object. That calls for a conclusion," said Solicitor Thetford.

"Sustained," said Judge Carter.

"Do you think that if granted the three demands that the boycott would end?" asked Hall.

"Objection sustained."

On that note ended the trial testimony.

* * *

IN SUMMATION, Thetford traced the history of the boycott from Dec. 5 until the February indictments.

"A handful of men met at Mt. Zion AME Church on the afternoon of Dec. 5 to plot continuance of a one-day demonstration," the solicitor charged.

"A wave of violence, which the government admits can't be directly linked to the defendant (the Rev. Mr. King), but was inspired by the hysteria at the Holt Street Baptist Church on the night of Dec. 5.

"It was after that Holt Street meeting that certain demands were made, he charged.

"Now we are not putting people in jail for not riding buses. I don't care whether they ride or not.

"But the law says that people can't conspire to hinder the operation of a legal enterprise," he said.

GRAY, WHO opened the defense summation, said that the government "failed utterly to prove without a reasonable doubt that a conspiracy existed."

He cited the portion of the law which dealt with "without a just cause" and pointed out on the contrary Mayor W. A. Gayle and Bagley, the bus official, both government witnesses, admitted that colored citizens had complained of conditions on the buses long before Dec. 5, 1955.

Arthur Shores concluded the defense argument by pointing out that substantial citizens in the community representing a women's civic group, a Democratic club, a women's political organization had testified that colored people had aired grievances against the bus company over the years.

"You have heard from the witness stand how bus drivers were called 'mean,' used nasty names and were generally abusive.

* * *

"THE ARREST of Mrs. Rosa Parks was the spark that ignited this smouldering resentment against this intolerable condition.

"To control this mass action, the ministers of this city organized. They appointed as their leader the Rev. M. L. King, no rabble-rousing crusader, but a man in whom they had confidence.

"With the Rev. Mr. King as their spokesman they made three very simple demands. A demand for courtesy, better seating arrangements and the employment of colored drivers.

"Even Mr. Bagley, head of the bus company, admitted that the demands were not too excessive.

"On the contrary it was the 'get tough policy' of Mayor Gale and the influence of the White Citizens Council, which Gayle joined, that has kept this demonstration from being settled.

"IN THE INTEREST of justice, I don't see how this defendant (the Rev. Mr. King) can fail to be acquitted because the government has not proven that he engaged in an illegal conspiracy 'without cause.'

After Thetford delivered his rebuttal, Judge Carter, without a momen'ts deliberation, found the defendant guilty. He pronounced the fine of $500.

Rep. Charles C. Diggs (Dem., Mich), told this writer: "Alabama missed a great opportunity to counteract the bad reputation of withholding justice for colored persons in the South."

* * *

BASIL BROWN, his legal adviser, said:

"As an observer, I feel that the appeals court will reverse Judge Carter. If this case did not have the racial angle, it woud have been thrown out, I believe."

G. H. Nelson, a supporter of the movement, said: "If Rev. Mr. King goes to jail, I will go, too."

Another spectator, a Montgomery resident, Mrs. Lucille Lewis, said:

"Well, I don't think it was a fair decision. I intend to walk even in expensive high heel shoes. You'll never see me on a bus again."

William Jones said he wasn't permitted to board a bus at Maxwell Field Air Base.

Willie Chisholm said: "I was upset when the drivers used the word n—r."

Joseph Allen said: "In November, 1955, I was trying to help a pregnant woman off the bus with her heavy packages, when the driver impatiently drove off before she could get both feet on the ground. She stumbled and fell."

R. S. Smiley, and Miss Mary Banks told of similar experiences..

* * *

THE REV. ROBERT C. GRAETZ, white pastor of the Trinity Lutheran Church, an all-colored congregation, said that the Montgomery Improvement Association, of which he was a member, stressed "non-violence."

The Rev. Mr. Graetz said that he had driven in the car pool and had accepted no money for gasoline.

The Rev. Mr. King took the stand to conclude the defense case.

Under the examination of Arthur Shores, the pastor said that the Montgomery Improvement Association was organized to "improve race relations in the community."

The organization was financed by "free will offerings," he said.

NONE OF the officials received compensation, he testified. Certain regular drivers were given $24 a week for the upkeep of their cars, he said.

Stating that he had never urged anyone to stay off the buses, Mr. King said he advocated non-violence.

On the contrary, he testified, "my home has been bombed and I have received numerous threats."

He insisted that the boycott "was a spontaneous reaction of the people. The Montgomery Improvement Association was organized by the ministers to give it guidance."

Under cross examination of Thetford, the Rev. Mr. King said that he could not tell how much had been collected by the Improvement Association to carry on its work.

Before resting its case, the government called five bus drivers in rebuttal to the parade of bus driver accusations.

"The decision did not astound me," said Orzell Billingsley, one of the defense attorneys.

"I think that we made a good record for appeal," said Arthur Shores, chief defense counsel.

THE KING HAILED—The Rev. Ralph Abernathy, left, shakes hands with the Rev. M. L. King Jr., as their followers cheer, 'Long live the King' in front of the Montgomery courthouse, where he had just been found guilty. Mrs. King stands at his side.

Passive Resistance Goal To Continue

Daily World Sat. 3-24-56 P.1

Atlanta, Ga.

Convicted Minister Begins Montgomery Protest Appeal

BY ROBERT H. DENLEY

MONTGOMERY, Ala. — (INS) — The Rev. M. L. King, Jr., began an appeal Friday of his conviction as a Montgomery bus boycott leader while fellow Negroes vowed to continue their mass protest.

Defense attorneys for the 27-year-old pastor of the Dexter Avenue Baptist Church, who was found guilty late Thursday of violating Alabama's seldom-used anti-boycott law, said his appeal may lead ultimately to the U. S. Supreme Court.

Circuit Court Judge Eugene W. Carter, who conducted the four-day hearing without a jury at the defendant's request, fined the pastor $500 plus $184.50 in court costs for his part in the 17-week-old boycott against segregated city buses.

The fine and costs were converted into a jail sentence since he chose to appeal rather than pay the money. He was sentenced to a total of 386 days. The sentence was suspended, however, after his lawyers served notice of appeal.

King's attorney said that if the state appellate courts uphold the conviction, they will take the appeal to the U. S. Supreme Court.

The maximum penalty under the law could have been a $1,000 fine and six months in jail but the judge explained he did not levy the more severe penalty because of King's activities toward preventing violence during the boycott that began last Dec. 5.

The trial of 89 other Negroes, including 23 other ministers, were postponed pending the outcome of King's appeal. The 90 Negroes were indicted by a grand jury last Feb. 21.

Thursday night, an estimated 3,000 Negroes roared their determination to continue the bus boycott.

At one of the regularly-scheduled twice-a-week mass prayer meetings that have been held since early December, the Rev. King urged that Negroes continue their spirit of "passive resistance" and "non-violence" in their protest against bus service.

Daily World

He asked if they wanted to continue the boycott, and they thundered: "Yes!"

P.3

Defense attorneys in final arguments yesterday contended the state had failed to produce sufficient evidence for a conviction.

The Rev. King told newsmen the verdict "will not increase or diminish in any way my interest in the protest." He continued:

"We will continue with the pro-

REV. MARTIN LUTHER KING, JR., who is appealing his conviction on Alabama's boycott laws, speaks to reporters shortly after leaving the courthouse in Montgomery, Ala. Rev. King, who is 27, was credited by the court with being the chief cause of avoiding rioting and bloodshed during the protest. The young minister, a former Atlantan, urged passive resistance.

Boycott leader on trial

Afro-American

Baltimore, Md.

Sat. 3-24-56

By AL SWEENEY
AFRO Staff Writer

MONTGOMERY, Ala. — "No matter how this court case ends, we are not afraid. None of us are guilty of wrong doing.

"We feel that we have the right to protest for right."

So said the Rev. Martin L. King, Saturday, on the eve of the trial in which he and 92 leaders of the Montgomery Improvement Association face trial for violating the Alabama State boycott law.

* * *

THE BOYCOTT violation stems from a "passive resistance protest" against the Montgomery City Bus Lines now in its 16th week.

The prosecution, headed by City Solicitor William Thettford, is arguing that the association engaged in a conspiracy to hinder the operation of the bus company.

The case is being tried before Montgomery Circuit Court Judge Eugene Carter.

The Rev. Mr. King is president of the association.

He and three other officials of the association went on trial first.

* * *

"THE REV. MR. KING is being tried first with the Rev. LeRoy Bennett, vice president, E. D. Nixon, treasurer, and the Rev. E. N. French, secretary, as officials of the association," said Fred D. Gray, the group's attorney.

"I imagine the theory of the prosecution is that by convicting the Rev. Mr. King, first, they will demoralize us," Gray said.

"I am not aware of the legal strategy in this case," the Rev. Mr. King asserts.

"However we feel we have the right to protest and that there was no basis for the action taken against us.

"We certainly are not going to become demoralized. Everyone is in high spirits and is looking forward toward final victory."

* * *

MEANWHILE, AS the trial of the 92 demonstrators got underway, the protest entered its 16th week.

The Improvement Association which sprang up spontaneously with the start of the boycott, has blossomed into a major operation.

The organization maintains permanent offices in the Citizens Club in West Montgomery and has a paid staff of seven persons.

Mrs. Maude Ballou is chief of the office. Three of the members handle the more than 150 letters a day which are received from all parts of the nation.

Most of them contain money.

"The response has been tremendous," the Rev. Mr. King reports.

* * *

"IT IS DIFFICULT to single out any particular area that has given us moral and financial aid.

"However, we have a tremendous task. It costs us at least $3,000 a week to operate our car pool.

"It will cost us thousands more for the legal work. We are trying to answer every letter and telegram with as personalized a touch as possible," he said.

After 15 weeks of walking, does it appear that the citizens are weary of it all, the AFRO asked Dr. Richard Harris, proprietor of the Dean Drug Store.

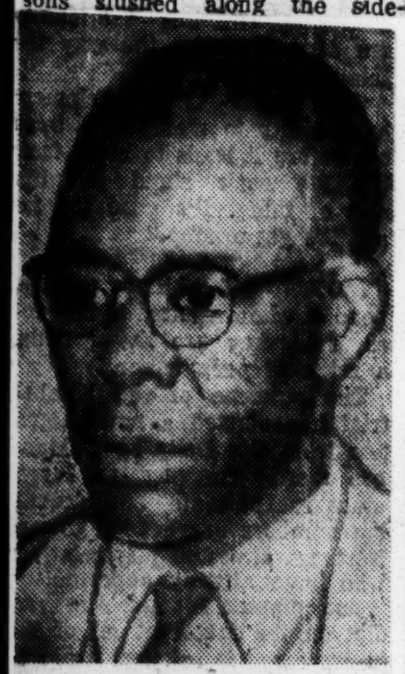
"If the heavy rains of Wednesday and Thursday didn't stop them, nothing else will," Dr. Harris reported.

"Have no fear . . ."
FRED D. GRAY

MRS. ROSA PARKS
Resented rumiliation

"NEARLY THREE inches of rain fell during those two days. It was one of the worst downpours in recent years," he said.

"But not a person rode a bus. It was a strange sight to see the empty buses slushing along the streets while colored persons slushed along the side-



E. D. NIXON
Staunch, though home bombed

walks dripping wet from the rain coming down in sheets.

"A flood warning had been sent out. But they kept walking. It seemed as if God put us to the real test.

"Today the sun is shining. Maybe God is smiling because we passed the test," Dr. Harris continued.

* * *

WHILE GRAY huddled with Arthur Shores, Orzell Billingsley, Peter Hall and Robert Carter to map last minute legal maneuvers, Sunday, the association staged two prayer meetings.

Both were held simultaneously Sunday night at Bethel and Hutchinson St. Baptist Churches.

For three hours sympathizers prayed and sang hymns seeking "God's guidance as we enter our greatest hour of trial," according to the Rev. Ralph D. Abernathy, pastor of the First Street Baptist Church and the program chairman of the association.

"We are asking for strength and power of endurance," the Rev. Mr. Abernathy explained.

* * *

ON SUNDAY, the Rev. Mr. King spoke to his Dexter Ave. Baptist Church congregation on the subject, "When Peace Becomes Obnoxious."

The keynote of his sermon was found in a newspaper headline the day after Miss Autherine Lucy was driven from the campus which read:

"Peace comes to the University of Alabama."

"That is when peace becomes obnoxious," the pastor said.

A ominous quiet settled over Montgomery during the weekend.

This is especially noted in the taverns, theatres and the many fun spots about town.

The usual Saturday night hilarity is missing. The taverns that are usually filled with revelers are empty. The theatre business is off.

A check of the amusemen areas among proprietors confirmed this.

* * *

"PEOPLE JUST aren't acting like they used to," said a waitress at the Tiajuana, "they are all filled up with the boycott.

"We used to have to book at least 10 or 11 drunks every Saturday night, but it's only one or two persons who get out of line these days," said one of Montgomery's two colored policemen.

Even the sale of "colored" whiskey at the state store is lagging, reported a clerk.

* * *

MEANWHILE, RUMORS are flying by the dozens. There are reports that the city officials are at the throats of each other over who is responsible for the "bungling of the boycott."

Mayor W. A. Gayle was "unavailable" to the AFRO, Saturday.

The mayor, it was learned, has been subpoenaed as a defense witness in the boycott trial.

There is a report that certain civic officials promised that the indictment of the boycott leaders would be dropped, if they withdrew the suit pending in U.S. District Court which attacks the constitutionality of the bus segregation law.

"I have never been approached with such an offer," says Gray. "If such a one were made, I am afraid that I would have to laugh at the party making it," he adds.

* * *

THE CASE numbers and defendants are:

7399—The Rev. M. L. King, the Rev. L. Roy Bennett, E. D. Nixon, the Rev. E. N. French;

7400—The transportation committee—Thomas Gray, the Rev. J. W. Hughes, the Rev. W. J. Powell, and the Rev. R. James Glascoe;

7401 — Drivers — Lonnie C. Walker, Mose W. Richburg, Edward M. Walker, Tom Parks, Albert Castle, the Rev. W. H. Johnson, the Rev. J. C. Smith, Eddie L. Pose, E. H. Legon, Mrs. Addie J. Hamilton, the Rev. Solomon S. Seay;

Walter Moss, Hueston J. Palmer, Miss Albert J. James, Arthur W. Murphy, Jimmie Gamble, Mose Bishop, Mrs. Cora L. McHenry;

Also Freddie Morris, John H. Garrison, Henry Williams, Matthew Kennedy, Mrs. Lottie G. Varner, Simon P. McBride, Burt Averhart;

* * *

7403 — **ELI JUDKINS,** Walter S. Smith, Mose W. Jones, George Henderson, M. H. Johnson, Louis Christburg;

7404—John G. Hill, Osborne C. Chamblun, Fred L. Davis, August McHenry;

7405—Frank L. Taylor, Jimmie R. McClain, Calvin Varner, Robert Johnson, Isiah Ferguson, the Rev. Hillman H. Hubbard;

7406—George H. Jordan Henry A. McClains Burnett, Frank Powell;

7407—George Hill, Arthur Bibbin;

7408—Officials of the association — James T. Primus, Willie J. Kemp, John H. Baker, Andrey B. Langford, Louis Boswell, Eddie Bradford, Ley S. Tolbert, Benjamin J. Simms, Aaron Hoffman and Charley Polk;

7409—P. D. Lambert, J. N. King, R. W. Hilson, R. B. Benson, P. E. Conley, H. H. Johnson, the Rev. Ralph D. Abernathy, Ronald Young, Mrs. R. T. Adair, Mrs. Jimmie Lowe, the Rev. J. W. Bonner, the Rev. M. C. Cleveland, Mrs. Ida M. Caldwell, the Rev. P. M. Blair, the Rev. J. E. Price, and Mrs. Rosa Parks.

CONVICTED BOYCOTT LEADER—Montgomery, Ala.—The Rev. M. L. King, jr., is shown with his wife after he was found guilty of leading the Montgomery bus boycott.—AP Wirephoto.

ON CHICAGO VISIT

Advertiser p. 1

King Says Boycott Part Of Revolt By Oppressed

Montgomery, Ala.

Wed. 2-15-56

CHICAGO, Feb. 14 (AP)—A leader of the 10-week-old bus boycott by Negroes in Montgomery, Ala., said today the boycott is part of a world wide revolt of oppressed peoples.

"It's part of something that's happening all over the world," said the Rev. M. L. King Jr., 27-year-old Negro Baptist minister.

"The oppressed peoples of the world are rising up. They are revolting against colonialism, imperialism and other systems of oppression."

He said this revolt was an apparently spontaneous movement throughout the world. He said he did not know why it is occurring at this particular time.

The Rev. Mr. King—in Chicago for a guest sermon last Sunday at a Negro church—gave his views at a news conference arranged by a family friend who said he wanted to "give a segment of the northern press a chance to get an unbiased account of what is going on in Montgomery."

King, minister of the Dexter Ave. Baptist Church in Montgomery, is president of the Montgomery Improvement Assn. He said the association was formed to direct a boycott that began Dec. 5 in protest against segregated seating required on buses by state and city laws.

Advertiser

As of today, King said, only about 10 Negroes a day ride buses in Montgomery. About 65 per cent of the bus company's patrons were Negroes before Dec. 5, when Mrs. Rosa Parks, a Negro seamstress, was fined $14 for refusing to move back to the Negro section of a bus. King said this incident sparked a "spontaneous" boycott by the city's Negroes.

p. 24

"This is a movement of passive resistance," King said. "We have kept violence out of the picture from our standpoint."

'INTIMIDATION'

Two weeks ago small dynamite bombs were thrown at the homes of King and another Negro leader. King said he did not believe the bombs were intended to do any personal harm but were "a symbol of intimidation."

"I'm well guarded everywhere I go in Montgomery, by my friends," King said. "I asked the sheriff for personal protection and that was denied."

The Montgomery County grand jury yesterday began an investigation to determine if Negroes boycotting the buses are part of a conspiracy violating the law.

"I don't doubt that they will indict some of us," King said.

CONFERENCE LOOMS

He said Alabama law prohibits boycotts "without just cause" but that Montgomery Negroes feel they have just cause.

King said litigation initiated by the improvement association — a federal suit challenging the constitutionality of the segregated bus seating laws, and an appeal of Mrs. Parks' fine—will take several months and that "I am not sure that the people will want to continue the boycott that long."

He said Negro leaders will confer shortly to decide whether to call off the boycott pending court decisions. The reason he gave for possibly ending the boycott was that car pools which have been organized to replace the buses have cost Negroes "a lot of money."

"But even if we decide to go back to the buses while the litigation is on, I don't believe more than 50 per cent of our people would go back until the system is changed," King said.

King later left by train for Atlanta. He said he would return to Montgomery tomorrow night.

Await Boycott Trials

Courier p. 2

More Buses Cut Off in Montgomery!

Sat. 3-17-56

Pittsburgh, Pa.

MONTGOMERY, Ala.—"We are not trying to run the bus company out of the city," the Rev. M. L. King Jr. told The Courier Saturday on the heels of news that the local bus line is discontinuing service on twelve of the city's fourteen bus routes.

The Rev. Mr. King explained that service on the city's best-paying line has been suspended daily because nobody will ride the buses. He said, "Our aim is to see that justice and fair play prevail. Better treatment on the buses is our real aim."

CORRECTION — The editorial on last week's Courier front page erroneously named the Rev. Mr. King as pastor of the Dexter Avenue AME Church in Montgomery. He is pastor of the Dexter Avenue Baptist Church.

The Montgomery Improvement Association, which is spearheading the local boycott of city buses, has set up an office to handle its affairs with a staff of six full-time employes.

The Rev. Mr. King said that the office is being run on a budget of $3,500 per week or $400 per day.

* * *

HE POINTED out that extensive outlays of cash have been earmarked for the forthcoming March 19 trial of over 100 Montgomery citizens and other court action on charges of having allegedly instigated the boycott.

The Rev. Mr. King explained that "litigation costs money." He said that $18,000 is being set aside for the court cases which are being handled by five of the South's leading lawyers.

Handling the cases will be Attys. Arthur D. Shores, Fred D. Gray, Peter Hall, Orsell Billingsley and Charles Langford.

The Montgomery Improvement Association has also set up a finance committee which is chaired by the Rev. R. J. Glasgow. E. B. Nixon is treasurer.

In commenting on the effectiveness of the strike the Rev. Mr. King stated that spirits of the boycotters are "still up very high." He said, "We are still determined. We are still asking the nation to continue in prayer."

Calling attention to the nationwide "Day of Prayer" scheduled for March 28, he said, "We are going to have a local day of prayer on March 18. All churches will come together in a mass prayer meeting, preparing for the trial and asking God's guidance on the eve of the trial.

"We want to come together in big numbers."

* * *

MAYOR W. A. GALES of Montgomery called attention to the "valiant struggle to maintain segregation in city buses" and called for contributions to aid the deflated company's coffers. The Mayor stated that he had received $55 from an anonymous group of fifty-three Atlantans.

The Mayor also revealed that he had received another check for $1 from Atlanta.

The Rev. Mr. King Jr. said Friday that the MIA finance committee was currently drawing up a financial report and that much-needed funds were flowing there to help the victims of the protest.

* * *

HE SAID that the $25,000 reported earlier was the amount raised in Montgomery since Dec. 5. The total, he said, did not include the money that had come from other parts of the nation during the past two weeks.

Dr. King said that Negroes had applied for a franchise for a jitney service about six or seven weeks ago, but were turned down by city officials. He said that with the expiration Thursday of the present bus franchise, the company would probably further reduce service.

Declining to say whether the MIA would again seek a franchise Dr. King said that the decision would have to come from the executive board of the MIA.

He did say, however, that they would like to start some sort of transportation system.

Regarding current expenses, Dr. King said that the car pool had been extended, an office was set up with paid employed.

Sheriff Says Gun Permit Denied King

Advertiser

Montgomery, Ala.

Wed. 2-15-56

The Rev. M. L. King who yesterday gave an interview on the bus boycott in Montgomery to Chicago newspapermen, was denied a gun permit by the Montgomery County sheriff.

p. 1

However, the Rev. King received the assurances of Police Commissioner Clyde C. Sellers, Mayor W. A. Gayle and Sheriff Mac Sim Butler that they would do "everything within their power" to protect him although they disagreed with his views and his actions.

Advertiser

A police car was left at his home following a recent bombing and Commissioner Sellers announced he would provide King

with "complete police protection.

Despite King's statements that a meeting is planned to discuss ending the boycott, the minister denied telling two newspapermen that such a meeting was scheduled last Wednesday.

The newspapermen on two separate occasions were told by King that the Montgomery Improvement Assn.'s executive board would discuss the possibility of ending the boycott at the Wednesday meeting. King later said the newspapermen misunderstood him.

Bus boycott leader speaks in Indiana

GARY, Ind. — Dr. Martin L. King Jr., leader of the Montgomery, Ala., bus boycott, addressed a mass meeting at Baber Youth Center here Tuesday.

The meeting was held in protest of segregation and inhuman treatment of the colored people of the South. It was sponsored by ministers of Gary, Hammond, East Chicago and Michigan City.

King was convicted under a 1921 state law making it illegal to enter into a boycott to the detriment of a business without legal grounds or a "just cause."

Leader Of Bus Boycott Is In Demand

The Rev. Martin Luther King, jr., president of the Montgomery Improvement Association, has lost 18 pounds since the bus boycott started last December.

He has been in demand all over the country for speaking engagements. The young minister was scheduled to speak at Concord Baptist church in Brooklyn last Sunday.

Reverend King holds a Ph.D in theology from Boston University.

The cleric's wife, Coretta, 28, is a native of Marion, Ala. and attended Antioch college in Yellow Spring, Ohio, and the New England Conservatory of Music in Boston.

They were married in 1953 and have a daughter, Yolanda Denise, four months.

Alabama Preacher Appeals

First of 90 Negroes Convicted in Boycott

MONTGOMERY, Ala. —(UP)— A young Negro minister, the first of 90 Negroes to be tried for violating a little-used Alabama anti-boycott law, was found guilty Thursday of boycotting segregated city buses and fined $500.

Circuit Judge Eugene Carter returned a verdict of guilty against the Rev. M. L King, prefacing the announcement with the remark that he thought King "started a fire he couldn't stop."

Carter continued the cases against 89 other Negroes.

Defense attorneys immediately appealed the verdict to the state Circuit Court of Appeals.

King, a 27-year-old Baptist preacher, said he "somewhat expected" the decision but he had also been optimistic enough to "hope for the best."

He said a "realist" always has to look for the worst but he predicted that the verdict will be "definitely reversed" in higher court.

When asked what effect he thought the verdict might have on this city's large Negro population, he said "It will serve to make our people more determined."

the Rev. Martin Luther King jr. before the court to begin what could become a prolonged series of trails. Each of the ninety defendants, exercizing his right, asked for a separate hearing.

Mr. King, twenty-two, whose home was bombed in the early weeks of the mass protest by Negroes against segregated city bus facilities, was singled out by Circuit Solicitor William F. Thetford as one of the boycott leaders.

But Mr. Thetford ran into difficulty at the outset of the trial in trying to link the pastor of the Dexter Ave. Baptist Church to a 'conspiracy" to hinder operations of Montgomery City Lines buses.

Judge Carter allowed the first witness, bus company manager J. H. Bagley, to identify Mr. King as one of several Negroes he conferred with at the start of the boycott last December, but he sustained defense objections to some other questions.

He refused to permit Mr. Thetford to introduce two documents as state's exhibits although he permitted Mr. Bagley to identify them as papers he had received shortly before and immediately after the bus protest began Dec. 5.

Eight Negro attorneys represented the defendants, including Robert Carter of the legal staff of the National Association for the Advancement of Colored People in New York.

The number of defendants was reduced to ninety today when the solicitor dismissed three indictments because he said further investigation has thrown "considerable doubt on their guilt."

The bus boycott began after a Negro seamstress, Mrs. Rosa Parks, was arrested and fined $14 for disobeying a driver's order to move to the rear of a bus where Negroes were to ride. City and state laws require segregation in all public transportation.

1st Negro Goes on Trial In Alabama Bus Boycott

MONTGOMERY, Ala., Mar. 19 (AP).—Grand jury indictments against ninety bus-boycotting Negroes withstood their first court test today, and a young minister went on trial shortly afterward as the first defendant.

Circuit Judge Eugene Carter overruled a defense petition which sought to invalidate the indictments as unconstitutional. Then State's Attorneys called

Rev. King Trial Tops Mark For Coverage, Court Records

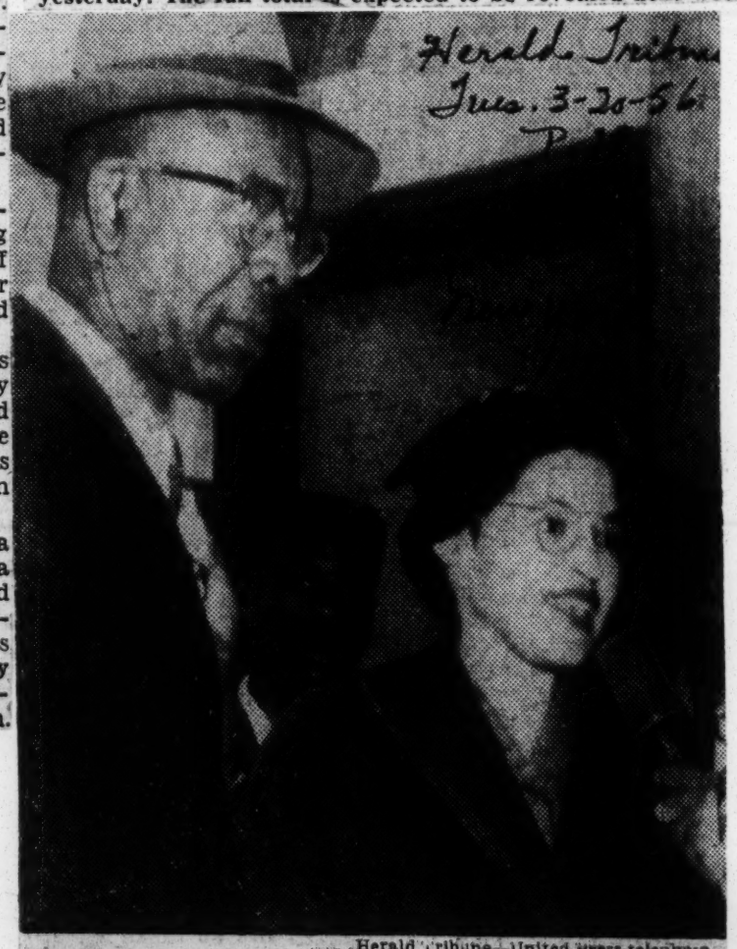
The boycott trial of Rev. M. L. King, in addition to attracting the widest news coverage for any single trial in Montgomery County history, produced an awesome collection of court records.

Testimony from 77 state and defense witnesses coupled with the vast array of documentary evidence will consume at least 500 transcript pages, according to Hallowell Lewis, court reporter. Lewis is preparing a transcript in testimony on appeal which he said will "take up at least that many pages." The bulky court records will include 51 state prosecution exhibits in addition to the testimony.

Circuit Judge Eugene W. Carter, who served as presiding judge in the four-day court bout, said the King trial drew "more press, radio and televsion coverage" than any other single trial since he has been serving as criminal judge of the 15th Judicial Circuit.

Judge Carter left town yesterday for a welcomed rest after the court ordeal. His whereabouts were not disclosed, although it was believed he was exercising his favorite hobby—fishing.

Court costs of the Rev. M. L. King trial was not available yesterday. The full total is expected to be revealed next week.



Herald Tribune—United Press telephoto

AT BUS BOYCOTT TRIAL—Mrs. Rosa Parks, whose arrest started the Negro bus boycott, with the Rev. E. D. Nixon, one of the indicted ministers, before start of trial in Montgomery, Ala., yesterday.

'We Won't Retreat One Inch'

Afro-American

By CHARLES H. LOEB

MONTGOMERY, Ala. (NNPA) —A Montgomery newsman dropped a bombshell on the state's easy - going conspiracy case against the Rev. Martin L. King, alleged leader of the three-month-old bus boycott.

He was Joe Azbell, city editor of the Montgomery Advertiser, a state's witness who had covered so many of the meetings of the Montgomery Improvement Association that the state had depended strongly on his testimony as "a qualified expert" to find the Rev. Mr. King as the "chief conspirator" in what it alleges is an effort to ruin the business of the Montgomery City Lines.

* * * P. 6

UNDER EXAMINATION the newsman related how he had attended the various "pep meetings" of the organization often finding himself the only white person present.

The prosecution won from him an admission that he had seen the Rev. Mr. King at many meetings and had heard him address the audiences on several occasions.

Then the vital question:

Q—What did he tell the people? Sat. 3-31-56

"HE TOLD THEM let your conscience be your guide on whether or not you will ride the buses."

He was asked if he had attended a meeting held at Holt St. Baptist Church on December 5.

A—Yes.

Q—Who was the chairman?

A—That was hard to tell.

Q—What do you mean? Who was on the rostrum?

Baltimore, Md.

A—IT APPEARED to be spontaneous. Almost all the colored ministers in town seemed to be there.

Q—What seemed to be the purpose of the meeting?

A—Mind you, I'm not saying this, just quoting the speakers. They said that colored people desired all of the rights guaranteed in a democracy. They said that they would not retreat one inch from obtaining these rights.

Q—Did they talk about the bus protest or boycott?

A—Someone introduced Mrs. Rosa Parks as an outstanding citizen who had been arrested on the buses, but it seemed that everybody at the meeting had some kind of grievance to air against the bus company.

* * *

Q—DID THE REV. MR. KING speak?

A—Yes, I wrote a story and quoted him in my newspaper. He said that no colored person in Montgomery should be intimidated and that no intimidation should be made against any other person and added, let each person's conscience be his guide on whether or not to ride the buses.

By this time the courtroom began to stir with interest. The chagrin of the solicitor, William Thetford, was evident.

When the trial opened, Mr. Azbell, although a state witness had been permitted to cover the trial instead of being isolated outside the courtroom with other witnesses. Another Montgomery newsman, whose stories had been thought bitterly slanted against the defendants, was denied this courtesy.

With a gesture of resignation and unconcealed agitation the examination was abruptly ended.

* * *

DEFENSE COUNSEL Arthur Shores then, after a consultation with the defendant, had Mr. Azbell recall how the Rev. Mr. King had quieted an angry group of people who had gathered around his home shortly after it was hit by a bomb.

"I was scared," said the newsman, "really scared, but the Rev. Mr. King came out on his porch and told the people to quiet down and to use no violence against anybody. He probably saved me from great danger."

'Tired of being treated like dogs'

Afro-American P. 6 Sat. 3-31-56

Baltimore, Md.

By AL SWEENEY

(AFRO Staff Writer)

MONTGOMERY, Ala. — "We got tired of being treated like dogs by the bus drivers so we decided to walk."

"Who do you mean by 'we'," asked Judge Eugene Carter.

"All 50,000 colored people of Montgomery," the witness replied.

The spectators in the jammed courtroom applauded.

"Cut out that noise," said the judge. "we don't have anything of that in here. I have a big jail back there and I will put all of you in it.

* * *

"YOU MAY FEEL like that, but don't give vent to your feelings."

The incident occurred during the Wednesday morning session of the trial of the Rev. M. L. King, reputed head of the Montgomery Improvement Association.

The trial was in its third day.

The witness, Mrs. Gladys Moore—one of 20, most of whom were domestic workers—testified Wednesday about the abuses that they had suffered at the hands of drivers of the Montgomery City bus lines.

* * *

BEFORE MRS. MOORE took the stand, an appeal for a judgment of acquittal had been denied.

Fred Gray, defense attorney, contended that the state had failed to show that the Rev. Mr. King took part in a conspiracy to violate the state's boycott laws.

He also contended that the state had failed to prove that if a boycott existed it was "without a just cause."

Mrs. Moore, whose testimony had the courtroom buzzing, said she had been riding the buses since 1942.

Under the examination of Orzell Billingsley Mrs. Moore said she had ridden the buses up until Dec. 5.

* * *

Q.—ARE YOU familiar with the seating arrangement on the Montgomery city buses?

Q.—Well, tell the court.

A.—Colored people can't sit in the 10 front seats reserved for white people.

Q.—What about other seats?

A.—If you sit in any seats in front of the back door up to the seats reserved for white folks, you will get asked up if a white person gets on the bus.

Q.—Have you ever been on a bus when something unpleasant happened to you?

* * *

A.—YES, hundreds of times.

Q.—Tell me, what happened?

A.—I have handed my dime in the front door to the bus driver and while walking toward the back of the bus he has pulled off without me.

Q.—You mean, that you have paid him your dime and he wouldn't let you on through the front door, so you had to walk to the back door and he pulled off leaving you standing?

A.—Yes sir.

Q.—What else have you seen happen on the buses?

A.—The bus drivers have been just plain nasty!!

Q.—What do you mean by nasty?

A.—They would call colored people "Apes", "N----rs," "Boy, and girl."

* * *

"FOR MY INFORMATION," asked Judge Carter, "Why did you stop riding buses on Dec 5?"

"Because Mrs. (Rosa) Parks had been mistreated," she replied.

"Where did you meet to decide upon starting the boycott?" persisted the judge.

"We didn't meet anywhere," she replied.

"There was no meeting or anything?" Judge Carter pressed further.

"No, it was just something inside of us. And we decided not to ride the buses again," she said.

"Who do you mean by 'we' the judge pressed again.

"The 50,000 colored people of Montgomery," she said. The spectators applauded.

And the judge cautioned them against further demonstrations.

* * *

THE PATTERN for the defense which, apparently is attempting to show that colored citizens had a right to protest against the practices of the bus lines, was set by the testimony of Mrs. Thelma Glass, secretary of the Women's Political Council.

In the spring of 1947, she said, a delegation from the council went to the officials of the bus company to protest the manner in which the drivers were treating colored passengers.

"We protested the discourteous manner in which colored persons were being treated," she said.

We also asked the company to discontinue the practice of having colored passenger hand their money through the front door and walk to the back door to enter the bus," said Mrs. Glass.

Similar complaints were made to the bus company officials and city commissioners in November 1953 and March 1955, she testified.

* * *

MRS. SADIE BROOKS, an official of the Women's Federation of Montgomery, testified that her organization had several conferences with the city commissioners and the bus company officials about the bus situation.

She also related an incident in 1954 when a bus driver "whipped out a pistol and chased a colored man off a bus."

Mrs. George Gilmore told of an incident during October 1955 when she attempted to board a Court St. bus at Montgomery and S. Jackson Sts.

"I tried to enter the front door and the driver said—"N..r," give me that money. He then told me to get off and enter through the back door.

"While I walked to the back door, he drove off and left me.

Wednesday afternoon 20 bus riders told of their grievances against bus drivers. They included:

* * *

MRS. VEOLO BELL—"I have been on the buses many time to find colored people standing with 10 empty seats in the front of the bus for whites."

Mrs. Martha Kate Walker—"In November 1955, my blind husband was injured by a Maxwell Field bus because the driver drove off before my husband could get off."

"I complained to the bus officials, but I have heard nothing until this day."

Judge Carter excluded from the record the testimony of Mrs. Estelle Brooks, who testified that on Aug. 7, 1950, "My husband was killed following a dispute with a bus driver."

The judge ruled that because she was not present when her husband was shot, the testimony had to be stricken from the record.

* * *

MRS. HENRIETTA BRINSON—"On the Cloverdale bus was the meanest man I ever saw. He would call colored people 'Black apes' and other bad names."

* * *

MRS FRANCES RUTLEDGE — "Yes, I have had plenty of trouble with them. Things such as making me get out of my seat for a white man."

* * *

MRS. LULA MAE HARPER—'In September 1955 I was on a bus when a driver said: 'I hate all N....."

* * *

MRS. LOEVA PERKINS — "I was seated in a seat just in front of the door when the driver asked me to give up my seat.

"I got up and got off the bus."

* * *

MRS. IRENE DORSEY — "I was putting a nickel and five pennies in the box when a penny dropped.

"The driver said "N---r pick up that penny."

Mrs. Dorothy Lois Jackson—'I was standing at Hall and

Payne. The driver let the white people get on, but said he wouldn't let colored people get on at that stop."

Mrs. Janie Pace—"Since 1952 I rode the buses every day, twice a day. I don't believe that a day passed without an unpleasant experience."

Mrs. Anita Birney—"It was about two years ago when a driver insulted me and I haven't rode a bus since."

* * *

MRS. BARBARA MURPHY—"In January 1955. I gave a driver a dollar for change and he swore I didn't give it to him."

Mrs. Geneva W. Johnson—"On July 4, 1948, I was humiliated."

Mrs. Odessa Williams—"They treated us like we were dogs."

Mrs. Odella Garner — "I stopped riding in August 1952. I just couldn't take that kind of treatment anymore."

Mrs. Jessie Logan—"I have been riding the buses 40 years. I have been trouble caused by the bus drivers 40 years."

Mrs. Parks—"He called us black apes."

Mrs. Inez Ricks—"You can put your packages on the first 10 seats but you can't sit down."

* * *

MRS. MARY HARRIS—"There had been so much controversy over the buses that since 1954 I haven't ridden them anymore."

During the Wednesday morning session, Mayor W. A. Gayle told of meeting with colored citizens to settle the bus protest.

Under cross-examination by Arthur Shores, defense counsel, the mayor told of meetings in January 1954, June 1954 and March 1955 in which colored citizens complained of the bus situation.

Earlier, he had testified that two meetings had been held since Dec. 5 in attempts to settle the bus dispute.

He said that the colored citizens wanted more courtesy, a first-come-first-served seating arrangement and colored bus drivers.

* * *

HE RECALLED that a group of white and colored citizens met at City Hall on Dec. 19 and at the Chamber of Commerce on Dec. 21 but nothing had been accomplished.

"Are you a member of the White Citizen's Council? Shores asked Gayle.

"Yes."

"When did you join."

"During the last part of January of this year."

"Are the other City Commissioners members of the Citizens Council?

"I believe that they are."

"Did you join the Citizens Council in January in an effort to settle the bus protest?"

"No, I wouldn't say that." ....

On Tuesday, a Mrs. Beatrice Smith testified that she had been beaten and cut by an unknown man because she rode the bus.

Mayor Gayle was asked by Shores:

"Does Mrs. Beatrice Smith work for you."

"She told you twice yesterday that she didn't."

* * *

AT THIS POINT an objection was raised because he was supposed to have not known what a previous witness testified.

"Well, does she work for anyone in your family," Shores persisted.

"She works for my mother-in-law," the mayor replied.

The mayor was the concluding witness for the prosecution.

Mr. Gray, in arguing for a motion to dismiss the case, said that the state had not proved that the Rev. Mr. King or the Montgomery Improvement Association had "engaged in illegal activity."

He pointed out that of the thousands of colored persons in Montgomery, the state could produce only two colored witnesses who said that they were intimidated for riding the buses.

A day before trial deadline in Montgomery

Afro-American P. 6 Sat. 3-31-56 Baltimore, Md.

By CHARLES H. LOEB

MONTGOMERY, Ala. — Some 90 Montgomery leaders went on trial to show "just and legal excuse" for hindering the operation of a lawful and legal business with reference to the bus boycott.

On the day before, an air of peace and tranquility permeated the colored Montgomery community as preparations were made for the legal battles in Circuit Court.

The bus boycott subject found its way into sermons in every colored church in the city as the ministers emphasized the cause for which their leaders faced prosecution.

* * *

SOME 100 "visitors" — among them reporters from as far away as India and France—were in attendance as a capacity crowd heard the Rev. Martin Luther King Jr. preach on "When Peace Becomes Obnoxious."

Prior to the sermon the congregation had received precise instructions regarding the impending trial.

Member were asked to be courteous to visitors — many who came to give support and encouragement; to be hospitable to both white and colored friends.

* * *

AS A finale announcement, the Rev. Mr King acknowledged his connection with the "untouchable" NAACP and stated that the Board of Trustees had voted to purchase a life ($500) membership in the association.

Even in the Sunday schools children were told, among other things, that they were expectd to be especially well behaved during the coming week.

As nightfall cast its dark shadows on Montgomery. there was a inate feeling that the Montgomery citizens were ready—both legally and spiritually—for the Monday morning battle in Circuit Court.

Afro-American P. 6 Sat. 3-31-56 Baltimore, Md.

CHEER REV. KING—Some of the 500 or more persons who attended the trial of the Rev. Martin Luther King, president of the Montgomery Improvement Asociation, for leading the bus protest which has kept colored citizens from riding local buses for longer than 16 weeks. They cheered the young minister after he was found guilty of violating an old anti-boycott law last Thursday. The Rev. Mr. King is appealing the decision.

Gunfire Testimony Admitted

Post & Times Herald

'Conspiracy' Established, Says Boycott Trial Judge

Washington, D.C.

Wed. 3-21-56

MONTGOMERY, Ala., March 20 (AP)—A Negro leader today told how a smooth-running motor pool provides transportation for bus-boycotting Negroes protesting racial segregation.

Other witnesses testified that the newly organized Montgomery Improvement Association, which came into being the day the boycott started last Dec. 5, arranged for the car pool and has paid for gasoline and other expenses of the drivers.

The testimony highlighted the second day of the trial of the Rev. Martin Luther King Jr., first of 90 Negroes brought to trial on boycotting charges.

King is president of the Improvement Association, and the State is endeavoring to link him to a "conspiracy" to hinder the operation of the racially segregated Montgomery City Lines, Inc.

The indictments against King and 89 other defendants charge violation of a State law that prohibits a conspiracy to impede the operations of a lawful business.

At one point today, Circuit Judge Eugene Carter said he thought the State had already established "a prima facie case of conspiracy." But he did not say the prosecution had succeeded in linking King to it.

[Four bus drivers testified they were shot at about the time the Negroes began boycotting the city transit system, the United Press reported. A fifth said a brick was thrown through the rear window of his bus.

[Testimony of the five was admitted over the objections of defense attorneys. The first driver to testify, George Henderson, said he was fired on six times last Dec. 6.]

Rufus Lewis, chairman of the Improvement Association's transportation committee, told the court how the committee inaugurated the car pool soon after the Negroes stopped riding city buses.

Lewis said the committee arranged to pay volunteer drivers $4 a day for the use of their cars and bought gasoline for some. He said approximately 200 Negro motorists volunteered to get other Negroes to and from work.

He said the committee worked out a detailed list of "dispatch" stations to get Negroes to work in the morning and "pickup" stations to get them home at the close of the day.

Lewis said mimeographed lists of the stations have been distributed in Negro communities and read at the mass meetings held twice weekly

Bus Boycott Motor Pool Is Described

Norfolk Virginian-Pilot

Wed. 3-21-56

Raleigh, N.C.

MONTGOMERY, Ala., March 20 (AP)—A Negro leader told today how a smooth running motor pool provides transportation for bus-boycotting Negroes protesting racial segregation.

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The indictments against King and 89 other defendants still awaiting trial charge violation of a state law which prohibits any conspiracy or other agreement, "without cause or legal excuse," to impede the operations of a lawful business.

Wed. 3-21-56

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Raleigh, N.C.

Describes Pool

Rufus Lewis, chairman of the association's transportation committee, told the court how the committee inaugurated the car pool soon after the Negroes stopped riding city buses in protest against segregated seating facilities.

Lewis said the committee arranged to pay volunteer drivers $4 a day for the use of their cars and bought gasoline for some. He said approximately 200 Negro motorists volunteered for the assignments of getting other Negroes to and from work.

Although he would not concede that the purpose of the pool was to "keep Negroes from" patronizing the bus company, the witness did say its function is to provide transportation for those "who want rides in preference to riding the buses."

He said the committee worked out a detailed list of "dispatch" stations to get Negroes to work in the morning and "pickup" stations to get them home at night. One such list was introduced by the state as evidence.

Another witness, the Rev. U. J. Fields, drew a stern warning from Judge Carter after he insisted he could not remember whether the bus protest had been discussed at any of the Negro rallies which he said he attended.

"You know whether they were or not," the judge admonished. "Now tell the truth."

Fields, prompted by the prosecution, did recall telling the grand jury last month that the Improvement Assn. at its organization meeting on Dec. 5 recommended continuing the boycott indefinitely "until conditions improve."

Negro Freed After Charge In Car Pool

Advertiser

Sat. 2-18-56

P. 1

A Negro service station operator who admitted selling gasoline for use in a car pool during the bus boycott here was excused of a contempt charge yesterday by Circuit Judge Eugene B. Carter as a tired grand jury made a partial report, then recessed until Monday.

Montgomery, Ala.

The Negro, Clarence H. Adams, was summoned before the grand jury to testify yesterday but said he couldn't remember the names of persons conducting the car pool to whom he had sold gasoline. The station is located at 1031 W. Jeff Davis Ave.

GETS WARNING

Judge Carter, informing the witness he could be sent to jail for contempt or to prison for perjury for lying under oath, dropped the charge against Adams when the witness' memory suddenly "became refreshed."

Advertiser

Adams said that while he was before the jury testifying his "mind became a blank" and he couldn't remember the names of the customers. Judge Carter instructed the Negro to return to the grand jury Monday with records showing the names of persons in question. Adams said he would present the names.

P. 5-A

Meanwhile, another Negro was sentenced to county jail for five days for refusing to testify before the grand jury in another case.

The grand jury, in its busiest session in the county's history, returned 114 true bills and six no bills yesterday, before recessing until 2 p.m. Monday. The past week the panel examined 232 witnesses, a record high number for Montgomery County.

Al Wells, foreman, read the jury report before Judge Carter, Circuit Solicitor W. F. Thetford, and Asst. Circuit Solicitor Robert Stewart.

The report states that the grand jury "cannot complete its duties and make a final report until sometime next week."

HOW NEGROES RUN CAR POOL IN MONTGOMERY

Daily Tribune

Wed. 3-21-56

Chicago, Ill.

Witnesses Tell Court of Boycott Effect

P. 2-H

Montgomery, Ala., March 20 (AP)—A Negro leader told today how a motor pool provides transportation for bus boycotting Negroes protesting racial segregation.

Other witnesses testified that a newly organized Montgomery Improvement association, which came into being the day the boycott started last Dec. 5, arranged for the car pool and has paid for gasoline and other expenses of the drivers.

The testimony highlighted the second day of the trial of the Rev. Martin Luther King Jr., first of 90 Negroes brought to trial on boycotting charges.

Seeks Boycott Link

King is president of the Improvement association and the state is endeavoring to link him to a "conspiracy" to hinder the operation of the racially segregated Montgomery City Lines, Inc., a privately operated company which has a franchise for city bus service.

The indictments against King and 89 other defendants still awaiting trial charge violation of a state law which prohibits any conspiracy or other agreement, "without cause or legal excuse," to impede the operations of a lawful business.

Circuit Judge Eugene Carter, who is trying King without a jury, said he thought the state had already established "a prima facie case of conspiracy." But he did not say the prosecution had succeeded in linking King to it.

How Car Pool Works

Refus Lewis, chairman of the Improvement association's transportation committee, told the court how the committee inaugurated the car pool soon after the Negroes stopped riding city buses in protest against a law segregating seating facilities. A suit to have the bus segregation law held unconstitutional was filed in federal court after the boycott began.

Lewis said the committee arranged to pay volunteer drivers $4 a day for use of their cars and bought gasoline for some. He said 200 Negro motorists volunteered to get other Negroes to and from work.

Lewis said mimeographed lists of the stations have been distributed in Negro communities and read at the mass meeting held twice weekly in Negro churches since the boycott started.

Begun By Ministers

The Rev. U. J. Fields, secretary of the Improvement association, testified that the organization grew out of a meeting of the International Ministerial association, a group of Negro clergymen.

The Improvement association's financial secretary, Mrs. Erna Dungee, returned to the stand when the trial opened its second day today and identified further checks paid to service station and car pool drivers.

Car Pool Details Related At Trial

Post-Herald

Wed. 3-21-56

Conspiracy Shown, Judge Declares

Birmingham, Ala.

MONTGOMERY, March 20 (AP)—A Negro leader told in detail today how a smooth-running motor pool provides transportation for bus-boycotting Negroes protesting racial segregation.

Other witnesses testified that a newly-organized Montgomery Improvement Assn., which came into being the day the boycott started last Dec. 5, arranged for the car pool and has paid for gasoline and other expenses of the drivers.

P. 7

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Post-Herald

The indictments against King and 89 other defendants still awaiting trial charge violation of a state law which prohibits any conspiracy or other agreement, "without cause or legal excuse," to impede the operations of a lawful business.

P. 6

At one point in the proceedings today, Circuit Judge Eugene Carter, who will decide King's guilt or innocence in the absence of a jury, said he thought the state already had established "a prima facie case of conspiracy." But he didn't say the prosecution had succeeded in linking King to it.

Negro defense attorneys complained about the manner in which some of the prosecution's evidence was obtained, but the judge overruled their protest. The objection came in cross examination of one of two city detectives, K. W. Jones, who made an investigation for the solicitor's office.

After Jones had testified about questioning drivers in the car pool, Atty. Arthur Shores of Birmingham questioned his right as a city detective to make an investigation for the solicitor's office.

Shores said he might want to question the detective further on that point.

The defense also objected to testimony from a bus driver, George Henderson, who told of six gunshots fired at his bus the night of Dec. 6, one day after the boycott began. Two of the bullets struck the bus, but no one was injured.

Henderson said he couldn't tell whether a Negro or white man fired the shots, but that he could see a gunflash from a nearby house in a Negro section of Montgomery.

Defense attorneys sought to exclude Henderson's testimony on the grounds that it was not connected with the defendant King but Judge Carter overruled the motion, saying it was part of the overall picture.

Lewis said the committee arranged to pay volunteer drivers $5 a day for the use of their cars and bought gasoline for some. He said approximately 200 Negro motorists volunteered for the assignments of getting other Negroes to and from work.

Although he wouldn't concede that the purpose of the pool was to "keep Negroes from" patronizing the bus company, the witness did say its function is to provide transportation for those "who want rides in preference to riding the buses."

He said the committee worked out a detailed list of "dispatch" stations to get Negroes to work in the morning and "pickup" stations to get them home at the close of the day.

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Another witness, the Rev. U. J. Fields, drew a stern warning from Judge Carter after he insisted he couldn't remember whether the bus protest had been discussed at any of the Negro rallies which he said he attended.

"You know whether they were or not," the judge admonished. "Now tell the truth."

Fields, prompted by the prosecution, did recall telling the Grand Jury last month that the improvement association at its organization meeting on Dec. 5 recommended continuing the boycott indefinitely "until conditions improve."

Before he took the stand, the Baptist minister refused to swear to the customary witness oath, protesting, "I don't swear. It's against my religious convictions." But he promised to tell the truth and the judge accepted that.

Fields, who is secretary of the improvement association, testified that the organization grew out of a meeting of the Interdenomination Ministerial Assn., a group of Negro clergymen in Montgomery.

The association's financial secretary, Mrs. Erna Dungee, wife of a Negro doctor, returned to the stand when the trial opened its second day this morning. She identified further checks paid to service stations and car pool drivers.

Mrs. Dungee testified, in reponse to questions, that she saw King at several of the mass meetings since the boycott began and that he spoke at some. But she said she couldn't remember the nature of the discussions except that they dealt with the "protest."

She and Lewis both said the improvement association has devoted nearly all its efforts to supporting the bus boycott, although, they added, it has done some charitable work, such as helping collect food and clothes for needy Negroes.

Car Pool Drivers To Be Honored In Montgomery

Daily World P. 1

Sat. 12-8-56

38b

Atlanta Ga.

BY EMORY O. JACKSON
(SNS Staff Writer)

MONTGOMERY, Ala. (SNS) — Car pool drivers in the currently court-banned free transportation system, are scheduled to be honored at the banquet session tonight of the week-long Institute on Non-Violence and Social Change sponsored by the Montgomery Improvement Association.

T. M. Alexander, Atlanta business man and native of Montgomery, is scheduled to be guest speaker at the "Driver's Banquet" slated to be held on the Roof Garden of Ben Moore Hotel.

The Rev. Ralph David Abernathy, MIA president and director of the institute, said that he expected approximately 200 share-the-ride drivers to attend this bread-breaking for freedom.

The week-long institute is a combination celebration of the anniversary of the bus seating segregation protest which began Dec. 5, 1955 and preparation for meeting the new situations in the expected change-over.

A giant mass meeting Sunday afternoon at First Baptist Church where the Rev. J. H. Jackson, president of the National Baptist Convention will be the headline speaker, will close out the institute. Provisions are being made for an over-flow audience to hear the program through a loudspeaker system installed in the park in front of the church, weather permitting.

At a strategy session of the Alabama White Citizens Councils, held here Tuesday night, Dec. 4, the night before the anniversary of the protest State Senator Sam M. Englehardt, Jr., secretary of the organization, reacted derisively to the speech the night before by Dr. Martin Luther King, Jr., president of the Montgomery Improvement Association.

He greeted the 60 assembled W[illegible]cers with "welcome hoodlums."

Dr. King said in his prepare[illegible] text which he skipped over to sav[illegible] time at the MIA meeting, in part:

"If we are to be fair and honest we must also commend the white community at this point. If there had not been some discipline and moral sensitivity in the white community, we would have had much more violence in Montgomery. All of this renews my faith in the vast possibilities of this community.

Daily World P. 3

"I am aware of the fact that the vast majority of white persons of Montgomery and the State of Alabama sincerely believe that segregation is both morally and sociologically justifiable. But nobody has been able to convince me that the vast majority of white people in this community, or in the whole state of Alabama, are willing to use violence to maintain segregation.

38b

Atlanta Ga.

P. 8-A

Montgomery, Ala.

TO ADDRESS DRIVERS

T. M. ALEXANDER

One of the guest speakers to come to Montgomery during the week's activities of the Montgomery Improvement Assn. anniversary, is a native Montgomerian, T. M. Alexander, contractor of Atlanta, Ga. He will address the Car Pool Drivers at a special banquet tonight at 7 at the Ben Moore Hotel. Drivers only are invited.

Sat. 12-8-56

SUNDAY'S MASS MEETING sponsored by the Atlanta Voters League featured Rev. Solomon Seay (C) one of the indicted leaders in Montgomery, Alabama's bus boycott. Rev. Seay is shown talking with A. T. Walden (L) and Rev. William Potter. — (Perry's Photo)

Daily World 1 col. 5-1-56 P. 1 Atlanta, Ga.

Montgomery Pastor

Walking Is Honorable Protest Leader Says

Daily World P. 1 Tues. 5-1-56 Atlanta, Ga.

BY WILLIAM GORDON

Managing Editor, Atlanta Daily World

"Negroes in Montgomery are not afraid anymore," said one of the town's local leaders yesterday at a mass meeting of the Atlanta Voters League.

The Rev. Solomon Seay, pastor of the AME Zion Church of Montgomery, told a group at Wheat St. Baptist Church that "we have sold the Negro people in Montgomery that walking is honorable and that you must pay the price for freedom."

FIRE FOR FREEDOM

The distinguished minister and former college president added: "Too many people have remained comfortable while others are suffering."

He called the bus protest in Montgomery a part of world movement. He said a "fire for freedom has been started all over the world, some of the effects of which have just reached Montgomery.

"We are proud," he said, "to help fan the flames of this fire which is burning away a lot of the scars, the bigotry, the injustices all over the world."

He said people have become restless, as a result of this fire. "They are tired of the old ways," he added.

BRAIN-WASHING

Rev. Seay said black people have been brain-washed too long. He also said the concept that black people have at one time been easy to be brain-washed does not mean that they will still stand for this "act of injustice."

The big job, today, he pointed out, is to arouse people, even those who may be sleeping through the fire, he added.

Rev. Seay challenger Negroes on registration and voting. He was critical of those who "vote merely because my street is paved, or some special favor has been given me by public officials.

The Rev. Seay cited the work of Rev. M. L. King, Jr., Any young persons who has the energy and wisdom of Rev. King commands all of his respect and that he is willing to answer his call any time of day or night. He called Rev. King one out of every 100,000 persons.

The Rev. Seay also warned against the act of contentment. He said complacency and contentment could be dangerous, especially when it comes to Negroes.

TOO COMPLEX

"We don't have time to relax during times like these," Rev. Seay said. "We don't have time to take vacations, the issues and problems are too complex."

He also warned against the leadership outside of Montgomery believing that the job has been won there. He said, the work by citizens and sympathizers has just begun, and that Negroes in the city are aware of what is to be done there

His warning to "negative forces" in Montgomery was that they are holding on to a culture breaking apart in a thousand pieces.

Rev. Seay was one of the ministers arrested along with 95 others in the Montgomery bus protest. His trip to Atlanta was part of a speaking agenda which will take him into many parts of the country.

Montgomery Negroes Vote To Keep Boycott

Constitution Fri. 4-27-56 Atlanta, Ga. P. 1

MONTGOMERY, Ala., April 26 (AP)—More than 4,000 Montgomery Negroes voted at a mass meeting tonight to continue their five-month-old boycott of city buses despite the bus company's order to end segregation.

Without a dissenting vote, they shouted approval of a resolution vowing to refrain from riding buses as long as city and state officials persist in their determination to enforce segregation laws.

The resolution was presented by the Rev. M. L. King Jr., president of the Montgomery Improvement Assn. which was organized to promote the boycott.

Although Montgomery City Lines has announced an end to segregation as far as its policy goes, the resolution said city and state officials "have indicated both orally and in writing that they intend to, and will use, all means available, including the arrest of bus drivers and passengers," to enforce segregation laws.

Consequently, the resolution continued, "the conditions heretofore existing remain the same because of the position taken by our public officials."

The Negroes vowed to "carry on our mass protest until such time as the matters stated above are clarified."

The Rev. B. D. Lambert offered the motion to adopt the resolution.

explaining "We have walked for almost 20 weeks and it's only a few days more until May 11."

That is the day set for hearing on a pending suit in federal court challenging Montgomery city and Alabama state segregation laws.

The Montgomery Affair Bears Fruit

Wash. Fri. 4-27-56

Carrying on into its fifth month, the struggle of the Montgomery, Alabama citizens must have borne fruit in that representatives of the Montgomery Transit System cited the South Carolina decision handed down Monday by the Supreme Court in ordering an end to segregation on its Montgomery buses. We commend this action because there is no point in postponing in that case the inevitable.

It is significant in that even ahead of South Carolina, where the suit started, the Montgomery system jumped to the conclusion that it had no other option.

B'ham, Ala. P.8

The Alabama case is internationally known now and while some of the contenders were indicted and the leader, the Rev. M. L. King, Jr., was tried and convicted of violating an Alabama boycott law, seldom if ever used, designed to outlaw the method employed by the contenders, the others were not tried, pending the appeal made in the King case.

All through the struggle Rev. King, a leader for law and order; the resort was of the pattern of passive resistance and altogether non-violent. This attracted the attention of the trial judge who took into consideration Rev. King's attitude in handling the record affair which wrote in letters of bold relief the epic of an undaunted courage and the cool and collected emphasis in which things hoped for may be realized.

However in spite of the inconvenience and discomfort attendant in the long procedure, it has not been without its recompense, commending it to a cherished place in the history of the struggle of a people.

Dr. King gives us a new insight on a new leadership. He exemplified the coolness and the patience with which the trying tension of the times find its answer and its pattern.

FILED BY CITY, STATE

Advertiser

U.S. Supreme Court May Act On Two Bus Petitions Monday

Montgomery, Ala.

Sun. 12-16-56

Montgomery should know tomorrow whether or not its buses will be integrated in the immediate future.

Tomorrow the U.S. Supreme Court holds its opinion day session. Unless it acts then, the matter must wait until at least Jan. 14 when the court returns from its Christmas-New Year recess.

Before the court are two petitions seeking a rehearing on its decision holding city and state bus segregation laws unconstitutinal.

Formal issuance of the opinion however, has been deferred until the court decides if it will grant a rehearing. Requests for the reconsideration were filed by the city and the state Public Service Commission.

Meanwhile, assuming the decision will be made in their favor, Negroes have been attending "courtesy and non-violence" classes in preparation of riding the buses again.

A Negro boycott leader, the Rev. Ralph Abernathy, paid the classes were "being held in hopes of stopping any violence that may occur."

'Turn other cheek' policy—

News

Boycotters trained how to meet desegregation

B'ham, Ala.

Dec. 12-15-56

MONTGOMERY, Ala., Dec. 15 —(AP)—Montgomery Negroes propose a "turn the other cheek" policy to avoid violence when opportunity comes for them to ride on desegrated buses.

"Our people must return to the buses peacefully and not boastfully," said the Rev. Ralph D. Abernathy, a leader in the year-old bus boycott now nearing its end.

Negroes have voted to return to the buses the day the U. S. Supreme Court's recent decision outlawing segregated seating on buses goes into effect.

Abernathy directed an institute on non-violence and social change here last week as part of an educational program to prepare Negroes for non-segregated public transportation.

"THE NEGRO minister said as many as 1000 Negroes are attending weekly classes to "prepare our people for the return to the buses and for integration in general." He didn't amplify on the latter.

An effort will be made, he noted, to have a Negro clergyman or civic leader aboard "every bus day and night" during the early stages of the changed seating arrangement.

The integration classes are being held in Negro churches under sponsorship of the Montgomery Improvement Assn., which has coordinated the mass Negro boycott in protest of bus segregation.

In additional to the weekly instruction, Negro civic clubs also are being urged to spread the doctrine of nonviolence at their meetings.

"We are trying to get the idea of courtesy," the MIA vice president said.

"We feel our people must not misconstrue the (Supreme Court) decision as a victory decision. We feel it is a step toward democracy. Our people must return to the buses peacefully and not boastfully."

Abernathy said Negroes need to realize that "the (white) people who have always sat where they please on the buses are losing something. We must be sympathetic," he added.

400 Ministers Back Boycotters

Afro-American

All creeds, races with signatories

Baltimore, Md.
Sat. 3-24-56

NEW YORK — Support for the 26 ministers and others who went on trial Monday for their part in the resistance campaign Montgomery, Ala., was voiced the same day by more than 400 ministers of all races and creeds.

The ministers approved a statement sent out by the Fellowship of Reconciliation to some 1,600 ministers, 400 of which had been returned by Friday and others were coming in at the rate of 100 a day.

TEXT of the statement follows:

As Christian ministers we rejoice in the leadership our brother pastors in Montgomery are giving in the nonviolent campaign for racial brotherhood. It is fitting that such leadership should come from those whose Master was a living demonstration of unarmed love and brotherhood.

At the same time we are saddened that any Christians should segregate themselves from their fellow Christians and fellow citizens. The most grievous aspect of the situation with which we are confronted is the inadequate concern and witness of the churches.

Judgement must begin at the house of God. A culture that breeds or tolerates such a widespread malady as is being manifested in many southern communities is in need of thorough change.

* * *

THE CHANGE is impossible unless and aroused church repents of its own sinful practice of segregation even at the Lord's table, and proclaims and itself practices the Biblical truth that all men are made in the image of God and are of eternal worth in his eyes, and that in Christ all men are one.

To those in the Church and outside who at great risk and cost are witnessing to these truths in prejudice-ridden and disturbed communities, we send gretings, and for them we offer prayers.

For those white and Colored people working together in the South in recent decades, who overcame the hooded Klan and wrought at least temporary improvements of great significance in many fields, we record our gratitude.

* * *

WE SAY THESE THINGS not as persons who are themselves righteous or with any notion that the disease of "white supremacy" and its manifestations in personal and social life are confined to parts of the South. We pray for greater sensitivity and a relaization of our own shortcomings.

We are well aware that our first responsibility is for conditions in our own several communities in all parts of the land and that it is only in the degree that we meet that responsibility that we shall be absolved of the charge of hyprocrisy in speaking about conditions and people in other parts of our land.

We are also citizens of a nation and therefore have a responsibility for the welfare of other Americans.

* * *

WE ARE NOT competent to deliver a professional judgment as to the ways in which the Federal Department of Justice or other agencies may, under the law, intervene in the situation which has developed in certain southern communities.

But it is now incumbent upon the heads of these agencies to give top priority to study of all the available means to give substance to the constitutional guarantees which every American has as a matter of right and to put such means promptly into effect.

We believe that on President Eisenhower rests a special responsibility in this situation and that this responsibility confronts him with a very special opportunity. Under the constitution he is charged with reponsibility for "the general welfare" and the conduct of the foreign relations of the nation.

* * *

HERE IS A situation which profoundly affects the health of our society and which is probably the most crucial factor in America's relations with nations to which the great majority of al the earth's people beling.

Recent events have shown that the President's influence and prestige are greater by far than that of any other person in this country and perhaps anywhere in the world.

Let him now as the recognized spokesman of the "free world" speak on this issue in our own homeland. Let him speak out against segregation in every form.

Let him call upon every citizen in every state, and especially the political leaders and officials in Southern states, to stop all efforts to nullify the Supreme Court decision.

* * *

LET HIM POINT OUT that discrimination on grounds of race and color and the subversion of justice and judicial process in the interest of maintaining discrimination and segregation is a sword pointed straight at the heart of the free America which the people of the South as well as other sections in their inmost hearts wish to preserve.

Let him, as he has done on other occasions, appeal to the heritage of the Hebrew prophets and Christ and on that basis speak to "that of God" in the hearts of white men, even the most prejudiced, in order that they may recognize "that of God" in their fellowmen, whatever be the color of their skins.

Let him consider going personally to Alabama and Mississippi on this mission of peace and good will. This is a time and an occasion for the highest, the most unusual, the most Christian kind of statesmanship.

The exercise of such statesmanship now might well have a great cleansing and healing effect on our own national life and would enhance immensely the stature of the United States in the eyes of the world.

Local action along similar lines was taken in the following cities:

HARTFORD (Conn.) — Adherents of three great faiths — Catholic, Protestants and Jews will join in prayer March 28 for "deliverance" of the leaders and others arrested for boycotting buses in Montgomery, Ala.

Church bells will ring for 5 minutes at noon March 28. Offerings of the preceding Sunday will be forwarded to the Montgomery Improvement Association for distribution to those hit by the "economic squeeze."

Three religious services will be conducted on National Prayer Day at Metropolitan AME Zion Church and at St. Benedicts Church. Services at Zion Church begin at 8 p.m. and those at Benedict Church at 7 p.m.

BOSTON — The Massachusetts House of Representatives will cease all work fro m11 to noon March 28 as an "expression of syupathy with the colored citizens of Alabama."

The action honors these citizens, the order says, "who at the risk of life, liberty and property seek through nonviolent means to bring a greater measure of equality to all Americans. . . ."

It orders that March 28 "be noted on the journal of this house as Brotherhood Day so that all our citizens will be reminded that in this historic commonwealth in the words of our Constitution:

"All men are born free and equal" and further that all men have the right "of seeking and obtaining their safety and happiness."

LOS ANGELES — The NAACP has ualled a mass meeting to be held in Olympic Auditorium March 27 in support of National Day of Prayer called for by Rep. A. Clayton Powell March 28.

The Florence Fair Employment Practices Committee of that city has urged all business houses to close their doors, churches to hold prayer vigils and workers of all races and creeds to stop work between 2 and 3 p.m. on that day.

DETROIT — The Baptist Ministers Conference of Wayne County sent the following message of encouragement, in part, to the Montgomery Improvement Association:

"Ears throughout our vast re public and in many recesses and quarters of the world without our bounds have been filled with the challenging accounts of the experiences of citizens of color of your city.

"We make known our unequivocal endorsement of your stand for fair play and will lend whatever support we can to the fulfillment of your ideals, ambitions and efforts.

"We are aware of the works of such celebrated pioneers of Alabama as W. H. McAlpine, J. A. Foster, Andrew J. Stokes, C. O. Booth, W. R. Pettiford, J. Wilhite and, more recently, Dr. D. V. Jemison."

Turn The Other Cheek

Courier-Journal
Sat. 12-15-56 P. 3

Bus-Integration Advice Being Given Negroes

Louisville, Ky.

Montgomery, Ala., Dec. 14 (AP)—Negroes awaiting the end of bus segregation in Montgomery are being schooled by their leaders to remain peaceful, "even if others strike first."

38b Ala.

And to guide them, the Rev. Ralph D. Abernathy disclosed in an interview today, an effort will be made to have a Negro clergyman or civic leader aboard "every bus day and night" during the early stages of integration.

The United States Supreme Court has ruled City and State bus-segregation laws unconstitutional. The formal order has not been issued pending action on a request by City and State authorities for a rehearing.

If the court acts on the rehearing petition Monday, the integration notice may reach Montgomery later next week.

Meanwhile, Mr. Abernathy said as many as 1,000 Negroes are attending weekly classes designed to "prepare our people for the return to the buses and for integration in general." He did not elaborate on the latter.

Instruction Led by Boycott-Directing Group

The weekly instruction periods, held in Negro churches, are conducted by the Montgomery Improvement Association, the organization that has directed the long mass Negro boycott against segregated city buses. Mr. Abernathy is vice-president of the M.I.A.

Ministers and other M.I.A. leaders along with officers of civic clubs and volunteers in each neighborhood are acting as instructors, the Baptist minister said. Besides the weekly classes, Negro civic clubs are also urged to spread the doctrine of nonviolence at their meetings.

"We are trying to get over the idea of courtesy," Mr. Abernathy said.

"We feel our people must not misconstrue the (Supreme Court) decision as a victory decision. We feel it is a step toward democracy. Our people must return to the buses peacefully and not boastfully."

New Negro Has Emerged In South, Dr. King Tells Group

Daily World Atlanta, Ga.

NEW YORK — A new Negro has emerged in the South today, a Negro capable of decisive, united action, Dr. Martin Luther King, Jr., leader of the Montgomery bus boycott, told the United Negro College Fund symposium in Hunter College Assembly Hall, Tuesday night. The Hon. Chester Bowles, former United States Ambassador to India, was the principal forum speaker, and Dr. King was one of four Negro leaders who took part in a panel discussion, "The Negro Southerner Speaks."

"The Negro in the South has taken a new look at himself," Dr. King said. "With his migration to urban centers and the improvement of his educational and economic status, he has re-evaluated his position. No longer cowed by threats and intimidations, his attitude is a reflection of the sense of dignity being gained by colored people throughout the world today."

Mr. Bowles likened the 27-year-old Dr. King's successful leadership to that of Mohandas K. Gandhi, in his address on some international aspects of race relations.

"As Gandhi appealed to the basic decency, honesty and democratic spirit of the British, so great new Negro leaders will now appeal to the conscience and the decency of their white neighbors throughout the South," Mr. Bowles said. "Eventually the day will come, and I doen not believe it is now far distant, when American law will protect all Americans against discrimination on the basis of race, or creed, or color, and we may live with each other in understanding and peace.

"When this great day comes, it will be the courageous, democratic spirit of Gandhi and such men as Luther King which has made this new freedom possible, and it will have been achieved in the finest tradition of the human race," Mr Bowles stated.

Daily World

Dr. Rufus E. Clement of the Atlanta Board of Education, the first Negro elected to public office in Atlanta since Reconstruction, emphasized that the Negro has made all his gains in this country within the framework of the law. President of Atlanta University, one of the Fund's 31 member schools, Dr. Clement was a member of the Forum's discussion panel.

Fri. 12-14-56

Dr. William J. U. Wallace, president of West Virginia State College, the first fully integrated state college in the South; John H. Wheeler, Negro attorney of North Carolina, who has argued segregation cases before the U. S. Supreme Court; and Dr. King also served as panel discussants.

August Heckscher, director of the Twentieth Century Fund, Quincy Howe, ABC commentator, and Carl Rowan, Negro author and staff writer for the Minneapolis Tribune interviewed the panel members.

The symposium was the eighth in a series inaugurated by the United Negro College Fund in 1949. Whitney North Seymour, former president of the Association of the Bar of the City of New York, headed the volunteer committee. Sponsors in addition to the Fund, included the New York clubs of twelve college groups: Barnard, Bennington Bryn Mawr, City College of New York, Mt. Holyoke, Oberlin, Radcliffe, Sarah Lawrence, Smith Vassar, Wellesley and the American Association of University Women.

Rev. King Tells Five Ways To 'Speed Up' Integration

Weekly, New Orleans, La.

Sat. 12-15-56

MONTGOMERY, ALA. (ANP) The Rev. Martin L. King, this city's staunch leader of the successful year old bus boycott against segregation, told a packed church crowd here five ways of speeding up integration last week.

Speaking at the opening of a southside Negro institute on passive resistance to Montgomery's racial segregation, the young minister and leader said Negroes can speed up the "inevitable end" of segregation by:

"We must continue to gain the ballot...one of the basic keys to the solution of our problem." He said both the Democratic and Republican parties have "betrayed" Negro hopes.

2. "We must continue to struggle through legislation."

3. "We must donate large sums of money to the cause of freedom."

4. "Negroes must develop intelligent, courageous and dedicated leadership...one of the pressing needs of the hour."

5. "And, we must have the moral courage to stand up and protest injustice wherever we find it."

Rev. King declared that "Negroes should meet every act of violence toward an individual Negro with the fact that there are thousands of others who will present themselves in his place as potential victims."

"This dynamic unity, this amazing self-respect, this willingness to suffer, and this refusal to hit back will soon cause the oppressor to become ashamed of his own methods," he stated.

The brilliant minister said the Montgomery example had taught Negroes to stick together to achieve their goals. He added: "We have found a new and powerful weapon; nonviolent resistance."

Rev. King said that for the success of the boycott the white people of the city must also be commended. He said if there had not been some discipline and moral sensitivity in the white community, we would have had much more violence in Montgomery.

The 27-year-old leader said "Nobody has been able to convince me that the vast majority of white people in this community, or in the whole state of Alabama, are willing to use violence to maintain segregation. It is only the fringe element, the hoodlum element which would resort to the use of violence."

Rev. King told the overflow hymn-singing crowd that Negroes must continue to believe that the most ardent segregationist can be transformed into the most constructive integrationist, but he warned that the battle against segregation is far from won.

Weekly p. 7

He said: "Segregation in America is still a fact. We confront it in the South in its glaring and conspicuous forms. We confront it in the North in its hidden and subtle forms." earned his bachelor's degree at Johnson C. Smith University. He is National Director of Public Relations for the Omega Psi Phi fraternity, a board member of the National Association of Market Developers and a former board member of the National Negro Business League.

Sat. 12-15-56

White, Negro Down In L&N

Advertiser

Tues. 1-10-56

ICC's Ban On Segregation Brings Railroad Directive

P. 1

Montgomery, Ala.

Louisville and Nashville Railroad will remove signs designating white and Negro waiting rooms at all of its Alabama terminals today.

W. F. Glover, trainmaster for the L&N in Montgomery, said he had not received definite instructions to remove the segregation signs but expected the orders early today.

The L&N has displayed the signs on its separate waiting rooms since the Union Station was erected.

SEPARATE ROOMS

Employes at the Greyhound Bus Station and Trailways Bus Terminal here have received no instructions to remove the signs. Both have separate white and Negro waiting rooms.

The L&N order is in compliance with an ICC order banning segregation in interstate travel.

The reports the L&N is removing the signs were confirmed by officials of the company at Mobile and Birmingham.

An L&N representative at Mobile said the instructions came from L&N headquarters at Louisville, Ky., Flomaton, Pensacola, Fla., and Chattahoochee, Fla., are other terminals of the L&N in addition to Mobile, Montgomery, Birmingham and Decatur, main points.

WITHIN STATE

Ending of segregation in passenger travel applies only to passengers crossing state lines. Segregated facilities will be provided for passengers whose destination is within the state of origin.

In Birmingham, a delegation of Southeastern Grehound bus drivers was assured by Public Safety Commissioner Robert Lindbergh, head of the police department, that they would not be arrested if they failed to enforce segregated seating on the buses because of the ICC order and company instructions.

NO PROTEST HEARD

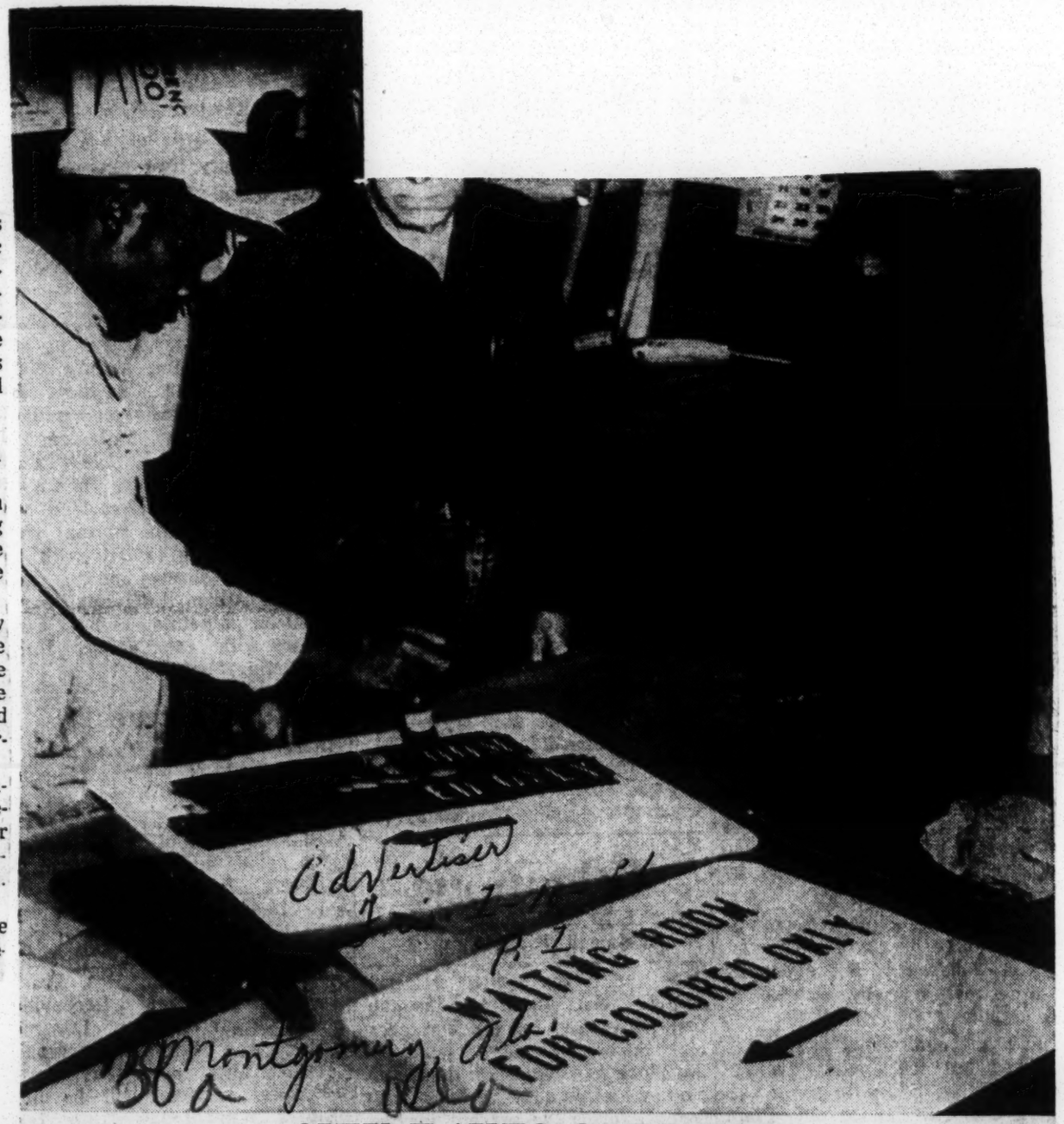
No protest had been heard from Montgomery drivers last night.

Lindbergh took a firm stand on the issue. He declared, "As long as our ordinances are on the books concerning this matter, we are going to enforce them."

He said there would be "plenty of policemen" on hand at the train terminal today to enforce the ordinance. Lindbergh said the "ICC is not a judicial body and therefore cannot abrogate Birmingham city ordinances."

Montgomery Commissioner Clyde Sellers last night declined to comment as to whether the city plans to enforce its segregation laws at the L&N station. station.

Sellers said he wants a "chance to study the matter further" before making a statement.



Advertiser

P. 1

Montgomery, Ala.

CITY TAKES OVER JOB

The city of Jackson, Miss., said it will put up its own segregation signs in the railroad station after Illinois Central Railroad workers removed "colored" and "white" signs in compliance with an ICC order. The Louisville and Nashville Railroad, also in compliance with the ICC order, has advised stations in Alabama to remove signs designating segregated waiting rooms. Negro city worker in Jackson, paints the new signs as W. O. Wall and John W. Haley, city employes, watch.—*AP Wirephoto.*

AFTER SIGNS BROUGT DOWN

Sellers To Circulate City Ordinance On Segregation To Trainmasters Here

Advertiser Montgomery, Ala. Wed. 1-11-56

Signs denoting segregation in railroad terminals came down in Montgomery yesterday.

Today, copies of Montgomery's city ordinances requiring separate eating and toilet facilities will be issued to local trainmasters.

City Commissioner Clyde Sellers said, "We will enforce Montgomery's laws as long as they are in effect. Our laws require separate eating and toilet facilities in train terminals. We are checking to find out if separate seating facilities in waiting rooms are required by law. If they are, they too will be enforced."

The Interstate Commerce Commission ruled recently separate facilities for Negroes and whites in waiting rooms and on trains would be integrated.

Mrs. H. A. Clenny, chief clerk and crew dispatcher of Western of Alabama Railroad here said their employes have been instructed "not to cause any incidents on the trains or in their waiting rooms." She said Western would obey the law.

W. P. Glover, trainmaster of Louisville and Nashville Railroad here, said, "We will comply with the ICC ruling. We have not been issued any orders from city officials. If there is conflict, we will decide how to smooth it out when that time comes."

No incidents were reported yesterday. Several Negroes were reported to have used white waiting rooms yesterday at Union Station.

from Police Commissioner Clyde Sellers, delivered the typewritten excerpts personally to the L & N train station and to Greyhound and Trailways bus terminals.

CHECK MADE

Meanwhile, Sellers said he and city attorneys have not determined whether segregation provisions of the City Code are directly applicable to waiting rooms.

"We are checking to find out if separate seating facilities in waiting rooms are required by law," Sellers said. "If they are, they too will be enforced."

The search of city laws was begun when the Interstate Commerce Commission ruled that companies engaged in transporting interstate passengers must abolish separate facilities for the races.

Signs designating separate waiting rooms already have been removed at local train stations as rail officials indicated they would comply fully with the ICC order.

Stations Here Given Copies Of Race Laws

Advertiser Montgomery, Ala. Wed. 1-11-56

Copies of city ordinances requiring separate restaurant and toilet facilities for whites and Negroes were delivered to bus and train stations yesterday by Police Chief G. J. Ruppenthal.

Ruppenthal, acting on orders

IN MUSCLE SHOALS AREA

State Bus Line Lifts Racial Barrier

Advertiser Wed. 5-2-56

FLORENCE, Ala., May 1 (AP)—Shoals Transit Inc., drivers stopped enforcing racial segregation in the Muscle Shoals area without incident "about two days ago," Manager Tom Bolen said today.

Bolen said "everybody is still sitting in his own place." He said city officials agreed, "the only thing to do was to sit tight and see what happens.

"My drivers have told me that there has been no pronounced change so far," the bus line manager said. "In some ways things have been going even smoother than before the Supreme Court decree.

"I do not believe we will have any trouble here at all unless it's fomented from the outside."

Bolen said that if any one objects to where any one else is sitting "he can call the police. We're not law enforcement officers. We're bus drivers."

Shoals Transit Inc. serves the tri-cties of Florence, Sheffield and Tuscumbia. The area has a population of about 55,000, of whom about one-fifth are Negroes.

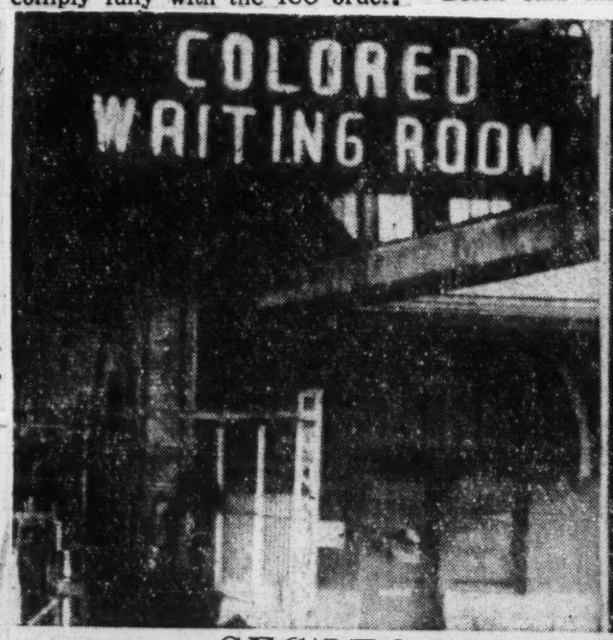
Bolen estimated the bus line carries about 60,000 passengers per month, of whom one-third are Negro.

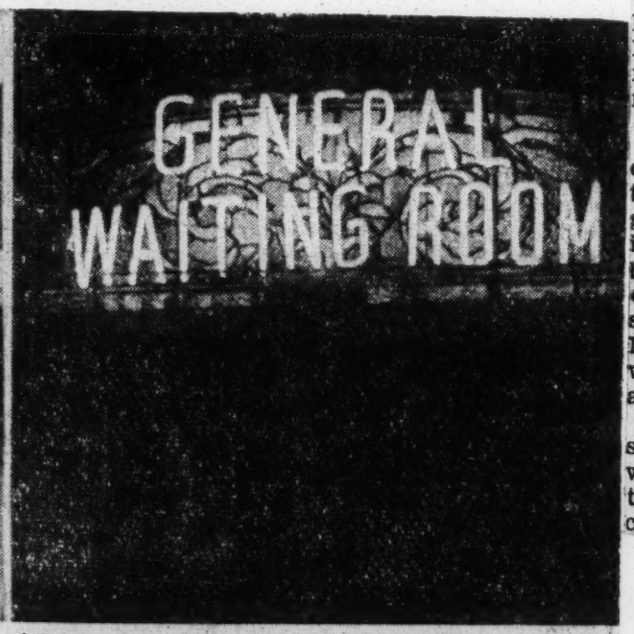
Bolen said that federal law "says we can't segregate, and state laws say we can't integrate. We're over a barrel."

Shoals Transit is owned by American Transit Lines, Inc., St. Louis.

"Negro passengers have been unusually courteous," Bolen said, "going to great lengths not to offend anyone. Everybody realizes that we are in a bad situation and the less said about it perhaps the better."

The manager said the company never had signs designating areas for white and Negro passengers but drivers notified passengers where they must sit.





SEGREGATION AND INTEGRATION

Advertiser Montgomery, Ala. Wed. 1-11-56

Early yesterday the sign "Colored Waiting Room" in the left picture upheld segregation at the Union Station but late yesterday afternoon it had been replaced by the sign, "General Waiting Room," in the right picture. The UnionStation and other L&N terminals removed the segregation signs yesterday in compliance with an Interstate Commerce Commission order.

Bus Protest Yet In Effect, Rev. M. L. King Says

World Sat. 11-3-56 Birm. Ala.

MONTGOMERY, Ala. — (SNS) — Negro leaders have not abandoned the Montgomery bus protest, it was disclosed Monday by Rev. M. L. King, Jr., leader of the group.

During a telephone call, the Rev. King said, "the boycott has not come to an end; the station wagons were only stopped temporarily Saturday. We will still operate the pool and will still boycott the buses as long as they are segregated."

The young leader had just returned from Boston, Mass., where he had completed a speaking tour. He had not been in Montgomery for more than thirty minutes before making this statement.

Rev. King also said that bus officials have been more inclined to go along with Negroes in Montgomery. The feeling, he added is more favorable now than it has been in the past. The young leader further stated that, without strong protest by city officials in Montgomery, the bus company would have ended segregation long ago.

He also said the protest was as strong as ever, and that Negroes were more determined not to ride the buses until some agreement could be reached.

Bus Segregation Is Defied By Negroes in Birmingham

Times New York Herald 12-27-56

18 Riders Are Arrested Without Violence —Minister Whose Home Was Bombed Leads Move—Mass Meeting Called

By The Associ

BIRMINGHAM, Ala., Dec. 26 —Negroes in large numbers defied this city's segregation laws today by sitting with whites on buses. The police immediately began to arrest the violators.

The newest attack on segregation barriers was led by the Rev. F. L. Shuttlesworth, 34-year-old Negro Baptist, whose home had been bombed a few hours earlier.

Police Commissioner Robert Lindbergh warned that the city's segregation laws would be enforced. Within a few hours, eighteen Negroes had been arrested for having sat in sections of buses reserved by law for white passengers.

No violence was reported. The Commissioned said he intended to "resolve the issue."

"Those who violate our laws, white or colored, will be arrested and the police force has been given the necehsary instructions to implement that policy," he declared.

He said arrests were being made for "violation of the segregation ordinance, and not on some subterfuge; it will be up to the courts to decide."

At a meeting this afternoon, directors of the Alabama Christian Movement for Human Rights voted to ride in sections of buses reserved for whites. About 200 Negroes took part in the meeting. Many of them followed Mr. Shuttlesworth afterward when he boarded a bus.

Mr. Shuttlesworth rode to the university hospital, where his daughter has being treated for burns, and then rode back to the downtown area. He was not arrested.

He sat in a single seat at the front of the bus, but when it became filled he offered the space to a white woman, who accepted.

Times

Later, when police cars were seen in front of the bus, Mr. Shuttlesworth asked another Negro seated in the white section to give him the seat "so I can get arrested."

P. 29-e

On another bus carrying sixteen Negro passengers and seven whites, eight Negroes sat behind the board designating white and Negro sections and eight sat in the white space.

Times 12-27-56

Four white passengers left another bus when several Negroes sat in the white area.

Mr. Shuttlesworth called two mass meetings tonight at which instructions on violating the bus segregation law were to be given.

The dynamite bomb that shattered his home and damaged the adjoining Bethel Baptist Church injured two of his children and a visitor slightly.

"One way I'm sure God wanted us to be unsegregated is because he kept me alive," Mr. Shuttlesworth said at the meeting of directors of his organization.

"I need not tell you there is an element of danger in the fight against segregation," he warned. He urged his followers not to weaken.

As at Montgomery and Tallahassee, Fla., Negroes were urged to avoid violence.

"I don't want any Negro to become involved with a white person with any other Negro, for that matter," Mr. Shuttlesworth said.

The maximum sentence for violating the bus segregation ordinance is a $100 fine and six months in jail for each count.

The attack on the ordinance had been forecast last week. In a letter the Alabama Christian Movement warned the City Commission that Negroes would act on a "first come, first seated" basis unless the racial laws were repealed.

The commission met but took no action.

Mobile Abolishes Sections

BIRMINGHAM, Dec. 26— While the segregation law was being defied here today, transit operators in Mobile decided to abolish separate sections. Drivers were told to handle seating "as diplomatically as possible."

In Tallahassee, Fla., some whites walked to the rear of buses rather than mingle with Negroes sitting in forward seats reserved for whites. No incidents were reported there or in Montgomery, where bus integration began last week.

The Negro Inter-Civic Council of Tallahassee called a mass meeting tonight to urge a return to the bus-riding habit. Negroes voted to end a seven-month boycott of the transit line Christmas Eve.

Leader Gets Traffic Ticket

Special to The New York Times.

BIRMINGHAM, Dec. 26— During the arrests today, Mr. Shuttlesworth drove to a bus stop and told the police he had ridden in the white section of two buses.

The police made no effort to arrest him, but gave him a traffic citation for driving without a license.

There were continued reports that Negroes were boarding buses and riding in white sections. When patrol cars showed up, however, the officers were told the Negroes had already left the buses.

After the meeting of the City Commission, Mr. Lindberg issued this statement:

"This is no time for foolish threats and loud and intemperate statements. Personal ambitions must be subordinated to the common good. Individuals must practice restraint to a greater degree than at any time in the past.

"As your Commissioner of Public Safety, the responsibility of maintaining peace and good order rests more heavily upon me than on any other individual.

"We have always endeavored to enforce our laws fairly and impartially, and as long as we have state laws and city ordinances upon our books that are legally enforceable we have no thought other than to enforce them.

"There can be no exception. We will not voluntarily abandon the tradition-honored Southern custom of separate seating of the races on our buses.

"As we understand it, the United States Supreme Court decision [outlawing bus segregation in Montgomery] does not apply here."

Birmingham Negroes Briefed On Challenge Of Bus Seating

Advertiser Sun. 12-26-56 Montgomery

BIRMINGHAM, Dec. 25 (AP) — Instructions of how to ride city buses on a "first come, first serve" basis were circulated among an estimated 1,500 Negroes at a meeting here last night.

The Alabama Christian Movement for Human Rights, a pro-integration Negro group, is planning a quick challenge of Birmingham's bus segregation laws following a scheduled meeting of the city commission tomorrow.

The instructions were given by the Rev. F. L. Shuttlesworth, president of the organization, at a weekly meeting of the group last night.

P. 5-A

REQUESTS IGNORED

Shuttlesworth said the step was in preparation for action following the commission meeting. Up to now, the commission has ignored requests to eliminate or amend Birmingham's racial segregation laws regarding buses.

Shuttlesworth said the instructions were similar to those circulated in Montgomery and Tallahassee. He said the Negroes are being told to be courteous and not to strike back if they are attacked.

The Negro minister said a meeting of his organization's executive board would follow the commission meeting tomorrow, and mass meetings of Negroes would be held in parts of Birmingham tomorrow night.

INCREASING NUMBERS

Bus segregation ended in Montgomery last weekend after city officials were served official notice of the U.S. Supreme Court's ruling banning segregation there earlier.

With the exception of a few minor incidents, Negroes have been riding the buses on an integrated basis in Montgomery in increasing numbers. They ended a boycott of the city buses which lasted more than a year.

Monday, a 15-year-old girl was beaten but not seriously hurt by several white men who told her "don't ride the bus anymore."

38b 1956

Capital Pledges All Legal Means Against Bus Decree

MONTGOMERY, Nov. 15 (AP)—City authorities promised today to use every "legal" means available to combat the Supreme Court decision outlawing segregation on city buses.

Mayor W. A. Gayle said in a written statement that the City Commission doesn't accept integration as inevitable despite the court ruling, and that it will "do all legal things necessary to continue enforcement of our segregation laws and ordinances of all kinds."

Post Herald

The ordinance requiring separate seating facilities for white and Negro passengers on city buses has been ruled unconstitutional along with Alabama state laws providing the same restrictions.

P. 1

Speaking in a broad sense and not on the bus problem alone, Gayle declared "We shall continue to enforce segregation" to insure "public safety, to protect the peoples of both race, and to promote order in our city."

Ala. 11-16-56

Along with buses, city laws require segregation in restaurants, rest rooms, parks and playgrounds, swimming pools and other activities.

Gayle and Police Commissioner Clyde Sellers, who issued a separate statement, appealed to Montgomery residents to be calm and "cool-headed." Said Sellers:

Birmingham

"This is not the time for hotheads, oratory, loud talk or threats."

Ala.

The police commissioner's statement also pledged a continuing "legal" fight to "keep integration from invading our transportation system."

Commissioner Frank Parks, like the other two commissioners a member of the White Citizens Council, issued no statement but agreed with the principles of the other two.

Negro leaders learned with disappointment, meanwhile, that it may be a month before they can ride the buses free from segregation under the Supreme Court ruling.

The Negroes abandoned their long boycott last night with the thought that the integration decree would go into effect in just a few days.

With that in mind, they decided to walk to work or ride with friends until the day comes when they can ride the buses "on a nonsegregated basis." But the office of the clerk of the Supreme Court in Washington said today the formal order won't be issued for about a month.

The court's rules provide a 25-day waiting period to give the losing party time to ask for a rehearing. After that, a certified copy of Tuesday's anti-segregation ruling will have to be sent to the three-judge panel whose decision the Supreme Court upheld.

The Rev. Martin Luther King Jr., who told cheering followers last night that the integration decree should be here within a few days, said today "something will be done" in an effort to shorten the time.

King said he and other leaders hadn't decided what course to take. But there were hints the Negroes might ask the Supreme Court for an immediate injunction against enforcement of the segregation laws during the 25-day waiting period.

Post Herald

Such an injunction was issued by the three-judge panel following its decision last June, but it was suspended pending the appeal to the higher court.

Ala. 11-16-56

Manager J. H. Bagley of Montgomery City Lines Inc., privately owned company operating the city's only bus service, said he intended to take no action toward integrating the buses until the Supreme Court decree is put into effect.

The company is under injunction from state court to continue enforging segregation laws until they are finally stricken down.

Another injunction was issued in state court Tuesday to stop the Negroes from using their car pool as a transportation service. Unless that is reversed on appeal or by injunction from higher court, the Negroes will be unable to use the motor pool while waiting for the formal end of segregation.

Gov. James E. Folsom, meanwhile, made his first official statement on the Supreme Court ruling. He appealed to white and Negro leaders again to seek settlement of their disputes without going to court.

"The only way I know to defeat Supreme Court decisions regarding segregation is to keep such cases out of the courts," the governor said.

He advocated creation of a biracial commission last year with authority to mediate racial differences, but the Legislature turned it down.

A White Citizens Council leader, State Sen. Sam Engelhardt, declared defiantly that the Supreme Court "must make preparations to enforce" its segregation degrees if it expects the Southern people to obey them.

White residents of Montgomery "will never accept" the bus integration decision, the executive secretary of the Alabama Association of Citizens Councils said.

Negroes Still Avoid Using Buses

Post Herald
Birmingham, Ala.
Wed. 11-21-56

MONTGOMERY, Nov. 20 (AP)—Weary Montgomery Negroes still are finding ways to get to and from work without their court-halted car pool and without riding segregated city buses.

For six days since the motor pool was stopped by an injunction, uncounted thousands have found rides with friends, some have used taxicabs, but many simply have walked.

The Supreme Court has said bus segregation is unconstitutional, but formal notice of the integration decree won't be sent out until about Dec 12, after the time has expired for city and state authorities to ask for a rehearing.

P. 1

Until then, and desegregation has become a reality, the Negroes have pledged to continue shunning the buses, a policy they have followed since a boycott started nearly 12 months ago.

Meanwhile, the City Commission in its first official reaction to the Supreme Court ruling instructed city attorneys today to ask the court to reconsider, even though some officials said privately they thought there is slim chance.

Under federal court rules, the city has 25 days from the date of the Nov. 13 decision to ask for a rehearing.

Such a request might delay the effective date of the new integration policy, but the Supreme Court can put the decision into force without waiting to act on the rehearing petition.

There have been rumblings, too, from the newly revived Ku Klux Klan. A Klan spokesman who wouldn't be quoted by name said a huge rally of robed members from Alabama, Florida, Georgia and Mississippi is planned in Montgomery Saturday. He said he expects 5000 to 10,000 Klansmen to take part.

Post-Herald

The City Commission today turned down a request for a Klan parade through downtown Montgomery Saturday afternoon.

Hooded but unmasked Klansmen have made several public appearances since the bus boycott started here. They rode through Negro residential areas shouting and blowing auto horns on the night the Supreme Court outlawed bus segregation.

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Negro leaders said today that no organized effort has been made to transport their people to and from work since Circuit Judge Eugene Carter in state court ordered the car pool abandoned.

Wed. 11-21-56

The Rev. Ralph D. Abernathy and Rufus Lewis, both officers in the boycott-supporting Montgomery Improvement Assn., said many Negroes have found rides with friends and neighbors, "making their own contacts," while thousands of others have walked.

Police Commissioner Clyde Sellers and Chief G. J. Ruppenthal both said they have seen "a lot of them" walking. A Negro taxicab operator said there has been no increase in business since the motor pool ended.

Manager J. H. Bagley of Montgomery City Lines said there has been no noticeable difference in the number of Negro passengers—300 to 400 a day instead of the 30,000 to 40,000 riders the busline once transported.

Chamber of Commerce officials estimate between 11,000 and 12,000 working Negroes in Montgomery excluding domestic servants who probably number several thousand. There is no estimate of the number who own cars.

Negro pedestrians have found weather conditions ideal for the past week, with mild temperatures and little rain.

Negroes Seek To Speed Up Writ Delivery

Advertiser
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Montgomery

Negro lawyers yesterday asked the U.S. Supreme Court to hasten the delivery of a mandate to Federal District Court here stating that bus segregation is unconstitutional.

Ala. 11-18-56

Attorneys for boycotting Negroes in Montgomery filed a petition with the high court in Washington asking that the date of the mandate be effective immediately instead of the 25 to 30 days normally required before notice is sent to the lower court.

A prompt filing of the court's ruling, the petition said, would permit quicker determination of four anti-segregation cases now pending in Alabama.

Attorney who filed the petition are Fred D. Gray and Charles D. Langford, both of Montgomery, and Thurgood Marshall, top NAACP lawyer, and his assistant, Robert L. Carter, both of New York.

The Supreme Court Tuesday affirmed the decision of a special three-judge U.S. Court in Montgomery which held last June 5 that segregation of white and Negro passengers on the city's buses violated the federal Constitution.

It would take the decision of only one justice to grant the Negro attorneys' request.

Gray, contacted here last night, refused to comment on the petition and would not say if any further legal steps would be taken by Negroes to speed delivery of the mandate.

Advertiser 11-18-56

Negroes decided in mass meetings last Wednesday to end the 11-month-old bus boycott when the Supreme Court mandate arrived here. They had hoped it would be a matter of "only three or four days."

Owen 'Working' On New Rules

Post-Herald
Birmingham, Ala.
Tues. 11-20-56

Thinks He Can Keep Segregation

BY KEN FLYNN
United Press Staff Writer

MONTGOMERY, Nov. 19 (U.P.)—C. C. (Jack) Owen, public service commissioner, said today he is "working on an order" to maintain segregation on Alabama intrastate buses.

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"Under the commission's broad rule-making powers I think we can work up an order without using the words 'white' and 'colored' in any of our regulations," Owen stated.

The Public Service Commission head did not say what the order would contain but commented, "I'm working on it now and it should be ready in the next day or so."

Owen had no immediate comment on the conference called by U. S. Atty. Gen. Herbert Brownell Jr. to discuss the enforcement of desegregation mandates.

The public service commissioner was the first state official to declare the U. S. Supreme Court decision outlawing segregation on intrastate buses as "unworkable" in Alabama.

"The people of Alabama will never put up with integration," he said.

The U. S. District Attorney for Middle Alabama, Hartwell Davis, said here today he would attend Brownell's conference "the same as I would any conference called by the U. S. attorney general as long as I'm district attorney."

But he declined comment on what actions he may be asked to take to enforce the Supreme Court decision.

WHAT NEXT?

Bus Segregation Question Top Subject For Citizens

By AL McCONAGHA

What next in the city bus segregation controversy?

That was the question uppermost in citizens' minds yesterday amid a lull in the brisk events of the past three days. The situation is complex, and numerous rumors have sprung up from various sources.

Here is what has happened to date and a brief examination of possible courses of action being discussed:

On Tuesday, the U.S. Supreme Court exploded a bombshell by upholding a federal court ruling which said racial segregation laws pertaining to Montgomery and state buses were unconstitutional.

On Tuesday, too, Circuit Court Judge Eugene W. Carter granted a temporary injunction halting Negro bus boycotters' motor pool operation.

Judge Frank M. Johnson of U.S. District Court on Wednesday refused to issue an injunction sought by Negro attorneys which would prevent the city from interfering with the Negro transportation system.

That night, Montgomery Negores voted to end the 11-month-old bus boycott and return to integrated buses when the Supreme Court ruling became officially effective here. At this time, Negroes thought it would be a matter of a few days. They decided they would walk and share rides with neighbors until they might ride integrated buses.

On Wednesday also, the Montgomery City Lines announced that buses would remain segregated so long as Circuit Court Judge Walter Jones' injunction of last spring preventing the racial integration of buses is effective.

The City Commission issued a statement Thursday pledging to use every legal means of continuing city bus segregation. They did not name the course such action would take. They also dodged the issue of what action would be taken if buses were integrated.

The Negroes learned Thursday that it would be nearly a month before Supreme Court order would reach here. Indicating their disappointment, Negro leaders said they would seek some method of speeding up the date when bus integration would be effective.

Friday, the Alabama Public Service Commission began work on a plan for maintaining segregation if legally possible by employing its rule-making powers.

PSC President C. C. (Jack) Owen declared that "due to the broad rule-making powers of the commission, we feel sure that we can come up with something to protect the best interest of the general public."

The commission has certain police powers in addition to simple rule-setting, and Owen said the agency was forced to study the situation "from the standpoint of making it safe for the riders of public carriers."

During this time rumors boiled through City Hall, state, offices, and everywhere people stopped to talk.

Some sources said bus company officials were preparing a petition asking Judge Jones to dissolve his injunction preventing integration of buses. It is widely believed that the Montgomery City Lines was anxious to regain Negro passengers who had previously numbered about 70 per cent of its business. The company has announced a loss of $750,000 because of the boycott.

There also were reports that owners of white taxi companies had been meeting with city officials in a desire by the taxi owners to obtain permission from the municipal officers to lower cab rates in what some thought would be the beginning of a white boycott of city integrated city buses.

The next move by the city can only be guessed. The immediate legal stall to integration would be to ask the Supreme Court to review its decision. This action, most observers believe, would offer only temporary relief.

Disenfranchisement of the bus company was another widely talked possibility. However, this would likely mean a law suit, for which the city does not now appear to have good legal grounds.

The problem of what would substitute for the buses was also pertinent. The city cannot afford to operate a bus system at a loss of $750,000 per year. It is thought that perhaps lower taxi rates may have the most meaning in this connection.

The plans of Montgomery Negroes to speed up bus integration so that the race could stop walking and sharing rides with neighbors are beyond even the vaguest guessing.

State officials say privately that they have no immediate solution to prohibit racial integration on buses. But they are equally certain they will come up with something.

How successful they will be is, again, uncertain. One conclusion does seem to be warranted, however. Montgomery buses will not soon be racially integrated.

Owen Confident Of Solution

APSC Chief Sees Seating Worked Out

BILOXI, Miss., Nov. 13 (U.P.)—C. C. (Jack) Owen, president of the Alabama Public Service Commission, said today he believes transportation companies operating under state jurisdiction will continue to enforce segregation of the races.

Owen, here for an Alabama Farm Bureau meeting, told United Press that despite today's Supreme Court ruling which struck down an Alabama law requiring racial segregation on intrastate buses "the people of Alabama are not going to put up with integration."

"The public utilities operating under our jurisdiction will be asked to maintain segregation in order to maintain peace and order," Owen said. "We will request they help us carry out a program like that and still be within the law.

"In my opinion the companies can place passengers as they wish as the best way to maintain order. I am sure we get the cooperation of the companies."

Bagley Says Patronage Up On City Lines

By JIM HALL

The second day of integrated buses passed quietly here yesterday. Only one minor incident was reported to Montgomery police.

Det. Capt. E. P. Brown said a local white woman reported that a Negro man winked at her while she was riding a bus near Chisholm.

J. H. Bagley, manager of Montgomery City Lines, Inc., said operations were proceeding smoothly. He estimated that "four or five times" as many Negroes were riding buses today as during the boycott.

"We are putting buses back into operation as fast as the demand for transportation and availability of drivers permits," he said.

USE BUSES

The bus company manager said a check with drivers indicated that regular white customers were continuing to use the buses.

He said he had been informed that a number of Negroes made prior share-the-ride commitments and had paid for their transportation through Saturday.

"If this is true," he added "We ought to have more returning to the buses next week."

Negroes generally were following Friday's seating pattern, choosing seats at random and sitting with members of their own race for the most part.

On buses going into Negro residential sections, they were using the middle and front seats. On those from white sections, Negroes were seating from the middle toward the rear.

In some instances where Negroes concentrated in the front of a bus, white passengers moved to the rear seats.

Montgomery Becomes Another Cradle

That important decision handed down a few days ago by the Supreme Court of the U. S., affirming a decision of the 4th., District Federal Court outlawing segregation in the Montgomery Bus case and where such practices exist elsewhere, bids fair to make Montgomery, once the cradle of the Confederacy, another cradle — but this time one for the emergence of tolerance and the establishment of an acknowledged principle of first come, first served.

The eleven month old Montgomery Bus strike occasioned by the prosecution of Mrs. Rosa Parks a seamstress apparently is nearing its end in a solution of the much advertised issue.

Dr. M. L. King, Jr., leader of the move for ending discrimination on the buses, is to be congratulated for the sane and level-headed manner in which he made a powerful contribution in the emphasis of Democracy.

He insisted all along that law and order be observed, and held that there was within the framework of the law remedial measures for the treatment of every social ill contingent to law enforcement.

The trail was tedious and one often beset with its discouraging and inconvenience, but it is apparent that the safe ground upon which its contestants ventured, make it well worth its cost.

The leaves upon which rested the Plessy vs. Ferguson "separate but equal" principle, have thusly stiffened into tombstones, and the situation is clarified to the extent that its reality will suggest the complete curtailment of all those little ugly reminders penalizing human beings for what they had no choice in occasioning.

May Montgomery become another cradle — the cradle of Democracy at work.

Negro Mass Meeting Planned For Tonight

A Negro mass meeting will be held here tonight in the Hutchinson Street Baptist Church to "evaluate" the bus integration situation, the Rev. Martin Luther King Jr., said.

"This will be something of an evaluation of how things have gone," King said. "We also will give advice on the continuation of riding integrated buses."

King, president of the Montgomery Improvement Assn., which sponsored the year-long Negro bus boycott, said the results of the first two days of integrated travel here have been "very encouraging."

The meeting will be held at 8:30 p.m.

Court Won't Speed Order To Alabama

Post-Herald Birmington, Ala. Tues. 11-20-56

WASHINGTON, Nov. 19 (AP)—Atty. Gen. Brownell today summoned federal prosecutors in 14 Southern states to a Washington conference on how to carry out the Supreme Court decree against racial segregation on buses.

He set the date, in a circular letter to the 34 U. S. district attorneys in the 14 states, as Dec. 10.

Brownell's letter said that it is clear from the Supreme Court decision of Nov. 13 on the Montgomery, Ala., bus segregation case, that discrimination against bus passengers on account of race is "a crime against the United States."

A number of state and municipal government spokesmen in Southern states have spoken out against the court's Montgomery ruling; several have indicated that various state laws against mixing of races on transportation systems would have to be tested in separate court actions. They said that pending such tests, segregation would be continued on buses.

The Montgomery case was marked by a long bus boycott by Negroes against segregated travel.

Supreme Court aides said the bus case notice now may be mailed about Dec. 12. It will go to members of a special court which sat in Montgomery and handed down the anti-segregation decision affirmed by the Supreme Court.

Brownell's letter calling the Justice Dept. conference went to U. S. attorneys in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia.

Brownell told them the conference "will consider and decide upon measures most appropriate to secure observance of the United States constitution and laws by carriers and all others who may hereafter require segrgation of white and colored passengers on common carriers."

The attorney general told the district attorneys to bring with them copies of state or local laws relating to racial segregation.

He said the Nov. 13 court decision, which struck down Montgomery and Alabama statutes, makes it clear "that any such law, statute, ordinance or regulation must be regarded as a dead letter."

"It is also clear," he added, "that the enforcement or observance of any such discriminatory measure by any common carrier of passengers will constitute in the future a willful deprivation by the carrier of the constitutional rights, privileges and immunities of those discriminated against and a crime against the United States."

"Anyone who commands, induces, procures, counsels, aids or abets the carrier in the commission of such crime is equally guilty," he said.

Officials of the city of Montgomery announced after the court decision that they would use every legal means available to contiue separate seating arrangements for Negroes and whites on Montgomery buses. They said this was required to preserve public safety and promote order.

Post Herald

Non-segregated operation was attempted last Spring by the private bus company which serves Montgomery, but was dropped under a state court order.

Tues. 11-20-56

Ben Franklin, vice president of the Montgomery line, said today his company is still required to segregate passengers under the state court order which "remains in force until further direct order by the U. S. District Court."

Top Court Voids State, Local Laws

Tribunal Cites School Ruling To Ban Separate Seating System

WASHINGTON, Nov. 13 (AP)— The Supreme Court today wiped out state and local laws requiring segregation on buses.

It did so by affirming a decision of a special three-judge U. S. District Court in Montgomery, Ala. That court ruled that enforced segregation of whites and Negroes on Montgomery buses violated the U. S. Constitution's guarantees of due process and equal protection of law.

Post Herald

In a brief unanimous order, the Supreme Court cited its 1954 decision against segregation in public schools. It also cited subsequent decisions outlawing segregation in public parks and playgrounds and on public golf links.

Wed. 11-14

As it has done in several segregation cases since its basic school decision, the high court acted without listening to any argument. Except for citing three segregation-banning decisions, all the court said was:

Birmingham Ala.

"The motion to affirm is granted and the judgment is affirmed."

This affirmation left no doubt that the Supreme Court was outlawing segregation on all bus systems. Earlier this year some question had arisen when the court simply dismissed an appeal from another decision overturning a South Carolina segregation law. That left the decision in effect but led to confusion—ended today—as to the Supreme Court's intent.

Negroes in Montgomery have conducted a long boycott of city buses as a protest against segregation. One of the things they resorted to was operation of a car pool to carry those who used to use the buses.

A state court at Montgomery now is considering the city's attempt to halt the car pool as illegal. The court continued its hearing today after being informed of the Supreme Court ruling.

In neighboring Mississippi, Gov. J. P. Coleman said his state would continue to segregate Negroes and whites on public conveyances, despite the Supreme Court order.

"Our attitude about the decision will be the same as about the school segregation cases," Coleman said. Mississippi's public schools, like many others in the South, still are segregated.

In the bus segregation case, Montgomery's Board of Commissioners and the Alabama Public Service Commission appealed from the ruling of the three-judge court voiding state and local bus segregation laws.

The lower court, dividing 2-1, said "There is now no rational basis upon which the separate but equal doctrine can be validly applied to public transportation within the city of Montgomery." And it said "the application of that doctrine cannot be justified as a proper execution of state police power."

Post Herald

The two judges in the majority said they agreed with a decision of the Fourth U. S. Circuit Court of Appeals in Richmond that "the separate but equal doctrine can no longer be safely followed as a correct statement of the law."

The separate but equal doctrine, now dead for all practical purposes, was laid down by the Supreme Court in a transportation case in 1896 known as Plessy v. Ferguson.

Wed. 11-14-56

The Montgomery court said the two judges in the majority though "that Plessy v. Ferguson had been impliedly, though not explicitly overruled," and that, under the later decisions, there is no rational basis upon which that doctrine can be applied in public transportation.

The City Commissioners of Montgomery contended the special court lacked authority to act. They said it should have dismissed the complaint filed on behalf of Negro bus riders, or should at least have stayed action pending disposition of a similar suit filed by Negroes in Alabama state courts.

Atty. Gen. John Patterson of Alabama filed the appeal of the State Public Service Commission, arguing that the right of the passenger "is only that of being carried safely, and with due regard to his personal comfort and convenience." Patterson said this cannot be done and peace and order maintained in Montgomery and other places "if, by court decree, a Negro man is permitted to sit by a white woman."

The boycott began last Dec. 5 after Mrs. Rosa Parks, a 42-year-old Negro seamstress, was fined $14 for refusing to move to the Negro-designated rear portion of a Montgomery city bus. That night a mass meeting of hymn singing Negroes decided to boycott segregated city buses.

After a few stray rifle shots at buses and several small dynamite bombs tossed at homes of Negro leaders, none of which caused injuries, the boycott continued quietly until the suit by four Negro women was filed Feb. 1.

Bus company officials said that from between 30,000 and 40,000 Negro passengers a day, patronage dropped to 300 to 400 Negroes.

The current legal action by the city indicated that in 11 months the bus company lost $750,000 revenue because of the boycott.

A special three-judged panel heard the case May 11. The judges, all native Southerners, were Richard T. Rives of the Fifth Circuit Court in New Orleans, Frank M. Johnson Jr. of the Middle Alabama District at Montgomery and Seybourn H. Lynne of the Northern Alabama District at Birmingham.

Rives and Johnson found the bus segregation laws unconstitutional. Lynne dissented from the June 5 ruling.

On June 19, by the same 2-1 vote, the group issued a permanent injunction against enforcement of the city and state laws. Then they suspended the injunction "during pendancy" of appeal.

Johnson had no comment today on when the injunction might go into effect, and the other two were not available.

In other actions today, the court:

1. Denied Gov. J. Bracken Lee of Utah permission to file suit attacking constitutionality of the U. S. foreign aid program.

Lee, a Republican, who was defeated for renomination and failed last week to win re-election as an independent candidate, proposed to file suit to enjoin Secretary of the Treasury Humphrey from using tax funds for foreign assistance.

2. Agreed to rule on an appeal by John Stewart Service, contesting his dismissal from the State Dept.

Supreme Court To Rule On Suit Against Union

Post-Herald Tues. 11-20-56 Birm., Ala.

WASHINGTON, Nov. 19 (U.P.)—The Supreme Court today agreed to decide whether workers may sue a union in state courts for damages caused by loss of employment during a strike.

The case came from Alabama, where the State Supreme Court ruled on March 22, 1956, that such a suit is permissible. The high court will schedule arguments soon on the issue, and later will hand down a written opinion.

The appeal was filed by the United Automobile Workers Union, which was sued for $50,000 strike damages in Morgan County Circuit Court by an electrician, Paul S. Russell.

The suit stemmed from a 1951 strike called by the union at the Decatur plant of the Calumet & Hecla Consolidated Copper Co., Wolverine Tube Division.

Russell complained that because of mass picketing and threats of violence he was prevented from entering the plant, thereby losing work from July 18 to Aug. 22.

On the second time in state courts, he was awarded $10,000 following a jury trial.

The union argued in the State Supreme Court that Congress has given the National Labor Relations Board exclusive jurisdiction in this field. But the court held that the board has no jurisdiction to grant redress; and that Russell was entitled to it.

"This court recognizes that the right to pursue a lawful occupation is a property right, and the wrongful interference therewith is an actionable wrong," the opinion said.

Hugo Black Refuses Hurry Plea

Post-Herald Birm., Ala. Tues. 11-20-56

WASHINGTON, Nov. 19 (AP)—U. S. Supreme Court refused today to speed up its official notice that it has outlawed segregation on local buses.

Denying a plea by attorneys for Montgomery, Ala., Negroes for immediate action, the court in effect decided to treat the case in a strictly routine way.

The plea for speedy handling actually was denied by Justice Hugo Black as presiding judge of the Fifth U. S. Circuit Court.

Black, however, issued a brief statement saying he had consulted with the eight other Supreme Court justices and found them "in agreement with my views" that the request for immediate issuance of the official notice should be turned down.

As a result, the court's order probably will not be mailed until about Dec. 12. Official notices usually are mailed about 25 days after the court rules.

The official notice, when mailed, will go to members of a special three-judge U. S. District Court which struck down Alabama laws and Montgomery ordinances requiring separation of Negro and white passengers.

Post-Herald

Attorneys for Montgomery Negroes filed their motion for quick action Saturday. They said it was "of great public importance that the opinion or order and judgment of this court issue forthwith."

Negroes in Montgomery have conducted a long boycott of buses as a protest against state and city segregation laws.

Dividing 5-3, the court also decided federal employes paid on a daily basis are not entitled to an extra day's pay for each holiday worked during World War II.

Tues. 11-20-56

Alfred C. Berch, a welder at the Norfolk Naval Shipyard, claimed he was entitled to extra pay for working on legal holidays in 1945.

The U. S. Court of Claims upheld him, and the Justice Dept. appealed to the high tribunal. The department said the decision of the Court of Claims caused more than 70,000 similar pay claims to be filed amounting to three-quarters of a billion dollars.

Alabama Asks Court Review On Bus Edict

Advertiser Montgomery Ala. P. 1

The State of Alabama yesterday petitioned the U.S. Supreme Court to re-consider its Nov. 13 decision which outlawed racial segregation on Montgomery city buses.

Tues 12-4-56

The petition for a re-hearing was filed by Atty. Gen. John Patterson in behalf of the Alabama Public Service Commission.

It was not clear whether the state's action would postpone the effective date of the high court's integration decision. Under normal office routine the notice of the decision would be forwarded here Dec. 12 or 13. However, the high court wil' be in session next Monday and could take immediate action on the petition and still have time for the notice to reach here later that week as originally scheduled.

BRIEF PETITION

Patterson's petition to the court yesterday was brief, declaring the bus decision had "wrongfully taken" from Alabama its police powers.

"We earnestly insist that the state's police power has been wrongfully taken from it, and there now exists a 'No Man's land,' in which the state, under the Court's opinion, is powerless to protect property and prevent breaches of peace which will inevitably result from the Court's decision rendered in this cause," Patterson declared. "The Tenth Amendment has been written out of the Constitution."

Continuing, Patterson declared that the Plessy V. Ferguson decision (separate but equal ruling) "should receive the sanction and approval of the court as now constituted."

Earlier in the petition, Patterson noted that laws permitting or requiring the separation of the races "does not necessarily imply the inferiority of either race to the other."

LAWS RECOGNIZED

Patterson further pointed out that such segregation laws "have been generally, even universally, recognized as within the competency of the State Legislatures in the exercise of their police power."

"This has been the expressed opinion of many distinguished and learned justices who have heretofore sat on the Supreme Court of the United States," the attorney general added.

The petition for rehearing was signed by Patterson, Ass'ts. Attys. Gen. William N. McQueen and Gordon Madison, and was also signed by William F. (Pete) Black, counsel for the Public Service Commission.

The Montgomery City Commission, also a party to the original suit as was the PSC, is expected to file a similar petition for rehearing this week. City officials indicated earlier that they intended to make such a request

At Montgomery—

Negroes seek to speed integration on buses

News P. 1 Tues. 11-18-56

WASHINGTON, Nov. 17—(AP)—Negroes fighting segregation on Montgomery, Ala., buses Saturday asked the Supreme Court to hasten the effect of a decision favoring their cause.

The Supreme Court on Tuesday affirmed the decision of a special three-judge U. S. Court in Montgomery which held that segregation of white and Negro passengers on the city's buses

With day of prayer—

Capital Negroes celebrate boycott

News P. 24 Thurs. 12-6-56 Birm., Ala.

MONTGOMERY, Ala., Dec. 6—(AP)—Bells of Montgomery's Negro churches sounded early today to begin a "day of fasting and prayer" for a continuing campaign seeking equality of opportunity for Negroes.

It marked the beginning of the second year of passive resistance to segregation by Montgomery Negroes.

While most Montgomery Negro families reportedly were observing the day appropriately, a source at Alabama State College for Negroes said the school's dining hall was operating as usual.

STUDENTS at the large Negro college haven't been directly involved in the bus boycott or the "institute on non-violence and social change" being held here this week.

Montgomery's bus boycott began Dec. 5, 1955, the day a Negro seamstress was fined $14 for refusing to move to the back of a segregated bus. The institute is spreading the word on how the boycott has been conducted to apparent success.

Negroes are waiting for a U. S. Supreme Court decision Nov. 13 banning city bus segregation to be relayed down to Montgomery and halt enforcement of separate seating. They have voted to end the boycott then.

A COURT OFFICIAL said the decision should be sent down about Dec. 12. The date was mentioned before the state of Alabama on Monday and the city of Montgomery yesterday asked the high court to reconsider its ruling. It was not immediately known whether the requests might delay the decision's relay here.

Two sessions of a seminar on "non-violence and the social gospel" were on the institute program for today. Tonight Mahalia Jackson, gospel singer from Chicago, will appear on a musical program. The institute ends Sunday.

Last night Miss Lillion Smith, white novelist of Clayton, Ga., told a "women's night" institute session of between 1500 and 2000 persons that Southern white persons have had to give up four freedoms in order to keep segregation.

MISS SMITH'S speech was read by Dr. Hiland Lewis, chairman of the Atlanta University sociology department, after the author said illness prevented her attendance.

She said the lost freedoms were:

1. "The freedom to do right. There are white Christians in the South who know segregation is wrong."

2. "The freedom to obey the law. . . . We obey our dictators instead. These are sometimes our governors, other times . . . our business employers, our school superintendents, or our boards of trustees or the church."

3. "The freedom to speak out . . what one believes is true . . . the penalities are heavy for those who dare speak out anyway: Loss of jobs, boycott, ostracism, violence sometimes."

4. " . . . We have also lost our freedom from fear." Negroes and white persons "are afraid of each other and themselves."

MISS SMITH said Montgomery Negroes "are helping the white South to find its way, too. You are giving young white Southerners hope. You are persuading some of them that there is something worth believing in and risking for."

Another speaker was Miss Nannie H. Burrough, president of the Women's Auxiliary of the National Baptist Convention, a Negro group. She said the "world requires men who can move mountains."

Mountains listed were undeveloped faith, satisfied ignorance, glorified laziness, family responsibility, gross neglect, immorality and race prejudice.

Pro-segregationists to speak at rally

CLANTON, Ala., Dec. 6—(AP)—Comments by pro-segregation leaders on the Negro-sponsored race relations institute going on in Montgomery might be made tonight to a Citizens' Council rally.

Speakers at a meeting of the Chilton County Citizens' Council will be Rep. Armistead Selden Jr., of the Sixth District and State Sen. Sam Engelhardt of Macon, executive secretary of the Alabama Assn. of Citizens' Councils.

Engelhardt said in Montgomery yesterday "we may have something to say" about the Southwide Institute.

Await Court Order To End Montgomery Bus Boycott

By ENOC P. WATERS JR.

MONTGOMERY, Ala. — A spokesman for the Montgomery City Lines, Inc., operators of the local bus lines, against whom a boycott has been directed for almost a year has expressed willingness to abide by the law "what ever it may be."

J. H. Bagley, district supervisor for the company, as referring to the U. S. Supreme Court decision which ruled segregated seating on buses unconstitutional.

The bus line is now operating under a state injunction restraining it from desegregating the buses.

Meanwhile local Negroes under the leadership of the Montgomery Improvement Association, continued their boycott of the jim-crow buses of the 352nd consecutive day Monday.

They were walking as usual today and will continue to walk for sometime in the future since the Supreme Court decision will not go into effect here until "about 30 days" from Tuesday, November 13, when the court's mandate is delivered to the Federal district court here.

In an effort to offset the bitter and intemperate statements of defiance made by many white leaders, the city commission asked residents of the city to remain calm and issued assurances that every legal maneuver would be utilized to preserve segregation.

Mayor William A. Gayle, admitted that the city commission was temporarily at a loss as to what legal procedure to follow, but expressed confidence that something would be worked out as attorneys had an opportunity to study the decision.

Meanhile Rev. Martin Luther King, president of the MIA, and leader of the whole boycott movement, expressed disappointment that there will be such a long delay before the decision becomes effective here.

The MIA voted last week to end the boycott when the court's decision goes into effect. At that time it was thought there would be a lapse of just a few days.

Since the MIA is under injunction preventing them from operating their car pool, maintaining the boycott over a long preiod of time now poses new problems.

However, the full effect of the boycott was still being felt Sunday. Late last week Negroes with cars were sharing them with others in an effort to preserve the boycott.

It is expected that this "share your car" movement will be extended to cover the period until the decision is received here.

Bagley said that the boycott which will be a year old Dec. 5, has already cost the company $750,000 in revenue losses.

Attorneys for the bus line are expected to ask the court to lift the injunction which would prevent them from complying with the Supreme Court edict.

"It would appear," Bagley said, "that if the injunction were removed, our present method of segregating passengers would be unconstitutional."

City Commissioners Clyde C. Sellers and Frank W. Parks both deplored the court decision and promised that everything would be done to prevent desegregation of the buses.

Though obviously overjoyed by the decision, Negroes here are restrained and are willing for Rev. King and other leaders of the movement to speak for them and plan strategy.

All are under a self imposed mandate "to do nothing that will upset our victory now."

DEFY IS VOICED AT BUS DECISION

US Court Will Have to Enforce It--Engelhardt

Fri. 11-16-56

MONTGOMERY, Ala., Nov. 15 (AP) — A White Citizens Council leader declared Thursday that the US supreme court must make preparations to enforce" its antisegregation orders if it expects Southerners to obey them.

Commenting on Tuesday's decision outlawing Montgomery city and Alabama state bus segregation laws, state Sen. Sam Engelhardt of Macon county said that and similar decrees were based on "politics as well as the sociological ravings of outsiders."

White residents of Montgomery "will never accept" the bus integration order, Engelhardt declared adding:

"If the supreme court insists on disrupting our social order, insists on destroying the peaceful relations that have existed here for years, it must make preparations to enforce this order."

Engelhardt is executive secretary of the prosegregation Association of Alabama Citizens Councils.

In Dothan meanwhile, a city bus line owner, Ben May, said defiantly that "I don't have to operate integrated busses and I won't.

"I don't know what will be done," he added, "but we will continue to operate as we have."

May operates the Dothan Transit Co. Tuesday's decision was not directed specifically to any transportation system outside Montgomery.

In Washington today, the office of the clerk of the Supreme Court said formal notice of the decision will be issued in about a month.

Under the court's rules, notice of a decision is not sent out until at least 25 days after the decision is announced.

In the bus segregation case decided Tuesday, a certified copy of the Supreme Court's judgment will be sent to a special three-judge U.S. District Court in Montgomery, Ala., which declared unconstitutional the Alabama and Montgomery laws requiring racial segregation on buses. This week's Supreme Court ruling unanimously affirmed that decision.

Montgomery Bus Ruling Hailed by Negro Leaders

Star Wed. 11-14-56 P. 2-a

Washington, D.C.

MONTGOMERY, Ala., Nov. 14 (AP).—"We were badly treated on the buses but now they've given us justice."

That was the reaction of a 78-year-old Montgomery Negro woman to the Supreme Court's decision yesterday that bus segregation is unconstitutional. The woman, Mrs. Susie McDonald, and three other Negro women brought the suit that broke city and State bus segregation laws. must be maintained."

White officials across the South took a strong stand directly opposed to hers.

Charges of unlawful interference with the States, common since the 1954 Supreme Court ban on public school segregation, echoed again across Dixie.

"Glorious Daybreak"

Leaders of the 11-month-old bus boycott in Montgomery indicated the decision would bring the protest to an end, its purpose now removed.

Calling the decision "a glorious daybreak," the Rev. Martin Luther King, jr., said at a meeting of the boycott leaders last night that "everyone is very happy." The executive board of the Montgomery Improvement Association, the boycott's co-ordinating group which Mr. King heads, met to discuss the decision.

Mr. King said the group would meet again today to draw up recommendations to two mass meetings of boycotters tonight. He predicted the boycotters would vote to end their protest and return to city buses.

A similar boycott of segregated buses has been conducted by Negroes in Tallahassee, Fla. It began several months after the Montgomery protest started December 5.

The Governors of Mississippi and Georgia, United States and State Senators, a State attorney general and other officials were among those sharply criticizing the decision.

The Montgomery city commission, named in the suit, had no immediate comment. Alabama's Attorney General John Patterson, who had filed an appeal to the Supreme Court from a special three-judge Federal panel, was not available for comment.

President Jack Owen of the Alabama public service commission said that "to keep down violence and bloodshed, segregation

With no immediate efforts reported of Negroes seeking to ride in the front parts of buses, there was no sign of violence here.

A caravan of about 40 carloads of robed Ku Klux Klan members toured Negro residential areas of Montgomery last night, horns blowing, but police said they had no reports of violence.

Officials of the Montgomery bus company declined to comment on effects of the decision. Officials of the parent company, National City Lines, Inc., of Chicago, also refused comment.

The city had indicated the company lost about $750,000 in revenue because of the boycott.

Gov. J. P. Coleman of Mississippi said that his State's segregation laws "are not involved" in the decision and would still be enforced.

Precedent Seen

The senior judge on the special panel, Richard T. Rives of the Fifth United States Circuit in New Orleans, said the Supreme Court's upholding the panel would set a precedent for other cases.

Alabama's senior Senator, Lister Hill, said "every lawful means to set aside the ruling" should be used.

Herman Talmadge, Senator-elect of Georgia, called again for congressional limitation of the Supreme Court's power. He said the decision did not surprise him "in view of decisions made recently."

Georgia's Gov. Marvin Griffin said his State would oppose application of the decision by all legal means. His attorney general, Eugene Cook, noted that the decision does not directly affect Georgia.

An intention "to outlaw separate but equal facilities in every phase of our life" was seen in the decision by the chairman of the Louisiana Joint Legislative Committee on Segregation, Senator W. M. Rainach.

Alabama State Senator Sam Engelhardt, executive secretary of the pro-segregation Alabama Association of Citizens Councils, labeled the ruling "another invasion of a local self government" and an attack on constitutional government.

Negroes Lose Plea Asking Quick Action

Advertiser Tues. 11-20-56

Montgomery, Ala.

An attempt by Montgomery Negroes to hasten the day when integration of city buses goes into effect met with failure yesterday before the U.S. Supreme Court.

In a decision announced by Justice Hugo Black of Alabama, the court denied a plea by attorneys for Montgomery Negroes who sought immediate delivery of the formal court order on bus integration.

As had been previously announced by the court, the decision outlawing local bus segregation laws will not become effective until the official order is delivered to federal court here.

LONG DELAY

Normally, such orders require about 25 days for delivery, and it was this long delay which local Negro leaders sought to circumvent.

The ruling by the Supreme Court yesterday in effect held that the bus segregation decision would be handled just as any routine decision.

The Rev. Martin Luther King Jr. head of the bus boycott-sponsoring Montgomery Improvement Association, declined comment on this setback last night. However, he indicated further legal steps might be taken in an effort to speed up delivery of the notice.

"I haven't had a chance to look into the decision, nor have I discussed it with our attorneys,"

King explained. "But we hope to agree on a new course of action as soon as possible."

OPPOSING SIDE

The delay of 25 days in mailing out such orders is necessary to permit the opposing side to appeal for a rehearing to the decision.

The opposing side in this case—the Montgomery City Commission and the Alabama Public Service Commission—has 15 days from the date of the decision to request a rehearing.

Neither side has made such a request as yet, but both are expected to do so before the 15-day deadline.

As a result of the delay, the court's order will probably be mailed about Dec. 12, and could be expected to be received here later that week.

BRIEF STATEMENT

Justice Black handled the case yesterday in his capacity as presiding judge of the 5th U. S. Circuit Court. However, he issued a brief statement saying he had consulted with the eight other Supreme Court justices and found them "in agreement with my views" that the request for immediate issuance of the official notice be turned down.

Attorneys for the local Negroes filed their motion for quick action Saturday, declaring it was "of great public importance that the opinion or order and judgment of this court (be) issued forthwith."

CLEAR BUS RULING ASKED

Commercial Appeal

Montgomery Asks Tribunal For Debate Of Case

WASHINGTON, Dec. 5. (UP) —Montgomery, Ala., asked the Supreme Court Wednesday to clarify its Nov. 13 ruling striking down racial segregation on the city's buses.

Memphis Tenn.

The board of commissioners and Chief of Police Goodwin J. Ruppenthal told the justices they are in doubt as to the exact meaning of the decision.

The court issued only a brief order upholding a special three-judge panel in Montgomery which held bus segregation requirements of the city and state unconstitutional.

In its new petition, the city called for full arguments on the merits of the case so all interests concerned will know exactly where they stand.

It said city authorities are not sure whether the decision applies only to Montgomery buses or to all forms of public transportation in the city.

The petition also said the court did not make clear whether it was specifically overruling the "separate but equal" doctrine laid down in 1896 for settlement of such race disputes.

Negro reporter speaks— Bus boycotters called a 'symbol of freedom'

News P. 38 Wed. 12-5-56

MONTGOMERY, Ala., Dec. 5—A Negro newspaper reporter recently returned from Asia and Africa described bus-boycotting Montgomery Negroes today as a symbol of freedom to communist-threatened peoples abroad.

Birm. Ala.

CARL ROWEN of The Minneapolis Tribune told a Southwide race relations institute that the boycotter protesting segregation "fight a battle, not for the Negro but for the survival of democracy in a perilous world."

ROWEN, WHO TRAVELED in Asia and Africa as a reporter and who now covers the United Nations for The Tribune, said in a talk prepared for a luncheon forum:

"Asia and Africa cannot save themselves from communism unless we give them ample reason to believe that they can find equality under the banner of democracy.

"The Negro citizens of Montgomery are serving as a symbol to these people of the ability of oppressed human beings to achieve justice without violence, rancor and bloodshed."

He spoke on the first anniversary of the start of the bus boycott, a mass protest against segregated seating on city buses in Montgomery.

The racial institute, which started Monday, is dedicated to spreading the doctrine of passive rather than violent resistance to color barriers.

ROWEN SAID there are "two basic ingredients" in the Asian revolution—"a hatred of colonial rule and a hatred of racism," and added:

"No Asian or African is stupid enough to believe that all Americans love them when they see that Ralph Bunche couldn't get a room in a white hotel in Montgomery if his life depended on it, or that Negroes who have fought for this country are battling for the right to sit where they please in public buses."

THE REPORTER told the Montgomery Negroes "you are helping to save America by pushing white men toward democracy against their will," but that "many thousands" of white persons are supporting the Negro protest—"even in Montgomery."

He predicted that more white people will begin to speak in the Negroes' behalf "when they shake themselves free of the cliche peddlers who seek to convince them that if all we Americans do nothing long enough, these problems will go away."

"These problems will not solve themselves and it is time more Negroes realized that and began to work with the understanding that nowhere in the world did any people ever get freedom on a silver platter."

Two Negro ministers told the conference last night that white clergymen in the South are influenced in their views by pro-segregation congregations."

Injustice Is Target, Negro Leader Says

Evening Star

The struggle of the Negro for freedom and justice is not a struggle against the white people, but a struggle for democracy, a prominent Southern Negro leader said here last night.

Wash. 12-7-56

Dr. Martin Luther King, president of the Montgomery (Ala.) Improvement Association, which led the recent bus boycott in Alabama, made this statement as he addressed an estimated 3,000 persons in the Vermont Avenue Baptist Church.

Dr. King said segregation is against everything democracy stands for and that, if democracy is to live, segregation must die.

Washington, D.C.

Referring to the bus boycott in Alabama, he said the issue there is not an issue between white people and colored people, but an issue between justice and injustice.

P. 9

Dr. King addressed the local chapter of the National Association for the Advancement of Colored People. Dr. James M. Nabrit, secretary of Howard University, conducted the meeting.

Montgomery Negroes face $15,000 fine for boycott

Enquirer Los Angeles Calif.

Wed. 12-5-56 P. 16

MONTGOMERY — Negroes will not ride the buses desegregated in this "Cradle of the Confederacy" until some-time after official notification of the United States Supreme Court's desegregation decision reaches the Federal District Court here.

Hardships worked upon the Negroes of this city, who have zealously maintained a 12-month boycott of jim crow transportation, resulting in the first clear-cut Supreme Court decision against segregation in intra-state transit, were revealed fully to the nation at large in last week's News Letter of the Montgomery Improvement Ass'n.

Almost perfectly timed with the Supreme Court decision, the State Circuit Court branded the car pool as illegal and ordered it discontinued, the MIA said.

At the same time, Negroes learned that, with the Supreme Court decision, compliance would wait 25 days while the defendants appealed for re-hearing.

This led MIA lawyers to appeal to the Supreme Court for "quick action and immediate delivery" of the desegregation decision.

Refused, "between 30,000 and 40,000 Negroes are walking to and from work. . . . All pick-up stations and dispatch stations have been closed. . . . All station wagons are idle," the MIA said.

Negroes of Montgomery also face having to pay possible "compensatory damages of $15,000", which the city alleges "would have been its two percent . . . of the $750,000 or more the bus company would have taken in revenue had the Negroes ridden segregated buses."

Thus, Negroes face the possibility of being charged for refusing to be segregated.

The MIA revealed that Montgomery newspapers have reported the effort to break up the car pool originated with a "pro-segregation labor group" which "attempted to collaborate with city officials to end the bus boycott by 'swearing out warrants' against car pool operators."

An appeal by Negroes to the Federal District Court for an injunction, restraining the city from "interfering with the car pool operation", was denied by the court.

Complicating the situation further, the bus company must dissolve the injunction brought against it by the city last May, enjoining it from integrating passengers before it is free to abide by the ruling of the Supreme Court, MIA said.

APPEALS FOR FUNDS

Faced with the fact that the end of segregation in transportation is no where in sight, facing possible greater hardships, crisis and dangers, the boycott passed the 12-month mark Monday, Dec. 3, and observed it with the opening of the six-day inter-racial "Institute on Non-Violence and Social Change" which will attempt to introduce peaceful acceptance of desegregation into the city.

For the first time since the first few months of its operation, the boycott, through its leader, the Rev. Martin Luther King, Jr., urgently appealed to the nation for funds "to liquidate financial obligations and to help . . . members of the organization who need help.

"Some . . . are victims of economic reprisals, having lost their jobs . . . for refusing to ride segregated buses.

"Those who instigated federal court proceedings against segregation (are) 'marked' and . . . will encounter difficulty finding employment", the MIA said.

"Ninety ministers and leaders of the protest movement still have cases pending in court and are subject to be tried any day on a charge of conspiracy against the city transportation lines.

"Dr. King's case is still on the docket and must be appealed to the highest court. . . .

"There is need for funds so that the MIA can continue to operate in the interest of Negroes even after the bus situation is ended because Naacp operations have been curtailed in Alabama."

Contributions should be mailed to the MIA by check or money order, at 530 S. Union st., Montgomery, Ala.

City Vows Battle On Desegregation By Legal Methods

Mayor Says Next Steps Not Decided

Advertiser Montgomery, Ala. Fri. 11-16-56

By AL McCONAGHA

The Montgomery City Commission promised yesterday to seek every "legal" means of continuing racial segregation on buses and asked residents, meanwhile, to remain calm.

At the same time Negro leaders expressed disappointment when they learned it may be 25 days befor the Supreme Court decision outlawing bus segregation becomes officially effective here.

Negroes voted Wednesday night to end their 11-month-old bus boycott pending delivery of the high court's Tuesday mandate to Federal District Court here. They had anticipated only a three or four day delay.

Mayor William A. Gayle told The Advertiser the commission has not decided what legal measures will be taken to maintain bus segregation. He said the commission had wired Washington for a copy of the Supreme Court's decision.

WITHIN 10 DAYS

A plea asking the court to review its decision must be filed within the next 10 days, if at all.

Asked what the city would do if and when Negroes attempted to integrate the now-segregated bus line, Gayle said, "We'll have to wait until that time comes."

The Rev. Martin Luther King, leader of the Montgomery Improvement Assn. (MIA) which has spearheaded the boycott, indicated his disappointment in the delay of the mandate's delivery to Montgomery.

"Something will be done," he said, "to speed up the Supreme Court order." But he declined to say how the MIA hopes to shorten the time until bus integration becomes effective here.

It was learned last night that King and the Rev. Ralph D. Abrnathy, another Negro boycott leader, were in Birmingham. The nature of their business there was not made known, but the MIA office said they would be out of to n until Saturday.

REMAINED OFF BUSES

Negroes remained off buses yesterday for the 347th consecutive day. They either walked or shared rides with friends. The effect of their extended boycott on Montgomry City Lines Inc. has been crushing. J. H. Bagley, company district supervisor said the company had suffered about a $750,000 revenue loss since last Dec. 5, 1955, the first day of the boycott.

Bagley, asked what the company would do if and when a state injunction requiring segregated buses is removed, said, "If the injuncion is removed, we will operate under the law—whatever the law is. It would appear that if the injunction is removed, our present method of segrgatng passengers would be unconstutonal."

Advertiser

Gayle and Commissioner Clyde C. Sellers issued separate statements yesterday afternoon while Commissioner Frank W. Parks, third commission member, made it clear both colleagues spoke for him.

3-DAY TURMOIL

The long-awaited statement by the commission came after three days of legal turmoil involving bus segregation and Negroes' boycott of city buses which is now nearly a year old.

Tuesday the Supreme Court ruled Montgomery and state laws enforcing bus segregation were unconstitutional. The same day, Circuit Court Judge Eugene Carter issued an injunction halting the Negro car-pool. Judge Frank M. Johnson of U.S. District Court Wednesday refused a Negro plea for action preventing the city from interfering with the Negro transportation system.

The mayor, in his statement, said:

"To insure public safety, to protect the peoples of both races, and to promote order in our city we shall continue to enforce segregation. We ask the honest consideration and cooperation of all citizens with this decision on the part of the city commission."

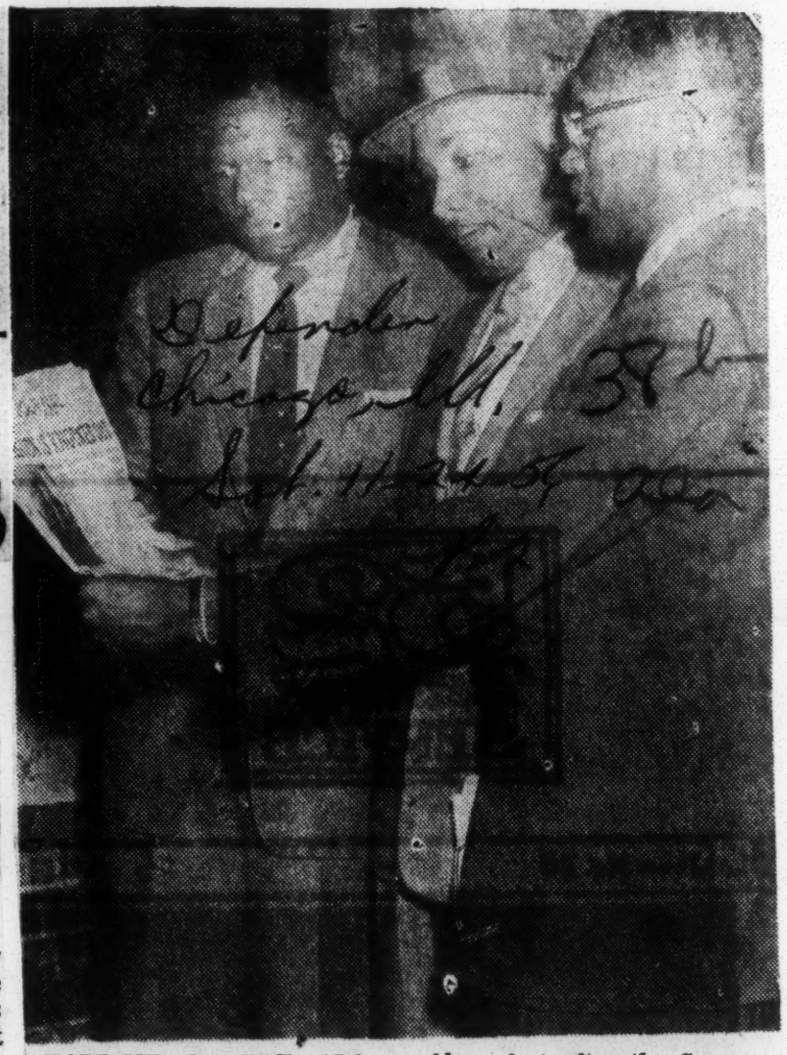
Sellers said:

"We shall continue to use all legal means to prevent integration from invading our transportation system. This is not the time for hot heads, oratory, loud talk, or threats. The only sensible way to face this problem is with common sense, calm consideration of the problem, and an attitude that the step we take will be a step toward mainaining segregation."

Both city officials deplored the high court ruling.

Gayle said," the recent Supreme Court decisions and the multitude of court actions and publicity following in their wake have seriously lowered the dignified relations which did exist between the races in our city and in our state."

Sellers added "the decision of the Supreme Court is not a decision against Montgomery—but a decision against the entire South. It is a decision against our ideas of Segregation. It is another tool to break down our ideals and to mix the races."



HEADLINE OF THE ALABAMA JOURNAL saying "Segregation Is Knocked Out" has a particular satisfaction for these three serious young men who played major roles in the bringing about of this historic announcement. Shown looking over the Tuesday afternoon paper in Montgomery, Ala., just after the Supreme Court decision outlawing segregation in travel, are Atty. Charles D. Langford, Rev. Martin Luther King Jr., and Atty. Fred D. Gray. Langford and Gray led the legal battle waged by the Montgomery Improvement Association. Rev. King is the president of the association.

Much ado about cabs in Alabama

Afro-American P. 1

Oct. 13-56

BY SAM F. KETTE
AFRO Staff Correspondent

BIRMINGHAM, Ala. — As I write I am seated in the so-called "colored intra state waiting room" of the L and N Railway station in Birmingham. I am unhappy—the normal vicissitude of life notwithstanding.

Baltimore, Md.

Because of poor weather conditions, and late flights from Knoxville, I decided on Saturday afternoon, to cancel plane reservations from Knoxville, and go by the more "sure" route of the railroads to cover the Montgomery Bus boycott anniversary.

In Knoxville, I was told by the ticket agent at the Southern Railway Station that I would need to transfer from the Southern to the L & N Birm- for Montgomery.

* * *

THAT WASN'T the greatest thing I'd heard during the day, but it forecast no particular hazards, although the same poor set of circumstances which I describe here had been part of an experience in New Orleans a few years ago.

The arrival of Hungarian Refugees in Knoxville, and the fanfare that accompanied it, delayed my departure from that city, making our arrival in Birmingham almost an hour late.

At best, it left me no more than 10 or 15 minutes to transfer to the L & N Station here to make my connection.

Afro-American

I WOUND my way hurriedly through the Southern Station subway, through the "white and Inter-State waiting room," and onto the Street where I was told by the conductor on the train that I could get my pre-paid cab to the L & N.

A huge odds-and-ins salesman stood in front of me as I reached the sidewalk.

"You'll have to go down there and git a Harlem cab if you want a taxi" he said, through snuff-stained lips as he pointed down at the entrance to the "colored intrastate waiting room."

As I turned to see what he pointed out to me, other transfer passengers hurriedly boarded Yellow cabs, and sped away toward the L & N Station.

* * *

I REFLECTED, then, that colored people do not ride white-driven cabs in many places behind the cotton curtain.

Seeing two cabs standing some 50 yards away with colored men beside them, I assumed that these were the cabs meant for me.

I found, however, that the Harlem cab had a franchise on the colored transfer passengers, and the other colored cabs took cash customers only.

One of the cab drivers standing there, then, pointed helpfully to the telephone hanging on the building beside me.

"They'll answer you if you pick it up," he assured me. I did, and they did.

* * *

"ALL RIGHT," the feminine voice on the other end said lazily "pick you in just a minute."

The other two cabs drove away, and I waited for 20 minutes I waited, picking up the phone after about 10 minutes of it to try to speed my accommodations up a bit.

With cabout five minutes left before the scheduled departure of my connecting train from the L & N station, I saw too clearly how stupid it was for me to be standing there waiting for a cab while numbers of Yellow cabs whizzed by me and into line-up position in front of the "White" waiting

Glancing again at my watch, I grabbed my bags and hustled down to one of the vacant Yellow cabs.

* * *

WITH SOME uncertainty, I opened the back door and slid my three suiter on the floor.

"I'm in a hurry, " I said to the driver, as he, another snuff-dipper, gazed at me with a "what-do-you-mean" expression. "Let's go to the L & N," I said, pretending not to notice his scowl.

Resolutely, he slid across the seat from the steering wheel, and pointed in the same direction as the bigger snuff-dipper had pointed earlier.

"You hafta go down there," he told me as a young uniformed police officer rushed hopefully to his side.

* * *

ACROSS THE street a dusky sedan bearing police markings pulled to the curb and stopped with official curiosity.

Several dozen pairs of condemning eyes glared at me from the sidewalk as I pulled my bag from the cab and set it on the curb.

Exasperated, but still hopeful that I could make the train, I glanced back down to where the Harlem cab was supposed to appear. Nothing showed.

Out of hope then, and almost in a lather, I grabbed the bag and turned for the waiting room immediately behind me.

"Where ya going?" the young officer demanded curtly. I stopped and turned in his direction to answer.

* * *

"THAT'S the white waiting room," he told me with emphasis on a word.

"I believe it's the interstate waiting room," I said engagingly.

Turning in the direction of the "colored waiting room to point me an ultimatum, he saw, and so did I, what appeared to be my Harlem cab, at last.

The young officer walked pompously to two other officers who approached us.

Two colored fellows standing on the sidewalk near us (one heavily favoring his left knee) were quick to assure me that the "right" cab was approaching.

* * *

I GOT in and made the trip of six blocks in time to make a note of this harrassing harangue while awaiting the "next" train to the bus boycott Capital

Incidentally, I paid cash to the driver of the Harlem cab for the trip over to the L & N. He couldn't decide and wouldn't agree as to which part of my ticket was meant for him.

'NO REAL DISAPPOINTMENT'

Negro Leaders Accept Black's Decision Calmly

Alabama Journal

The refusal of Justice Black yesterday in Washington to speed up a U. S. Supreme Court decision to end segregation on Montgomery buses brought "no real disappointment" to leaders of the Negro bus boycott here.

The Rev. Martin Luther King Jr. said, "We were optimistic enough to hope for the best, but realistic enough to know it was possible the court would deny the request, and we knew that that was the greater possibility."

Press 11-20-56

HEADS MIA

King is president of the Montgomery Improvement Assn., coordinating body for the boycott that began Dec. 5. Out of it grew a federal suit on which the Supreme Court ruled a week ago that city and state bus segregation laws are unconstitutional.

Montgomery

The decision will be formally relayed to U.S. Dist. Judge Frank M. Johnson Jr. of Montgomery about Dec. 12, a Supreme Court official said yesterday after Black refused a Negro request to shorten the normal delay. A permanent injunction against city bus segregation here will go into effect when the decision arrives.

Until then, "the protest will continue," King said. "We don't intend to return to segregated buses."

Boycotters voted a week ago to end their protest when the decision goes into effect. Meanwhile, they are walking to work and sharing rides with friends since a state court ban issued last week stopped their car pool transportation.

City officials announced after the court decision that they would use all legal means available to continue separate seating arrangements for Negroes on buses here.

They said this was necessary to preserve public safety and to promote order.

BROWNELL CALLS MEETING

Comment from Montgomery and Alabama officials was not immediately available on the call issued in Washington yesterday by Atty. Gen. Brownell for a conference of federal prosecutors in 14 Southern states on how to carry out the Supreme Court decree against racial segregation on buses.

In a letter to the prosecutors, Brownell said it is clear from the court's decision on the Montgomery case that racial discrimination against passengers on buses is "a crime against the United States."

The attorneys general of two Southern states were quick to react to Brownell's conference.

Atty. Gen. Joe Patterson of Mississippi said the conference "is just another instance of utter disregard of the rights of states."

In Florida, Atty. Gen. Richard W. Ervin said Brownell "will do more harm than good" if he attempts to force action to end segregated seating on intrastate buses in the South.

During the federal court hearing, all three members of the City Commission predicted that if bus segregation were ended in Montgomery it would lead to violence and bloodshed.

"It won't be safe on the streets" if segregation is done away with, said Police Commissioner Clyde Sellers.

The Rev. Martin Luther King Jr., a leader in the 11-month-old bus boycott which has cost Montgomery City Lines an estimated $750,000, said no decision has been reached on ending the segregation protest.

He said a mass meeting of Negroes is planned tomorrow night to consider the implications of the Supreme Court decision.

The decision, he added, "places a basic responsibility before the Negro and white community of Montgomery. All persons must recognize the difficulty of adjustment and seek through the principles of love and understanding good will to work in harmony with the new system."

King said "all persons of good will" will accept the Supreme Court ruling and seek to comply with it.

At Tuskegee, state Sen. Sam Engelhardt of Macon County, executive secretary of the pro-segregation Alabama Association of Citizens Councils, predicted the decision would be the end of public transportation in Montgomery.

ENGELHARDT

"I don't believe the white people of Montgomery are going to accept any such mandate from the Supreme Court," he said.

"As far as I am concerned," he added, "they can move the Montgomery City Lines Inc. (which holds the Montgomery bus franchise), lock, stock and barrel to Washington, D. C."

Engelhardt, who owns a large plantation in heavily Negro populated Macon County, said it appears that "the Supreme Court is determined to build a federal oligarchy that will undermine the very foundation of these United States, and spread ill will and discord throughout the nation."

"The Supreme Court apparently will not be satisfied until government by the people, of the people and for the best interests of the majority of all the people

Decision Comes Like Bombshell

Post Herald

Birmingham

BY LYNNE BRANNEN AND HENRY BRADSHER
Associated Press Staff Writers

MONTGOMERY, Nov. 13 —A U. S. Supreme Court decision knocking the props from under city segregation laws fell like a bombshell on the first capital of the Confederacy today.

Although it had been expected, the decision which came the day after the usual Supreme Court reporting day, left many Montgomerians speechless.

Press 11-13-56

The City Commission declined comment as did Negro bus boycott leaders who were busy in court fighting an injunction aimed at putting their bus boycott car pool out of business.

Since Negroes made no attempt immediately to take advantage of the Supreme Court ruling, there were no indications that it might touch off any violence.

their petition in federal court was filed before the city got its request into state court.

Atty. Peter Hall of Birmingham also made this point:

If the car pool is illegal as the city contends, why haven't the drivers and dispatchers been arrested and tried in city court?

Post Herald

"They would have had the Negroes in jail long ago if it were illegal," Hall told the court.

Wed. 11-14-56

The Negro attorney raised that issue to support his claim that even if the motor pool were illegal, the city would have a remedy in its own courts and wouldn't be entitled to an injunction to stop it.

Ninety Negro leaders were indicted in state court last Spring for violation of Alabama's anti-boycott laws in connection with the bus protest. But no charges have been filed in city court for operating the car pool without a permit.

News of the Supreme Court's ruling on city and state bus segregation laws prompted a brief recess in the hearing when an Associated Press bulletin was shown to the judge and to opposing lawyers. None of them made any comment.

Among the first witnesses called after the hearing finally got under way was the Rev. Martin Luther King Jr., president of the Montgomery Improvement Assn., an organization formed to support the boycott.

City Atty. Walter Knabe brought from King testimony that the Negro churches in Montgomery have financed the car pool, chaneling the money through the MIA.

The Baptist minister, who was one of the 90 indicted last Spring, said car pool drivers and dispatchers receive weekly "contributions" for their services. He also testified "some 17 or 18" church-owned station wagons are used along with private automobiles to provide transportation for the boycotters.

Despite the church contributions, the Negro lawyer insisted the car pool is a "voluntary" plan and that riders pay no charge for their transportation.

"It must be shown that they are used for hire," said Hall. "Otherwise the law will not apply and they are plain individuals, persons or corporations with the right to use the streets and haul anyone they wish."

The city in its petition for injunction made no allegation that the Negroes are charged for their rides. It contended simply that the car pool is a "private enterprise" being operated without a city license.

Judge Won't Intervene In Car Pool Ban

Post Herald

Birmingham

Refuses Injunction To Negroes After Share-Ride Bar

MONTGOMERY, Nov. 14 (AP) — U. S. District Judge Frank M. Johnson Jr. late today refused to intervene to stop enforcement of a state court injunction against continued use of a car pool by Montgomery Negro bus boycotters.

Press 11-15-56

He denied a request by the Negroes for a temporary restraining order to prevent the City of Montgomery from interfering with car pool operations.

The city obtained an injunction in state court yesterday against further use of the motor pool, even though the Supreme Court has outlawed bus segregation and the 11-month-old boycott in Montgomery seemed near an end.

Johnson disagreed with the contention of city authorities that the federal court has no jurisdiction to intervene, but he said "the circumstances of this case do not justify the court's intervention."

The federal judge said that the Negroes have not been threatened with any injury besides that incidental to the enforcement of the now outlawed city bus segregation ordinance. Further, he said they could get no relief from his court that they cannot also get through the state courts and an appeal to the U.S. Supreme Court.

Tonight they met to decide whether to end their 11-month-old protest movement in view of the U.S. Supreme Court decision yesterday that Montgomery city and Alabama state bus segregation laws are unconstitutional.

The official spokesman of the boycotters, the Rev. Martin Luther King Jr., indicated that voice votes of boycotters probably would favor ending the anti-segregation protest.

King, president of the Montgomery Improvement Assn. that had co-ordinated the boycott since it began last Dec. 5, said he would urge at the mass meetings that Negroes exercise "calm reasonableness and restraint."

"We will not ask our people to go to the back of the bus and sit as they did formerly," the Baptist minister said. "We will ask them not to abuse their new opportunity with irresponsible actions."

At today's hearing, the Negroes asked Johnson, who participated in the decision upheld yesterday by the U. S. Supreme Court, to let them continue their car pool so long as the boycott continues.

They contended any interference with it would be a violation of their civil and constitutional rights.

State Circuit Judge Eugene Carter ruled against their argument yesterday in a similar hearing. The city's petition claimed that the car pool is an illegal business run on public streets in competition with the city-franchised bus company.

BUS PROTEST LEADERS GIVEN UNUSUAL PRAISE

MONTGOMERY, Ala. —(SNS)— A speaker on an Omega National Achievement Week forum Sunday night, Nov. 18 at Dexter Avenue Baptist Church, suggested as a technique furthering the democratic and Christian heritage that you "create good feelings wherever you go."

Two awards and eight citations were made to persons who shouldered the load in the bus protest, challenged vote denials and assisted in the promotion of sports.

Dr. R. D. Crockett, representing Alpha Phi Alpha Fraternity on the panel advocated the create-good-feelings technique. Approaching the general theme, "Wanted: Techniques for Strengthening and Furthering Our Democratic and Christian Heritage" from the angle of philosophy and psychology, Dr. Crockett counseled that "you think before you act....think correctly ....think about what the facts mean." He asserted, "do not live by feelings alone...learn to appreciate differences in others."

He urged that the Negro group perform and display themselves in a way "to get people to feel better toward us." He asserted that there were rights other than government provided right. "We have basic, God-given rights," he added.

Leading off the discussion, Jerone Auls, representing Phi Beta Sigma Fraternity, explored the economic tools that could be used. He listed selected spending and planned savings, ownership of business, and ownership in existing business.

Dr. Ralph J. Bryson of Kappa Alpha Psi Fraternity discussed how through drama, music and literature, the heritage can be fortified and flavored.

The Rev. Mr. Robert Graetz, pastor of Trinity Lutheran Church, discussing spiritual techniques, advocated "an open demonstration of the power of love." He placed emphasis on "the power of love to change us," as well as the other group. "We must make changes among ourselves," he declared. He detailed some of the suggested changes as improved standards, correction of faults, removal of community sins, stabilize family life.

He said "we must approach each other and try to get each other to improve" his person, family life and his outlook on his neighbors. We must demand higher standards and work to raise the standards, the Rev. Graetz said. He asserted that the group should make family life stable. As individuals, he added, "we must have Christ in our hearts."

J. D. Thompson, Sigma Phi Chapter basileus, served as moderator of the symposium.

Prof. J. E. Pierce presented citations to Mrs. Aurelia Browder, Mrs. Louise Champney, Miss Claudette Colvin, Mrs. Mattie Hamilton, Mrs. Susie McDonald, Mrs. Rosa Parks, Mrs. Mary Louise Smith and William (Kid) Franklin.

The "Omega Man of the Year" was presented Atty. Fred D. Gray, chief counsel on the bus protest cases and the "Citizen of the Year" award was presented to Dr. Martin Luther King, Jr., president of the Montgomery Improvement Association, which has shepherded the bus-riders protest. He is pastor of Dexter Avenue Baptist Church.

Dr. King and Mrs. Parks were absent because of speaking engagements out of the city. Dr. G. W. Jones, vice-president of MIA accepted the award for Rev. King and Mrs. Parks' mother accepted for Mrs. Parks.

Basileus Thompson presented a check for $100 to Dr. Jones on behalf of Sigma Phi Chapter.

Members of Delta Sigma Theta Sorority rendered music on the program. A social courtesy in the church's recreation floor followed the program.

Bus Company To Continue Segregation

BY HENRY S. BRADSHER
Associated Press Staff Writer

MONTGOMERY, Nov. 14—The manager of the Montgomery bus company said today his drivers will continue to enforce segregated seating until a state injunction requiring it is dissolved.

J. H. Bagley, manager of the Montgomery City Lines Inc., said the injunction issued last May by Circuit Judge Walter B. Jones still stands despite a U. S. Supreme Court decision yesterday that Montgomery city and Alabama state bus segregation laws are unconstitutional.

A source close to state Circuit Court said bus company attorneys might ask the court to dissolve the state injunction in the next few days. Dissolution was expected to be granted on the basis of the Supreme Court ruling.

Company attorneys were not available for comment. Bagley said he did not know what they might do.

A federal injunction that would override Jones' order still was suspended despite the high court's ruling.

The injunction banning enforcement of the bus segregation laws was suspended last June during appeal of a ruling by a three-judge Federal Court panel here that the Supreme Court upheld yesterday.

U. S. Circuit Judge Richard T. Rives of New Orleans said yesterday that official notification of the Supreme Court's action probably would take two or three weeks to reach Montgomery.

When it did, Rives said, the federal injunction would go into effect.

Thus, unless the bus company moves to knock it out, Jones' injunction might continue to stand for another few weeks.

Clarification Of Bus Ruling Asked By City

The city of Montgomery yesterday petitioned the U.S. Supreme Court in Washington, D.C., for a "clarification" of its Nov. 13 decision banning racial segregation on local buses.

The city, according to The Associated Press, also said the tribunal should reconsider its ruling and grant a hearing to attorneys on each side of the case.

The court's November ruling was given without the usual hearing of agruments and merely affirmed a decision by a special three-judge U.S. District Court in Montgomery that such segregation violates the Constitution.

Last Monday the state of Alabama filed a petition which asked the Supreme Court to reconsider its decision. The special court's ruling struck down city and state laws requiring segregation.

LEFT UNANSWERED

The city's petition said the Nov. 13 ruling left unanswered a question of whether the high court had overruled the old "separate but equal" doctrine established by an earlier decision known as the Plessy vs. Ferguson case.

"The city of Montgomery, motivated by a sincere desire to preserve segregation on public buses as far as possible within the framework of the Constitution of the United States," yesterday's petition said, "is left without guidance as to whether this particular form of segregation violates the Constitution, or whether all forms of segregation of the races on public transportation systems are invalid.

"A possible deduction from the Supreme Court's order is that Plessy vs. Ferguson has been overruled but this court has not yet said so."

The petition also said that the Supreme Court in earlier decisions had "held firm to the principle that in the absence of a showing of irreparable injury, both great and immediate, federal courts must not enjoin the enforcement of state and local criminal laws."

OLD PRINCIPLE

The city said it was also impossible to determine whether this old principle also had been overruled and asked:

"If local and state officials are to be subjected to federal injunction when they act in good faith to enforce the provisions of criminal enactments, are they, under the Supreme Court's decision of Nov. 13, to be subjected to damage suits under the civil rights act?"

The petition concluded:

"These matters deserve the elucidation which will come from a full argument of this case on the merits."

The petitions filed by the city and the state act as an automatic stay on the Supreme Court's official notice of the Nov. 13 decision, pending its ruling on whether to grant or deny the new request. The high tribunal could act on the petitions at its next session on Monday. If it were to deny the petition then, the high court's official notice would go the the special U.S. Distrct Court in Montgomery on Dec. 12 or 13.

ALABAMA ASKS CASE REOPENING

Reversal of Bus Segregation Decision Sought

WASHINGTON, Dec. 3 (AP)—The state of Alabama today petitioned the Supreme Court to reconsider its Nov. 13 decision ending racial segregation on local buses.

State Atty. Gen. John Patterson protested that the Supreme Court's decision had "wrongfully taken" from Alabama the state's police power.

The high tribunal's decision affirmed a ruling by a special three-judge U.S. District Court in Montgomery, Ala., striking down state and Montgomery city laws requiring separation of the races on buses.

Inferiority Not Implied

Patterson's request for reconsideration said the state respectfully submitted "that laws permitting, and even requiring the separation of the races in places where they are liable to be brought into contact do not necessarily imply the inferiority of either race to the other."

Prior to the Nov. 13 Supreme Court decision, Patterson stated, such segregation laws have for years "been generally, even universally, recognized as within the competency of the state legislatures in the exercise of the police power."

"This," said Patterson, "has been the expressed opinion of many distinguished and learned justices who have heretofore sat on the Supreme Court."

The attorney general added that there now exists a "no man's land in which the state, under the Supreme Court's opinion, is powerless to protect property and prevent breaches of the peace which will inevitably result from the court's decision."

Tenth Amendment Ignored

Patterson said the tenth amendment to the constitution, which says that powers not given to the federal government are reserved to the states, "has been written out of the constitution" by the Nov. 13 decision. He asked that the high tribunal reinstate the principles of law outlined in the old case of Plessy vs. Ferguson. In that case an earlier Supreme Court first mentioned the doctrine of separate but equal facilities. The doctrine has been struck down by recent decisions of the high tribunal.

The petition filed today may act as an automatic stay of the Supreme Court's official notice to the special court of its Nov. 14 decision. Under normal routine the Supreme Court clerk would send the notice about Dec. 12 or 13. However, the court could act on the rehearing petition next Mon-

go to the special court on Dec. 12 or 13.

38b 1956

ALABAMA

TUESDAY, NOVEMBER 13,1956
SUPREME COURT RULING
MONTGOMERY, ALABAMA

BUS SEGREGATION IN MONTGOMERY ILLEGAL

Daily World p. 1
Atlanta, Ga. Wed. 11-14-56

By FRANK B. ALLEN

WASHINGTON — (INS) — The Supreme Court ruled Tuesday that racial segregation on city and other intra-state buses is unconstitutional.

It did so by upholding a district court decision which declared that state and local ordinances to enforce segregation on Montgomery, Ala., buses were invalid.

Earlier this year, Montgomery was the scene of a prolonged boycott of city buses by Negroes protesting segregation practices.

In its decision Tuesday, the Supreme Court cited earlier decisions which outlawed segregation in schools and at public golf courses, parks and swimming pools.

Last spring, the coure refused to review a case in which a Columbia, S. C. Negro woman was allowed to sue a bus company because of a segregation dispute.

LAWS ILLEGAL

In the Montgomery case, the district court ruled by a two-to-one majority that the Alabama state and city laws were unconstitutional and said: "The separate but equal doctrine can no longer be safely followed as a correct statement of the law."

Both the state of Alabama and the city of Montgomery appealed the ruling by challenging whether a federal district court had the right to prevent enforcement of state and local laws.

OTHER DECISIONS

In a series of ther decisions Tuesday, the Supreme Court:

1. Refused to consider an appeal by Dr. Sam Sheppard, prominent Bay Village, Ohio, osteopath who was found guilty at a sensational 1954 trial of slaying his wife.

2. Agreed to hear an appeal by former Foreign Service Official John Stewart Service who was dismissed by the State Department in 1951 on loyalty grounds.

3. Turned down an effort by Utah Gov. J. Bracken Lee to block use of government funds for foreign funds for foreign economic aid. Lee, who was defeated for re-election this year, tried to enjoin the spending of such funds on grounds they do not fall in the constitutional categories of "paying the debts and providing for the common defense and general welfare of the United States."

4. Agreed to hear arguments on whether a state can forbid its employes from belonging to a labor union. At issue is an Alabama state law.

Segregation Struggle Seen Failure Bound

Daily World
Atlanta, Ga.
Wed. 11-14-56

By International News Service

The South's long struggle to maintain segregated public transportation appear heading for failure Tuesday in the wake of the latest Supreme Court ruling.

Prominent legal spokesmen agreed that the decision by the high tribunal upholding Federal District Court ruling outlawing bus segregation in Montgomery, Ala., had all but ended segregation on buses, trains and planes in the south.

Attorney Generals for South Carolina and Georgia and a spokesman for the Alabama attorney generl voiced the opinion that the "pattern" had been set.

DID NOT THINK

But C. C. Jack Owen, President of the Alabama Public Service Commission, issued a statement in Biloxi, Miss., which he said he did not think "the people of Alabama would abide by the Supreme Court's decision."

"It is, he said, "against the tradition and heritage of the south".

However, South Carolina attorney gerenal T. C. Callison said when informed or the ruling:

"It will, of course, break down segregation in transportation. What the court has done in this case, we think, will be the last word on it." He added that he did not know what plan of action his state would not take.

WOMAN'S CASE

Callison said that the case of a Columbia Negro woman against the South Carolina Gas and Electric Company, which operates Columbia buses, was not directly effected by the Supreme Court ruling.

CAR-POOL PROHIBITED IN MONTGOMERY, ALA.

Daily World p. 1
Atlanta, Ga. Wed. 11-14-56

MONTGOMERY, Ala. — (INS) — U. S. Circuit Judge Eugene Carter granted a temporary injunction prohibiting the use of car-pools in the Montgomery Bus Boycott.

The need for the boycott seemed at an end, however, barring hasty legal maneuvers on the part of the state in conjunction with the private utility companies, as the Supreme Court issued its decision overriding the state laws against segregation on buses in the city.

The official plan of action on the part of Alabama State officials and boycott leaders concerning Tuesday's ruling could not be determined as neither group would offer comment.

Last Spring the Supreme Court refused to review the decision of a Federal District Court that Mrs. Sarah Mae Flemming Brown had a right to sue the bus company. Mrs. Brown, who is suing the bus company for $25,000 damages because of difficulty with a bus driver about seating arrangements, is now appealing her case before the U. S. Court of Appeals.

Daily World

Georgia attorney general Eugene Cook, while pointing out that the decision will have no immediate effect on transporation in Georgia, he said.

Wed 11-14-56

PRINCIPLE ESTABLISHED

"The decision establishes a principal of law and will probably be followed in all cases where similar suits are brought.

p. 2

I'm not surprised at any decision the court might rule now to follow through on their pattern of desegregation."

Cook said that any decision of the Supreme Court effects only the parties concerned directly in the case. However, he said, district courts will now probably simply cite Tuesday ruling in making future rulings.

IN ALABAMA

In Alabama, attorney general John Patterson was out of town until Wednesday, but an assistant attorney general said:

"I can't answer at this time whether segregation will stop immediately on Montgomery buses."

Agreeing that the ruling had ended futher legal proceedings in the segregation fight, he said that much depended on whether the owners of the Montgomery bus company "will give up their franchise or not." He said the franchise was strictly between the company and the city and that the state had no hand in the matter.

Montgomery police commissioner Clyde Sellers refused to make a statement before consulting with the city attorney. And Mayor James Morgan said the same thing a short while later.

Negro leaders and attorneys, who led the fight to breakdown Montgomery bus segregation, were in court Tuesday defending their right to boycott buses and use car pools to get Negroes about town and were unavailable for comment.

Rev. King, Jr. Lauds Decision Of High Court

The Rev. Martin Luther King, Jr, reached late Tuesday in Montgomery, Ala., declared: "We are deeply grateful to hear of the momentous decision of the Supreme Court. If we will seek with understanding and good will, and the deep spirit of Christian love to work out the new opportunity, we will be able to integrate buses without violence or friction.

Asked if the group would comply with a local ruling which abolishes the car-pool which has been the apparent backbone of the boycott, Rev. King said:

"The car-pool will stop, but the boycott will not. We are complying with the injunction of the court."

Rev. King said a mass meeting will be held tonight in Montgomery to plot a new course of action.

He added, that after the high court decision, "I don't see how they can continue to segregate the buses."

INJUNCTION SOUGHT

Advertiser P.1

City Requests Car Pool Halt

Sat. 11-3-56 Montgomery, Ala.

By JO ANN FLIRT

Negro bus boycotters and Montgomery city officials squared off yesterday for a legal battle over car pools, but the fireworks will be delayed about two weeks.

City authorities went into Circuit Court here with their promised request for an injunction to stop the car pool operations. Circuit Judge Eugene Carter, declining to rule immediately, set a hearing for Nov. 13.

About the same time, Judge Frank M. Johnson Jr., in U.S. District Court, denied a previously filed motion for an emergency restraining order to prevent the city from interfering with the Negroes' transportation system.

The judge ordered a hearing for Nov. 14, however, on a companion request for a temporary injunction against the City Commission. A temporary restraining order, Johnson explained, could be issued in federal court without hearing. An injunction cannot.

Explaining his decision, Johnson said the Negroes failed to show that refusal to grant the immediate restraining order would "subject the plaintiffs to immediate and irrepairable injury, loss and damage."

City Atty. Walter Knabe, in a petition delivered about 10:30 p.m. Thursday night to the home of Register in Chancery George H. Jones, asked Judge Carter to outlaw the Negro motor pool as a "public nuisance" and a "private enterprise" being operated without a license and without approval of the city.

Knabe said he sent the petition to city officials late Thursday afternoon and did not personally file the document with Register Jones that night.

The petition was docketed on books at the county courthouse yesterday (Friday) but was dated Nov. 1 (Thursday).

Jones said that since the petition reached him before midnight it could be considered as filed Nov. 1.

The petition said the motor pool, which includes church-owned station wagons as well as private cars, is operated over regular and irregular routes; that the Negores have purchased and hired vehicles, and that drivers and dispatchers are paid for their services.

Negro Attys. Fred Gray and Charles Langford, in their motion in federal court, said the car pool is a voluntary share-the-ride service provided without charge to the riders.

Advertiser P. 12

Any effort to break up the pool, they protested, would violate "the civil and constitutional rights" of the Negroes and is calculated to compel them to ride the segregated buses they are boycotting.

Defendants in the city's suit are the Montgomery Improvement Assn., an organization formed to support the bus boycott when it started last Dec. 5; 14 Negro churches and 27 individuals.

In the first official indication of the economic impact of the long boycott, the city said in its petition yesterday that it had lost $15,000 in revenue as a direct result of the mass refusal of Negroes to ride the buses.

The petition by the City of Montgomery is directed against:

The Montgomery Improvement Association, a corporation; Zion Hill Baptist Church, a corporation; Hutchinson Street Baptist Church, a corporation; Holt Street Baptist Church, a corporation; Church, Mt. Gilead Church; Oak Hall Street Baptist Church, a corporation; Beulah Baptist Church; Lilly Baptist Church; Bethel Baptist Church; Canon Hill Baptist Church; First Baptist Street AME Zion Church; M. L. King Jr.; Erna A. Dungee; E. D. Nixon; B. J. Simms; Hazel R. Gregory; Fletcher Smith; Clarence Moore; Mentha Johnson; H. H. Hubbard; H. J. Palmer; J. H. Cherry; B. M. Averhart; A. H. Juffman; A. Murphy; S. P. McBride; W. J. Johnson; Matthew Kennedy; A. Sanders; Willie James Kemp; Lewis Christburg; S. Heard; J. W. Hays; R. J. Glasco; M. W. Richburg; J. G. Marcus; Thomas McCloud; W. Moss.

CONSPIRACY CHARGED

Gray and Langford charged in their injunction request yesterday that the city is conspiring to "interfere with the civil and constitutional rights" of Montgomery Negroes who have refused to ride city buses since last Dec. 5.

The car pool which at one time numbered 250 to 300 privately owned automobiles was devised shortly after the boycott began as a means of providing transportation.

Negro leaders asked the city for permission to operate a bus service of their own but were turned down.

In recent months, 20 or more church-operated station wagons have joined the car pool along with the privately owned autos.

The petition in federal court contends the motor pool is legal and operated on a voluntary basis without charge to the riders.

The petition Friday, filed in Circuit Court by City Attorney Walter J. Knabe, was directed against the churches and the MIA.

The plea said the pools were "private enterprise" and as such came under city regulations. Therefore, the city said they were illegal because they were operating "without first obetaining city commission approval, without paying license, without securing a franchise and because they use drivers who are not the holders of valid operating licenses."

It also charged the pools constituted a "public nusiance" under the same charges and because the cars were operated by persons "without adequate finances or insurance to protect passengers and other users of city streets. The operators are not morally or by experience qualified to use city streets for such purposes," the petition said.

City Also Asks Damage

Damages, to be determined by the court, were also asked in the petition. It said exisiting "businesses which hold franchises" such as the bus line and taxi companies, had lost about "$15,000 because of the pool operation."

Circuit Judge Eugene Carter set a hearing on the petition for Nov. 13.

In turning down MIA attorneys' request for an immediate restraining order, the district court said their petition did not show that the failure to grant the order "will subject the complaintants to an immediate irreparable injury or loss." Judge Frank M. Johnson Jr., did, however, set a hearing for a temporary injunction against the city for Nov. 14.

The Negroes' petition said such action as taken by the city was a "conspiracy by the city to interfere with the civil and constitutional rights of Negroes." They also contended the car pools were legal, were operated on a voluntary basis and no charge is made for transportation.

Court Asked To Block Ban On Car Pools

Advertiser P.1

Fri. 11-2-56

Montgomery

Bus-boycotting Montgomery Negroes beat city authorities to the punch yesterday and asked for a Federal court injunction to block any interference with their car pool operations.

Ala.

The city commission several days ago served notice of intentions to seek an order in state court to stop the Negroes from continued use of the motor pool which has provided transportation during the 11-month-old boycott of segregated city buses.

But before any action could be taken in court, Negro Attys. Fred Gray and Charles Langford petitioned U.S. District Judge Frank M. Johnson Jr. to prevent city officials or any others from interfering with the car pool service.

TOOK NO ACTION

Johnson took no immediate action on the request.

The Negro attorneys cited a city commission resolution unanimously adopted Tuesday instructing city attorneys to take "any legal action they deem necessary" to stop the car pool from takink Negroes to and from work.

Even before that, however, the commission disclosed last Friday that it was contemplating a court suit against the motor pool operations. The comment then came in reply to a threat from an independent labor spokesman, Jack D. Brock, to take court action if the city refused.

ATTORNEYS SEEK BAN ON NEGRO CAR POOL

Commercial Appeal

Vehicles At Montgomery Aid Transit Boycott

Sat. 11-3-56

COUNTER MOVE DENIED

Memphis, Tenn.

By The United Press

MONTGOMERY, Ala., Nov. 2.—City attorneys Friday petitioned for a temporary injunction halting a Negro car pool which has been supporting a 11-month-old boycott of city buses by Negroes.

P.12

On the heels of the city's action, a United States District Court also refused to issue a temporary restraining order against the city taking such action.

Supported By Churches

About 25 station wagons make up the pool which has made possible a general bus boycott. They are supported officially by Negro churches in this area and the Montgomery Improvement Association, a group organized immediately after court action last December which convicted a Negro on a state law prohibiting boycotts.

Boycott Auto Driver Is Arrested

Star-Herald Brom, Ala.

Thurs. 11-1-56

MONTGOMERY, Oct. 31 (AP)—The driver of a station wagon used to transport bus-boycotting Montgomery Negroes was arrested today on a charge of pulling into the path of a Highway Patrol car on an emergency run.

Burl Mack Averhart, a Negro, was charged with failure to yield the right of way to an emergency vehicle and released on $100 bond. A hearing was set for Saturday in City Court.

Police Chief G. J. Ruppenthal said Averhart has 15 previous traffic arrests on his driver's record.

P.1

Highway Patrolman C. E. Ward said he was en route to an accident on U. S. Highway 80 east of Montgomery, with siren and red light on, when Averhart pulled around another car and into the opposite lane of traffic, facing the patrol car.

Since the incident occurred in the city limits, Ward stopped to get the Negro's name and radioed headquarters to have city police arrest him.

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Pending U. S. Supreme Court Decision Is The Problem

Advertiser P. 4-A
Thurs. 11-1-56

IS THE City Commission's new attack on the bus boycott another blunder like the arrest of the 90-odd Negro ministers, which most whites now consider a folly?

Montgomery, Ala.

It is certainly true that if the Negro car pools are furnishing jitney service to boycotters in violation of law and in unfair competition with licensed transportation facilities, an injustice is at work.

But the timing of this legal action is questionable. Had the action been taken a year ago with promptness, it would have been accepted as orderly, reasonable procedure. But this is almost a year later and the action comes to pass through discovery of a section in the 1901 Constitution of Alabama. The action will mean another drubbing and further misinterpretation of Montgomery in other sections.

There is nothing in the experience of Montgomery or Tallahassee to suggest that this action, whatever the court rules, will cause colored citizens to resume bus patronage.

But the chief reality of the situation does not seem even to have been mentioned. *In a few weeks it is expected that the U.S. Supreme Court is going to rule on Montgomery bus segregation* and every citizen is qualified to be his own lawyer in predicting that the court will rule bus segregation unlawful.

It is our understanding that if the court so rules, Negro leaders will petition the bus company to restore bus service on an unsegregated basis on routes used by Negroes. It is also our understanding that the bus company will announce its willingness to do so.

Then what? We certainly cannot imagine the three city commissioners ending their political careers by agreeing to desegregated buses. Montgomery is set against that. But it leaves them to grapple with the order of a federal court. How all that will turn out we do not profess to know, except that there will be grievous results if an attempt is made to force race mixing.

But the point remains that the court decision is expected soon and that will be the critical development. Nobody is paying any attention to the boycott any more. Why not let the sleepy situation alone in the brief time remaining before the court decision gives us an entirely new situation to grapple with? A "do something if it's wrong" rashness hasn't gotten us anywhere before.

The Boycotters Need Help

Call Fri. 12-14-56

For the first time in the year that they have been walking in protest against bus segregation, the boycotters of Montgomery, Ala., are asking their fellow citizens and sympathizers in other parts of the country for financial assistance.

Kansas City, Mo. P. 18

For 12 long months, the Montgomery boycotters have walked to and from work rather than sit in the back of busses. They have been arrested and put in jail, they have been tried in court and fined. Many have lost their jobs. They have been otherwise persecuted. The car pool which they developed as a substitute for regular bus service has been declared illegal.

Up to now, the Montgomery citizens have borne the bulk of the expense of the campaign. But they have now reached the end of their rope. They need help. The funds received will be used to help "marked" men who because they were leaders in the boycott will be unable to get work to support their families. Some of the funds will be used to appeal the cases of boycott leaders, many of them ministers, who have been found guilty of conspiracy charges.

Any money sent to the Montgomery boycotters will be money well spent. The citizens of Montgomery have given an effective demonstration of the power of passive resistance. Not a blow has been struck in the year-long protest at Montgomery. The non-violent approach has proved powerful.

The courage and the determination of the Montgomery people have been lauded by Negro citizens all over the country during this past year. Now those who have been loud in their praise by word of mouth have an opportunity to show in a tangible way how much they admire the boycotters. It would be a fine tribute to the men who chose to walk if tens of thousands of persons would send them a Christmas present of a few dollars each.

Funds should be sent to the Montgomery Improvement Association, 530-C South Union St., Montgomery, Ala.

Add the Montgomery boycotters to your Christmas list! You will feel good doing it.

38b 1956 ALABAMA

White, Negro Signs Ordered Down In L&N Waiting Rooms

Advertiser

ICC's Ban On Segregation Brings Railroad Directive

Tues. 7-10-56

P. 7

Louisville and Nashville Railroad will remove signs designating white and Negro waiting rooms at all of its Alabama terminals today.

Montgomery

W. F. Glover, trainmaster for the L&N in Montgomery, said he had not received definite instructions to remove the segregation signs but expected the orders early today.

Ala.

The L&N has displayed the signs on its separate waiting rooms since the Union Station was erected.

SEPARATE ROOMS

Employes at the Greyhound Bus Station and Trailways Bus Terminal here have received no instructions to remove the signs. Both have separate white and Negro waiting rooms.

The L&N order is in compliance with an ICC order banning segregation in interstate travel.

The reports the L&N is removing the signs were confirmed by officials of the company at Mobile and Birmingham.

An L&N representative at Mobile said the instructions came from L&N headquarters at Louisville, Ky., Flomaton, Pensacola, Fla., and Chattahoochee, Fla., are other terminals of the L&N in addition to Mobile, Montgomery, Birmingham and Decatur, main points.

WITHIN STATE

Ending of segregation in passenger travel applies only to passengers crossing state lines. Segregated facilities will be provided for passengers whose destination is within the state of origin.

In Birmingham, a delegation of Southeastern Grehound bus drivers was assured by Public Safety Commissioner Robert Lindbergh, head of the police department, that they would not be arrested if they failed to enforce segregated seating on the buses because of the ICC order and company instructions.

NO PROTEST HEARD

No protest had been heard from Montgomery drivers last night.

Lindbergh took a firm stand on the issue. He declared, "As long as our ordinances are on the books concerning this matter, we are going to enforce them."

He said there would be "plenty of policemen" on hand at the train terminal today to enforce the ordinance. Lindbergh said the "ICC is not a judicial body and therefore cannot abrogate Birmingham city ordinances."

Montgomery Commissioner Clyde Sellers last night declined to comment as to whether the city plans to enforce its segregation laws at the L&N station. station.

Sellers said he wants a "chance to study the matter further" before making a statement.

Advertiser Tues. 7-10-56 P. 7 Montgomery 38b Ala.

CITY TAKES OVER JOB

The city of Jackson, Miss., said it will put up its own segregation signs in the railroad station after Illinois Central Railroad workers removed "colored" and "white" signs in compliance with an ICC order The Louisville and Nashville Railroad, also in compliance with the ICC order, has advised stations) in Alabama to remove signs designating segregated waiting rooms. Negro city worker in Jackson, paints the new signs as W. O. Wall and John W. Haley, city employes, watch.—*AP Wirephoto.*

APSC declares segregation law will be enforced

News Sat. 1-14-56

MONTGOMERY, Ala., Jan. 14—(AP)—Alabama's segregation laws will be enforced on carriers not immediately concerned with a recent Interstate Commerce Commission ruling. P. 2

Jack Owen, president of the Public Service Commission, said Friday that Alabama's segregation laws "will be enforced" and "must be complied with."

Birmingham

HE SAID these laws must be complied with where there is no conflict with the recent ICC order banning separate public waiting rooms and other facilities.

Ala.

Railroads concerned in the ICC order which operate in Alabama are the Frisco, Louisville & Nashville, Atlantic Coast Line, Seaboard, Southern, Illinois Central and Gulf, Mobile & Ohio.

Some carriers already have adopted new practices with respect to separation of the races in trains, buses and waiting rooms.

OWEN QUOTED from a letter which he mailed to carriers in Alabama. It said:

"You have already been appraised of the Alabama law with respect to such matters. And you are hereby advised that the ICC decisions are not directed to any line in Alabama.

"They are only directed to specific rail carriers in this state. Therefore, our state statutes are still intact and will remain in effect until properly struck down by an appropriate authority.

"IT IS NOT necessary to relate the several provisions of law, but if there is any feature about which you are not informed, you are hereby directed to fully inform yourself.

"I order that there be no misunderstanding, the state law concerning this matter will be enforced as to buses with respect to both interstate and intrastate travel and as to railroads the law will be enforced as to interstate and intrastate travel on those lines not parties to the recent complaint case before the ICC."

PSC vs. ICC

Advertiser

EARLY news accounts yesterday of the Alabama Public Service Commission's order reminding carriers of the state's segregation laws conveyed the erroneous impression that PSC had challenged the Interstate Commerce Commission's jurisdiction over travel between the states. This is not true. Sat. 1-14-56

The ICC segregation order affected only those railroads (plus a single bus company not operating in Alabama) which were parties to the action. P. 1-A

Letters which went out to Alabama bus companies and railroads yesterday:

¶Reminded *all* bus companies of state law relating to segregation whether for *intrastate* (within the state) or *interstate* (between this and other states) travel. Montgomery

¶Reminded those railroads which were named as parties in the ICC case that Alabama's segregation laws relating to *intrastate* travel still apply, but without challenging ICC's authority over *interstate* travel. Ala.

¶Reminded those railroads *not* named as parties for the ICC suit that they must abide by state laws for both *interstate* and *intrastate* travel.

In short it was not another secession order. PSC simply reasserted Alabama's sovereignty in areas not yet invaded by federal pretensions of authority.

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On Fam-U Campus

Courier p. 2

Bus Boycott Probe Hits At Faculty

Pittsburgh, Pa.

Sat. 7-21-56

By AL DUNMORE

TALLAHASEE, Fla.—Reprisals, in form of action against members of the Florida A. and M. University staff and faculty, were indicated here as the Mayor of Tallahassee requested the State Board of Control to investigate participation in the bus boycott by state employes.

Great concern has swept this community following the dissolution of negotiations between the Intercivic Council and the City Commissioners.

It also is believed that segregation legislation will take priority over all other matters before the Legislature adjourns July 23.

■

TALLAHASSEE, Fla.—Negotiations in the Tallahassee bus boycott were completely broken off here as members of the City Commission announced that they had nothing further to discuss with the boycott leaders.

Announcing that under no circumstances would they agree to integrated seating on public transportation in any form or manner, the city commissioners stated they would give police protection to any Negro who desired to ride the buses, that the bus lines would begin operation again with routes so designed to service the white areas.

■

PRIOR TO THE discontinuance of the bus service following the boycott, the two principal lines serviced by the City Transit Service were those lines routed through Frenchtown, heavily populated Negro area, and the Florida A&M campus.

The community of 40,000 has 15,000 permanent Negro residents. The Inter-Civic Council, headed by the Rev. C. K. Steel, a Baptist minister, and the Rev. K. S. Dupont, an AME minister, had held out in its negotions with the city commissioners for full integrated seating on all bus lines.

The commissioners had agreed that on bus lines servicing Negro communities, there would be three seats in the front reserved for white passengers which would be relinquished to Negro riders if the bus became completely filled and no white passengers occupied the seats. The Inter-Civic Council rejected this compromise, calling for a "first come, first served" policy on all lines.

■

IN A FULL page advertisement appearing in both the weekly and daily local newspapers, the Inter-Civic Council had previously pointed out that Negro riders were paying some [illegible],000 annually out of the [illegible] income of $170,000 reported by the bus company. In return, they felt they deserved equitable seating and treatment as citizens.

A spokesman for the Inter-City Council, following the announcement of the city commissioners, stated that under no condition would they relinquish their position in spite of the fact that the nogotiations had been ended.

At a mass meeting Wednesday night the group re-endorsed its stand for full integrated seating and contributed some $272 to the council's fund. A member of the council unofficially told the Courier that the group was pledged to a non-violent approach.

■

IN THE MEANTIME a rumor is being circulated that attempts are being made to oust the three Negro members of the Tallahassee Police Department, although the chief of police denies this. One of the officers, however, faces suspension on a charge of insubordination.

BIRMINGHAM (ANP)—Next in line in the campaign against segregated seating on local public transportation is the city of Birmingham, which last week received a request to institute a "first-come, first-served" policy on all its buses, and also to begin hiring Negro drivers.

The request was submitted by the Alabama Christian Movement for Human Rights.

DRIVERS OF CAR POOLS ARRESTED

Courier Pittsburgh

New Orleans La.

Boycotters Charged with Operating Illegally

Thurs. 4-23-56

TALLAHASSE, Fla., Aug. 22 (AP) —Four drivers were arrested today in the start of a police crackdown on car pool drivers transporting bus boycotters.

The action brought a complaint of "unfair" from a boycott leader, who said the action would serve only to encourage more boycotters to walk instead of riding car pool automobiles.

The drivers were docketed on charges of driving cars without "for hire" tags and released on bond pending hearings in police

Negro Inter-Civic Council

Rev. C.* K. Stelle, president of the Negro Inter-Civic Council, which is sponsoring the boycott, said the action was taken in an effort to force boycotters back on the busses.

The city commission issued instructions for the arrests on the basis of a ruling by State Attorney General Richard W. Ervin that automobile operated for car pool purposes during the boycott came within the classification of "for hire" vehicles.

A "for hire" tag for the average car would cost about $15 more than a regular license plate. The city commissoin also can limit the number of "for hire" vehicles which can operate in the city.

Preacher Arrested

Among those arrested was Rev. K. S. Dupont, vice-president of the Inter-Civic Council. Dupont also was charged with operating a car with defective brakes and without a tail light.

City Manager Arvah Hopkins said police had been instructed to start picking up the car pool drivers because their cars are not inspected for mechanical safety and because if involved in an accident their insurance would not be applicable.

Hopkins said the crackdown was aimed only at drivers in the organized car pool. He said the motorist who makes a practice of giving his neighbor a lift to the office would not be stopped.

Pickups at Bus Stops

Police Chief Frakn Stoutamire said an investigation had shown the car pool drivers were picking up passengers by pulling up at bus stops just in advance of the scheduled arrival of a bus.

The bus boycott was called on May 28 in protest against segregated seating, which the city commission contends is required by state law.

The Cities Transit Company had reported that the number of Negro riders was increasing, but Steele said Negro riders were not in large numbers.

Board Rules Against Bus In Tallassee

Advertiser Fri. 8-24-56

Montgomery Ala.

By JACK HORNSBY

Advertiser Correspondent

TALLASSEE, Ala., Aug. 23 — A school bus controversy involving the Tallaweka section of this city has recently arisen as a result of early July action taken by the Elmore County Board of Education.

The move made by the board, and only at a recent date made known to the city, would abolish Fred Kelley's contract to transport students from the Tallaweka section to the Tallassee publics, affecting a sizable number of enrolees.

BOARD LETTER

Kelley was posted of the action in a letter from County Superintendent J. Heflin Nolen, that read, "Board members have decided that the short route on the contract of $75 per month should be abolished."

It also stated that these students were within the two-mile limit and legal funds could not be collected from the state to accomodate this area.

Parents in the excluded area have complained to the extent that a local source contacted Nolen on the matter and his immediate reply was, "no funds are collected from the state for transporting children within the two-mile limit The exceptional service has been in effect only in Tallassee."

PARENTS ORGANIZE

The rebuttal offered by Noler reportedly is creating an atmosphere that indicates immediate action in an "organized manner to compete" with the situation.

The distance from the Tallaweka area to the public schools of Tallassee is within the two-mile ruling, but means that students would walk the highway, since there are no sidewalks along the route. This will be the basis of argument for the concerned citizenry, leaders report.

Way cleared for Rev. King appeal

Afro-American Baltimore Md.

MONTGOMERY, Ala. — The way was cleared last week for appeal of the case of the Rev. Martin L. King, president of the Montgomery Improvement Association, to the State Supreme Court.

Completion of the 560-page transcript of court records in the trial of the minister, convicted last March of illegal boycotting, was announced last week.

It cost between $1,400 and $1,500.

By arranging for the King case to serve as a test case for the more than 90 other colored persons indicted in the boycott, attorneys for the boycotters saved hundreds of dollars in court and other legal costs which would have resulted had all of the defendants been tried separately.

THE GREAT bulk of court records, so large that an ordinary suitcase is required to deliver them, includes a separate file of the testimony given by the Rev. Mr. King.

Copies of the Rev. Mr. King's testimony were requested by John Patterson, state attorney general; W. F. Thetford, circuit solicitor, and NAACP lawyers who represented the Rev. Mr. King at the trial.

In addition to the thick stacks of transcript sheets containing the court testimony, the large number of exhibits introduced as evidence adds to the collection of court material that will be used in the appeal.

INCLUDED among the exhibits are business records of the Montgomery Improvement Association, photostatic copies of bank deposit slips used by the association and other miscellaneous business papers.

The noted Baptist minister was convicted under an ancient law that made boycotting illegal. He and the others were accused of illegally sponsoring, promoting or participating in an illegal boycott against the City Transit Lines here.

'Was Forced To Sign'

Afro-American
Baltimore, Md.
7-28-56

By SAMUEL HOSKINS
AFRO Staff Writer

TALLAHASSEE, — Members of the executive committee of the Inter-Civic Council are due to meet later this week with top officers of the NAACP to discuss the future of the bus boycott here.

Among the subjects for discussion will be question of possible suits against the Tallhassee Police Department, an ICC official told the AFRO Saturday.

The suits if filed, will be in connection with what ICC officials term the "illegal detenton and questoning" of car owners and passengers by police.

* * *

THERIES LINDSAY, attorney for the council, said particular attention will be given to the arrest and questioning of Mrs. Mamie Williams of 302 Van Buren St.

Mrs. Williams, who is pregnant, was taken from an automobile Friday morning and held and questioned for two hours.

She told the AFRO: "I was forced to sign a statement in order to get out. I don't know what was on it."

The mother of four children, she is the wife of George Williams, a city employe.

Mrs. Williams further said that as a result of her experience with the police she had to see a physician.

DAN SPEED, chairman of the Council's transportation committee said a total of 28 persons were questioned by police during Friday and Saturday, including six car owners.

The owners, who were driving their own automobiles when stopped, are the Rev. Lawrence Daymond, pastor, Macedonia Baptist Church; John Cook, 2220 Keith St., a contractor; Alonzo Colquitt, 696 Liberty St., Charles Richard, Route 4, Box 642, Lake Bradford Rd. Paul McGee, and Ulysses Jones.

The arrest on Saturday was the fourth for the Rev. Mr. Daymon. On June 1 he was arrested three times by the same police officer.

THE CHARGES were "driving on the wrong side of the white dividing line, failing to put out his hand in time for a turn," and failing to have the "proper license to transport passengers."

He was fined $5 on the first and $20 on the last charge. No charge was made in connection with Saturday's arrest.

"I was required to sign a paper stating I was a member of the car pool," the Rev. Daymon said.

A number of the other passengers and drivers were forced to sign similar statements, they reported.

IN ADDITION, they were required to answer questions as to whether they attend the regular boycott mass meeting held in two local churches, the length of time they have resided in Tallahassee, whether or not they contribute money to inter-civic council, how much money they earn and a number of other personal questions.

Mr. Colquitt said the police officer urged him not to support the boycott.

"He told me that if I got together a group of people and came to City Hall, he was sure this trouble could be straightened out," Mr. Colquitt added.

Further, he said the police officer told him "just leave inter-civic council out of it. We're not going to do business with them."

* * *

MISS EMMA BOWERS, 1127 Conlin St., a passenger in Mr Cooks' car, said :"They tried to make me say I paid him (Cook) money to ride me."

Most of the riders taken to police station are forced to be late in reporting on their jobs

When a postal employee who was a rider in the Rev. Mr. Daymon's car protested about being late for work, he was told by the arresting officer:

"Don't worry about it. You may be here all day."

* * *

THE REV. MR. DAYMON also complained about the treatment accorded him at police headquarters.

On one occasion during the questioning he protested about being called "Boy."

Turning to an officer near the one doing the questioning, the Rev. Mr. Daymon asked: "which one of us looks more like a boy?"

Mr. Richards, a State Beverage Department employee, was arrested immediately after picking up J. E. Gibbs, a law school instructor at Florida A. and M. University.

Other Transports Are Designed For White Passengers

Daily World
Atlanta, Ga.
8-3-56

TALLAHASSEE, Fla. — (INS) — Buses were rolling Thursday in Tallahassee for the first time since July 1, when a boycott of the coaches by Negroes forced the company out of business.

The buses, owned by Cities Transit Inc., began operating at 6 a. m. on routes which, except for two heading for predominately Negro sections near Florida A and M College, were designed for use by white riders.

The runs to the college area were driven by Negro drivers Edgar Richardson and Davis Moore, who were hired by the company on request of local Negroes. The two, formerly maintenance employes, are the first of their race to be hired by the Tallahassee Transit System as drivers.

The company went out of business on July 1 after a boycott of the buses by Negroes had taken away 60 per cent of this revenue. The boycott began May 29 with the arrest of two Florida A and M College co-eds, who refused to move to the rear of a segregated coach when ordered to do so by the driver.

The school is an all-Negro institution.

Negroes were reported patronizing the buses and several were seen sitting near the front of the coaches on the first day of operations.

Charles Carter, manager of the Transit company, said the line will operate along new routes aimed at getting the trade of Tallahassee's white residents.

Negro Groups Applaud Hiring Of Negro Bus Drivers As Company Resumes Operation Following Tallahassee Bus Boycott

Courier
Jackson, Miss.
8-11-56

Negro Drivers Operating Buses Serving Predominantly Negro Sections Of City

Tallahassee, Fla., Aug. 6.—(DSN)—Negro groups here were all but unanimous in applauding the hiring of two Negro bus drivers as the Tallahassee Transit Company Thursday began operating its buses for the first time since July 1, when the company suspended operations as a result of a Negro bus boycott which forced the company out of business.

The bus boycott began on May 29 following the arrest of two Negro coeds from Clorida A. & M. College here who refused to move to the rear of the segregated coach when ordered to do so by the bus driver.

As the boycott spread a Negro group was organized to spearhead the movement and among the demands made by the group was a call for the hiring of Negro bus drivers to operate the buses serving predominantly Negro neighborhoods.

The two Negro drivers, Edgar Richardson and Davis Moore will operate the buses serving the college area. The two men were formerly maintenance employes of the bus company are the first Negroes to be hired as bus drivers in the state, and in the deep south.

The company went out of business on July 1 after the boycott of the buses by Negroes of the city had taken away 60 per cent of the revenue.

With the hiring of the Negro drivers Negro passengers have resumed patronizing the buses and several were seen sitting near the front of the buses on the first day of operation.

Bus Boycott Group Loses Round in Car Pool Fight

Post Times Herald
Washington, D.C.
11-3-56

MONTGOMERY, Ala., Nov. 2 (AP)—Negro attorneys failed today in their attempt to get an immediate Federal Court order to stop the city of Montgomery from interfering with their bus boycott car pool.

Lawyers for the city meanwhile went into State Court with their promised petition for an injunction there to stop the car-pool operations which have provided transportation for the Negroes during their 11-month boycott of segregated city buses.

United States District Judge Frank M. Johnson Jr. refused to issue a temporary restraining order to prohibit the city from obtaining an injunction in State Court.

Johnson set a hearing for Nov. 14, however, on a companion request for a temporary injunction. A restraining order can be issued without hearing in an emergency but an injunction requires a hearing.

The judge held that the Negroes had failed to show that failure to grant the immediate restraining order would "subject the plaintiffs to immediate and irreparable injury, loss and damage."

A hearing in State Court on the city's request for an injunction to stop the car pool was set by Circuit Judge Eugene Carter for Nov. 13.

The city contended that the car pool is "a private enterprise . . . operating a transportation system" without approval of the City Commission.

City Attorney Walker Knabe said in the injunction petition that the car pool is operated over regular as well as irregular routes in Montgomery.

"People had no opinion about the Negro until Montgomery . . . !"

Tribune Wed. 8-22-56 P. 15

Montana white lauds southern Negro's "pacifist approach

Los Angeles Calif.

People in the vicinity of Glasgow, Montana "had no opinion one way or the other about the Negro" until the Montgomery, Ala. bus boycott, according to a letterwriter to The World, bulletin of "The Equalitarians", a political group.

The letter was written by one Marvel Cotton, of Glasgow.

The bulletin is edited by W. T. Nef, at 3206 W. Pico, Los Angeles 19.

Cotton said, "Nearly everyone has an opinion now about how to solve . . . the 'Negro problem', and because a man's opinions are only as good as his information, I fear there is widespread prejudice and misconception."

Continuing, the letterwriter said:

"Most . . . 'feel sorry' for the black man, but are unwilling to accept him into their society. I seem to be the only one of my acquaintances who feels that the color of skin is no different a guage to test the character and acceptability of the individual that the color of one's eyes or hair . . . I would much rather my daughter married a Negro of good character who cared for her, than a white man of the opposite characteristics. . . .

"The Montgomery . . . bus boycott has been successful. . . .

"This pacifist approach by the southern Negro is by far their best weapon to gain support. Who can fail to feel brotherly toward kind and peaceful people who desire nothing beyond recognition as human being? The fact that the church leaders have been the backbone of this pacifist movement and have been persecuted and jailed for their efforts shows the church in a new finer light. . . .

"There is no doubt that integration is the top news in the U. S. at the moment and we need more information from countries who have solved this problem. For it is a problem when custom and thinking make it so. If we could look far enough into the future, I believe we would see the One World Wendell Wilkie community.

"Just as our own isolated communities become so intermixed that each one is related to others in the area, so I feel we will someday all become one race and one language, and since we will all be brothers, we will have no wars, only small differences we can iron out.

"Seeing the future in this light, our customs and prejudices seem antique."

2nd Report Total Sum Is $871.83

Courier + Guide Sat. 4-14-56 Norfolk, Va.

More Money Must Be Raised To Aid Boycott Leaders

P. 12

RICHMOND, Va. — More money is needed for the Montgomery bus boycotters. Since the conviction of the Rev. M. L. King, who is one of the main leaders in the boycot movement, opponents of civil rights for Negroes in Alabama and other sections of the South have set out to convict and penalize every leader in Alabama, and particularly in Montgomery, to kill the movement for civil rights and equaltiy for southern Negroes.

Churches, clubs, civic organizations, businesses, labor groups, women's organizations, PTAs, teacher groups, fraternal organizations, Greek letter organizations, youth groups and individuals that have not yet contributed to this fund are urged to do so. Churches, organizations and individuals who have made a contribution are urged to make another donation during this financial drive. The struggle for human rights is costly at all times. and the organized fight against Negro rights by the opposition makes it more costly.

* * *

THE SECOND report on the financial drive for money for the Montgomery bus boycotters and their leaders shows that $871.83 has been collected since the first report. Money is still being collected and will be reported later.

The second report is as follows:

PORTSMOUTH BRANCH — Ebenezer Baptist Church, $156; Third Baptist Church, $60.69; Zion Baptist Church, $50; Mt. Calvery Baptist Church, $50; Mt. Carmel Baptist Church, $40; Noble Street Baptist Church, $27; St. Marks Baptist Church, $26.50; First Baptist Church (Brighton), $37; Fourth Baptist Church, $25; Morning Star Baptist Church, $11; First Baptist (Gilmerton), $11; Brighton Rock Lodge A. F. and A. M., $25; Celestial Baptist Church (sent directly to Rev. M. L. King), $20; total $539.19.

FAIRFAX COUNTY—Mrs. Lillian Blackwell, Vienna, $5; First Baptist Church, Chesterbrook, $11.88; Mt. Olive Baptist Church, Union Town, $30; Shiloh Baptist Church, Oddicks Corner, $50; total, $96.88.

* * *

LANCASTER COUNTY — Sharon Baptist Church, $25; Willie Chapel Church, $14.02; Calvary Baptist Church, $22.05; total, $61.07.

MADISON COUNTY — Elk Run Baptist Church, $10.

DINWIDDIE COUNTY — Union Baptist Church, $7.47.

SOUTHAMPTON COUNTY —Southampton County Branch, NAACP, $10.

SALEM (CITY) — Salem Branch, NAACP, $35.00.

WARWICK BRANCH — First Baptist Church of Denleigh, $14.

CHARLOTTESVILLE — Mt. Zion Baptist Church, $24; Ebenezer Baptist Church, $30; First Baptist Church, $33.36; total, $98.22.

Quo Vadis Montgomery?

Courier 38b P. 11

THE INJUNCTION issued last week by a three-judge Federal Court panel decreeing the end of bus segregation laws in Montgomery put the city fathers of that town on the spot.

Pittsburgh Pa.

Their only remaining recourse is an appeal to the United States Supreme Court but that body having decided that all forms of public racial segregation is unconstitutional, the outcome of such an appeal is foreseen.

Sat. 11-30-56

It is now up to the White Citizens Councils of Montgomery to establish their much-vaunted superiority by figuring out a way to get around this monumental roadblock.

But whatever is decided, it is rather certain that no more will Montgomery Negroes ride those buses.

Negroes Again Walking In Alabama; Halt Car Pool

Courier + Guide P. 23 Norfolk, Va.

MONTGOMERY, Ala.— Many Negroes continued to walk to work and elsewhere, after leaders of the Montgomery Improvement Association suspended operation of their bus boycott car pool, late last week, when city officials made public plans to seek an injunction to prohibit further pool operations.

Sat. 11-3-56

The action came after plans were announced by the city commission to take the legal steps, following the appearance of an article in the Alabama Labor News, a labor union publication, requesting that such steps be taken.

* * *

JOHN KOHN, an attorney for the Alabama labor group, labeled the pool as a "sabotage of franchise transportation in this city." He called it an effort to do by subterfuge what the commission had denied the association to do.

Several months ago, the association was denied a franchise to operate a bus line.

* * *

AT PRESS TIME, it had not been revealed as to what further steps would be taken by the Montgomery Improvement Association to provide transportation for persons boycotting city buses.

Clyde Sellers, police commissioner of Montgomery, indicated that no new orders have been issued to the police force, regarding car pool operations.

The boycott, which has attracted nationwide attention, has been in progress for 10 months.

Boycott Driver Gets $50 Fine For Violation

Courier Sat. 11-24-56 Montgomery, Ala.

A Negro driver of one of the station wagons used for conveying bus boycotters was fined $50 and costs in the Court of Common Pleas yesterday for a traffic violation.

P. 7-a

Alberta Judkins James, 47, pleaded guilty to making an improper left turn in the face of oncoming traffic. She was represented by attorney Fred Gray, legal spokesman for the Montgomery Improvement Assn., which is sponsoring the boycott.

Judge Alex A. Marks also recommended that the Department of Public Safety suspend the woman's licenses for 30 days. Traffic records showed that this was her 10th violation this year.

She was driving the Hutchinson St. Baptist Church station wagon at the time of the violation.

In other cases yesterday Howard T. Allen, waived a preliminary hearing and was bound over to the grand jury on a charge of escaping from Kilby Prison. His bond was set at $500.

A case against Bill Wilson for attempting to escape from Kilby was not pressed when it was determined that he had been punished at Kilby for the attempt by serving 14 days confinement.

Others sentenced or fined were Bernice Collier, three months in prison for vagrancy; Charles E. Markley, $100 and costs for violating the firearms act; and Boise Derrico, $100 and costs for violation of prohibition laws.

GATHERING EVIDENCE

Advertiser P.1

City Plans Legal Action

Sat. 10-27-56 Montgomery, Ala.

Against Negro Car Pools

By AL McCONOGHA

The city of Montgomery is preparing legal action against Negro bus boycotters' car pools, the City Commission revealed yesterday.

The commission announced its plans after a group representing a trade union publication, The Alabama Labor News, asked for immediate action to halt the car-pool operation carried on by Negroes in a 10-month-old protest to racial segregation on city buses.

Jack D. Brock, editor of the labor publication, said he and others were ready to swear out citizens' warrents immediately if necessary to stop car-pool operations.

LEGAL MEANS

Brock's demand was made after Atty. John Kohn, representing the labor group, outlined "double barrel" legal means for halting the boycotters' station wagons and car-pool activity.

In a statement issued three hours after the special conference between city commission and the labor group, the city officials said:

"The city's latest activity in this connection (maintaining segregation) has been the assembling of evidence for action against the operations of so-called car pools.

INJUNCTION PLAN

"The commission is glad for individuals to take such action as they see fit in their own best interest; however, regardless of whether such action is taken or not, the city will follow its plans of bringing action for an injuction to stop all activities which the city considers illegal at this time."

In the morning session, Kohn declared the car pool a "sabotage of franchise transportation in this city" and an effort to do "by subterfuge what he commission had denied them the right to do."

'SOUTH HATERS'

Kohn referred to the commission's action several months ago in refusing to grant boycotters a franchise for operation of their own bus lines.

The Montgomery attorney added that the car-pool operation was an "emasculation" of city and state laws supported in part "by people who hate the South and don't understand it."

Kohn particularly cited a section of the state code which says "any firm, association, or corporation using the streets of any city" for the construction or operation of any public utility cannot do so without "first obtaining permission of the city commission," as evidence of legal authority for immediate action by the city commission. He asked for arrests and trials in recorder's court.

"What Tallahassee has done, Montgomery has the legal authority to do," Kohn said. He refered to Tallahassee city official's action against operations similar to those conducted here by bus boycotters.

Kohn presented the commission with a detailed legal memorandum outlining city authority in the situation and a proposed ordinance which he said would give the city legal opportunity to halt the station wagon and the car pool operations.

The commission's statement said the visit of the labor news group was "appreciated" and added that the city's legal department had already offered them the benefit of studies made on the question and action the city hoped to take.

The statement said the city had advised the group "that the city planned to take certain action designed to stop these operations."

Adding that "we intend to maintain the way of life which has existed here in Montgomery since its origin, so far as we are legally able," the commission pointed to action already taken to resist racial integration here.

The statement concluded:

"The city commission has the dual reponsibility of maintaining the laws and of preventing violence. The numerous legal actions which we have taken indicate the intention of the city to fully enforce all segregation laws. The fact that there has been little violence indicates the success of the city along these second lines.

"The commission will continue to keep these two objectives as its goal."

INJUNCTION SOUGHT

City Requests Car Pool Halt

advertiser Sat. 11-3-56

Montgomery, Ala.

By JO ANN FLIRT

Negro bus boycotters and Montgomery city officials squared off yesterday for a legal battle over car pools, but the fireworks will be delayed about two weeks.

City authorities went into Circuit Court here with their promised request for an injunction to stop the car pool operations. Circuit Judge Eugene Carter, declining to rule immediately, set a hearing for Nov. 13.

About the same time, Judge Frank M. Johnson Jr., in U.S. District Court, denied a previously filed motion for an emergency restraining order to prevent the city from interfering with the Negroes' transportation system.

The judge ordered a hearing for Nov. 14, however, on a companion request for a temporary injunction against the City Commission. A temporary restraining order, Johnson explained, could be issued in federal court without hearing. An injunction cannot.

Explaining his decision, Johnson said the Negroes failed to show that refusal to grant the immediate restraining order would "subject the plaintiffs to immediate and irrepairable injury, loss and damage."

City Atty. Walter Knabe, in a petition delivered about 10:30 p.m. Thursday night to the home of Register in Chancery George H. Jones, asked Judge Carter to outlaw the Negro motor pool as a "public nuisance" and a "private enterprise" being operated without a license and without approval of the city.

Knabe said he sent the petition to city officials late Thursday afternoon and did not personally file the document with Register Jones that night.

The petition was docketed on books at the county courthouse yesterday (Friday) but was dated Nov. 1 (Thursday).

Jones said that since the petition reached him before midnight it could be considered as filed Nov. 1.

The petition said the motor pool, which includes church-owned station wagons as well as private cars, is operated over regular and irregular routes; that the Negores have purchased and hired vehicles, and that drivers and dispatchers are paid for their services.

Negro Attys. Fred Gray and Charles Langford, in their motion in federal court, said the car pool is a voluntary share-the-ride service provided without charge to the riders.

Any effort to break up the pool, they protested, would violate "the civil and constitutional rights" of the Negroes and is calculated to compel them to ride the segregated buses they are boycotting.

Defendants in the city's suit are the Montgomery Improvement Assn., an organization formed to support the bus boycott when it started last Dec. 5. 14 Negro churches and 27 individuals.

In the first official indication of the economic impact of the long boycott, the city said in its petition yesterday that it had lost $15,000 in revenue as a direct result of the mass refusal of Negroes to ride the buses.

The petition by the City of Montgomery is directed against:

The Montgomery Improvement Association, a corporation; Zion Hill Baptist Church, a corporation; Hutchinson Street Baptist Church, a corporation; Holt Street Baptist Church, a corporation; Church, Mt. Gilead Church; Oak Hall Street Baptist Church, a corporation; Beulah Baptist Church; Lilly Baptist Church; Bethel Baptist Church; Canon Hill Baptist Church; First Baptist Street AME Zion Church; M. L. King Jr.; Erna A. Dungee; E. D. Nixon; B. J. Simms; Hazel R. Gregory; Fletcher Smith; Clarence Moore; Mentha Johnson; H. H. Hubbard; H. J. Palmer; J. H. Cherry; B. M. Averhart; A. H. Juffman; A. Murphy; S. P. McBride; W. J. Johnson; Matthew Kennedy; A. Sanders; Willie James Kemp; Lewis Christburg; S. Heard; J. W. Hays; R. J. Glasco; M. W. Richburg; J. G. Marcus; Thomas McCloud; W. Moss.

CITY ATTY. WALTER KNABE
Asks Injunction

To Rule On Montgomery Bus Boycott

Call of Kansas City, Mo.

Fri. 11-9-56

WASHINGTON.— (INS) — The Supreme Court is expected to rule soon on whether it will take up the Montgomery, Ala., bus segregation case.

If the court does not agree to hear arguments i nthe bus segregation case, it would be taken to mean that it approves the two-to-one lower court decision that separating bus patrons on racial grounds is unlawful.

City and state attorneys argue that there is no illegal segregation because both races ride the same buses, although seating is restricted.

They contend that the school segregation decision put white and Negro children in the same buildings but did not insist that a teacher could not separate them in the classrooms.

38b 1956

IN HEARING TODAY

Advertiser 6/1

Attorneys Today Begin Battle For Delaying Bus Integration

Montgomery, Ala.

Tues. 6-19-56

Attorneys seeking to save bus segregation in Montgomery will try to head off immediate integration today in recommendations to a three-judge panel concerning execution of a desegregation decision.

The panel voted 2-1 on June 5 that city and state segregation laws requiring separate seating for white and Negro passengers violates the U.S. Constitution.

Attorneys for the City of Montgomery, Montgomery City Lines Inc., and the Alabama Public Service Commission said they are prepared to submit written suggestions on how the formal order should be put into effect.

Counsel for the four Negroes contesting the segregation law had previously filed their suggestions in District Court.

The judges gave attorneys two weeks to prepare the briefs after handing down the integration decision. U.S. District Judge Frank M. Johnson Jr. said the time to be required in forming the desegregation order is not known.

Judge Johnson pointed out either side can appeal the court's action on the question of a stay of execution pending appeal.

If the panel refuses to set the integration order aside temporarily and orders city buses desegregated immediately, the city or state can ask the Supreme Court to reverse that ruling before the case goes to the higher court on its merits, he explained.

On the other hand, if the judges issue a stay order putting off the actual integration until the Supreme Court rules on it, the Negroes can challenge the delay.

U.S. COURT VOIDS BUS SEGREGATION IN MONTGOMERY

Newark Star-Ledger 6-6-56

Delays Injunction Pending Appeal to High Tribunal —Boycott to Go On

By The Associated Press.

MONTGOMERY, Ala., June 5 —A three-judge panel in Federal Court ruled today that racial segregation on city buses in Montgomery violated the Federal Constitution. The vote was 2 to 1.

But the court took no action to issue an injunction against enforcement of city and state segregation laws. That will come later.

The decision came six months to the day after the start of Montgomery's Negro bus boycott, a mass refusal to ride segregated buses. That still is continuing.

City and state officials are expected to appeal to the Supreme Court in what may become the first clear-cut decision by that tribunal on city bus segregation.

The lower court in expectation of that move gave opposing lawyers two weeks to submit written suggestions on how the formal anti-segregation order should be entered, and whether a stay should be granted pending an appeal.

Judge Richard T. Rives of the Fifth Circuit Court of Appeals and Judge Frank M. Johnson Jr., of the Middle District of Alabama, signed the majority opinion. It held bus segregation violated the due process and equal protection clause, the Fourteenth Amendment to the Federal Constitution.

Commission to Appeal

Judge Seybourn Lynne of the Northern District of Alabama dissented. He insisted that separate but equal seating facilities for white and Negro passengers were permissible.

Pending a formal order to carry out the panel's findings, no injunction was issued. When it comes, Judge Johnson said it would affect only buses in Montgomery even though state laws were held unconstitutional.

To extend it to other Alabama cities would require a separate court order based on today's ruling.

Judge Johnson said it was comparable to the Supreme Court's two-year-old ruling against school segregation. That ruling still has not affected Alabama directly because this state was not named in the litigation that brought the integration ruling.

The Alabama Public Service Commission, one of the defendants in the suit, said "we are deeply shocked" and that the decision would be appealed.

The commission will seek to have the ruling set aside pending the appeal, the statement said, because "any other action would invite racial conflicts in this state * * *."

What effect the ruling would have on the bus boycott was undetermined. The Rev. Martin Luther King Jr., Negro Baptist minister and one of the boycott leaders, said he could not say without discussing the decision later with attorneys.

However, he said Negroes would end their mass protest "whenever it becomes possible to go back on city buses on an integrated basis."

Mr. King, one of ninety Negroes under indictment for violating Alabama's anti-boycott law and the first defendant brought to trial, called the ruling a "great victory for democracy and justice."

"I think all people of goodwill will accept the court's ruling as a great victory * * * not only for Montgomery's 50,000 Negroes but for people everywhere," the minister added.

Montgomery has a total population of 125,000.

Mr. King was fined $500 and costs at his boycott trial and has appealed to higher courts. Trials of the other defendants have been postponed pending the outcome.

Mayor W. A. Gayle and City Commissioners Clyde Sellers and Frank Parks declined to say what their next step would be until the formal order of the court was issued.

The City Commission, like the Public Service Commission, was named defendant in the suit filed by four Negro women who have refused to ride the buses since the boycott began.

The boycott that led to the suit in Federal Court started last Dec. 5, the day a Negro seamstress, Mrs. Rosa Parks, was fined $14 in city court for refusing to move to the segregated section of a bus.

Since then the city buses, which carried 30,000 to 40,000 Negro passengers a day, now transports only 300 or 400, company officials said.

The Montgomery Bus Decision

Daily World Thurs. 6-7-56

Once again the Federal Courts have denied the validity and the justice of the "separate but equal" doctrine of the nineteenth century. What is "separate" in terms of the basic human rights of an individual, can never be "equal". Persons are not "things" and the separation of persons by law, tradition, intimidation or any coercive force whatever is prima facie evidence of an implied inequality. A few days ago, a three-judge panel in a United States Federal Court sitting in Montgomery, once again said "NO" to a plea that citizens in this free nation be segregated or otherwise inconvenienced because of the color of their skin.

Atlanta, Ga. P. 4.

In the case in question, the panel in a 2-1 decision ruled that segregation on the city buses in Montgomery violates the Federal Constitution. Anticipating an appeal by city and state officials, the panel gave the opposing attorneys two weeks in which to submit written suggestions on how the anti-segregation order should be entered, and whether a stay of its effect should be granted pending an appeal.

38b

The Montgomery decision was logical and just. It is consistent with the historic decision of May 17, 1954, in which the United States Supreme Court unanimously ruled that the "separate but equal" doctrine in education must give way to a more humane and therefore more just interpretation of man's proper relation to his fellowman. Segregation, said the Supreme Court, is per se unjust. It has no place in public education. By extension, we suggest that it has no place at all in our society which can be justified by the Constitution under which we live, or by the Great Commandment by which we are finally judged.

The recent decision outlawing segregation on the Montgomery busses was to be expected by all who believe the Courts of the land place principle and integrity above emotion and provincialism. Even though there was a dissenting opinion by one of the three judges who reviewed the case, there were few people, even among the pro-segregationists, who honestly expected a decision different from that the Court rendered. The separation of American citizens on the basis of race or color is legally passe. To persist in trying to retain legal segregation in any field is unrealistic and costly — in terms of money, and in terms of interracial goodwill and understanding. The best interests of all the people would be served if the spirit of the Supreme Court's 1954 decision would be accepted as a guide in all pertinent situations. Thusly could the endless and expensive litigation be discontinued, and all concerned would again have time and energy and incentive to turn attention to other problems which we can ill-afford to neglect any longer.

WITNESS CHARGE CRUELTY IN BUS BOYCOTT TRIAL

The Issues Involved In Ala Boycott Trial

Courier 4/28
Houston 4/28

By CHARLES H. LOEB
NNPA Correspondent

MONTGOMERY, Ala — The issue at Montgomery, when you have cut through the legal sparring in Circuit Judge Eugene W. Carter's courtroom is whether it is an ilegal conspiracy for Negroes in Alabama to unite behind cohesive leadership to protect inequality of treatment.

Sat 3-31-56

For the moment, it concerns treatment on the privately-owned leased through the city, bus lines but before the trial concludes it will inject itself into almost every phase of relationships between white and Negroes in the State of Alabama.

The strong impression here is that it will not be decided in this courtroom.

The State of Alabama contends that the mass meetings held in Montgomery's Negro Churches, the employment of drivers in a car pool to carry those who refuse to ride the buses, the voicing of demands for more courteous treatment, equitable seating on a first-come-first serve basis, and the employment of Negro bus drivers, is an act of conspiracy.

A cool-headed advocate of "passive resistance", with a razor-sharp mind, a gifted tongue, and a burning dedication, the Rev Martin Luther King, says it isn't.

He has been singled out as the first to be tried. He is admittedly the moving force behind this surprising and unexpected show of cohesion among Montgomery's Negroes.

As this is written, two days of legal jousting has been completed between well-trained white lawyers acting for the state and well-trained Negro lawyers acting for Rev King, 23 other Negro Ministers, and a miscellany of others who make up the laymen engaged in operating motor pool cars, distributing literature, operating pick-up stations, and otherwise contributing to the success of whatever the Montgomery Improvement Association is doing to keep Negroes off the buses almost 100 percent for three long months.

In spite of all the objections raised by a brilliant corps of Negro lawyers, the story of how and why the MIA was born, and how it operates, and how much it costs to operate, and what brains give it direction, will get into the records.

Negro lawyers have been overruled already 116 times in their efforts to keep these things out of the record.

But already, with only four witnesses questioned, the state has introduced records and exhibits to show that at least $30,000 has been disbursed by the MIA, that car pool drivers were paid, by check, some $4 per day for operating and maintaining the cars used to take Negroes to and from work; that certain filling station operators were paid, by check for gasoline and services to maintain the fleet of nearly 300 cars in the "pool"; the names of the directors of the Association, and that Rev King serves as its president.

Except for J H Bagley, bus line manager, whose testimony was considered not damaging enough to warrant cross examination by the defense, and an Alabama National Bank official, the state's Negro witnesses, most of whom gave testimony before the grand jury which handed down the original indictments, were uncooperative and evasive.

Rev A W Wilson, pastor of the Hope Street Baptist Church, admitted he was a member of the Association's board, whose church was used for the first mass meeting, was vague about who called the meeting, what was discussed, who authorized the resolution presented, in debatable form, to bus company officials, and who did most of the speaking.

The second Negro witness for the state, Mrs Erna Dungee, identified as financial secretary of the Association, was equally evasive, and it was necessary to refresh her memory by producing an impressive collection of bank records, cancelled checks, and bank books.

The record was fairly complete, indicating that some $30,713.80 had been disbursed up to February 27, when the association transferred its funds from the Montgomery Bank to the Citizen's Trust Company, a Negro bank in Atlanta, Ga.

On Tuesday, the pattern continued, this time with the Rev U J Fields, pastor of Bell Street Baptist Church, Association secretary on the stand. He was equally, if not more evasive, and had to constantly refer to his "incomplete' minutes to refresh his memory.

But, in spite of evasions, the picture of how the association operates and the identity of its leaders will get into the records; perhaps in two days, two weeks, perhaps longer, but it will get in.

Everybody in Montgomery knows it already, word for word. They know their leaders and are following them. They know that Rev King is their guiding genius. They unconsciously try to protect him by evasions and lapses of memory at convenient times, even though he has publicly stated that he does not desire such 'protection.'

Martin Luther King Jr, whose stature grows bigger and bigger under abuse, after the bombing of his home, during each hour of his trial, has told them to tell the truth, the whole truth, and nothing but the truth.

He seems eager to get on the stand to set the pattern.

"We believe we are right. The truth can't hurt us" he tells his co-defendants.

"We were tired of getting second class treatment in exchange for first class fares,"

"We wanted a dime's worth of ride for a dime"

"We kept begging for it."

They kept refusing it"

"So, we decided to get together and quit riding on those buses until we got what we have been begging for"

"We have nothing to hide. We believe we are right, and that God is on our side"

"Our lawyers think we are right too, and that while the State of Alabama might not agree, the federal constitution of this great Republic of which Alabama is only a non-conforming part, will protect our rights.

"The right to assemble peacefully.

"The right to air our grievances publicly.

"The right to worship in our churches the God of our choice and to use them as the forums of our distressed and disturbed people

"And the right to stay off the buses and away from jibes, insults, and the ever-present knowledge that we are regarded as second class riders who at any time, under the law, must surrender our seats to any white passenger who demands it after all seats are filled.

"We think we have the right to walk the public streets of Montgomery where at least the air seems purer—and freer."

"We're beginning to like walking."

On the streets the white people have to walk too,

Or ride in the cars of their neighbors and friends,

Or on the buses.

There are plenty of good seats, now.

Plenty of them.

The presence here of reporters from all over the nation-and the world, indicate the importance of this issue.

Is this the beginning of new self-assertion on the part of the Negro in the South, moving forward under dedicated, intelligent, non-violent, Christian leadership?

The world awaits. It recognizes that the first skirmish in this new approach is taking place in Judge Carter's courtroom; a courtroom where the same seating pattern obtains, enforced by law, as that on the buses which originated the protest and this trial.

Front seats for whites. Back seats for Negroes.

Separation scrupulously enforced.

It is being tried by a white judge, learned, polished, a Harvard graduate, and far more polished than a bus driver, but one who gives the impression that he regards the Negroes in his court room as wayward children.

"You all behave in here or I'll have you put in jail"

This was Montgomery on Tuesday.

Rev M King Charged As Principal Leader

Inquirer 3/29
Houston Tex
3-31-56

By CHARLES H LOEB,
NNPA Correspondent

MONTGOMERY, Ala —A white Montgomery newsman dropped a bombshell on the state's easy-going conspiracy case against Rev Martin Luther King, alleged leader of the 3-month-old bus boycott.

He was Joe Azbell, city editor of the Montgomery Advertiser, a state's witness who had covered so many of the meetings of the Montgomery Improvement Association that the state had depended strongly on his testimony, as "a qualified expert" to finger Rev King as the chief conspirator" in what it alleges is an effort to ruin the business of the Montgomery City Lines.

Under skilled examination the newsman related how he had attended the various "pep meetings" of the organization, often finding himself the only white man present.

The prosecution won from him an admission that he had seen Rev King at many meetings and had heard him address the audiences on several accasion.

Then the vital question.

Q. What did he tell the people?

A. He told them "Let your conscience be your guide on whetaer or not you will ride the buses".

Azbell was asked if he had attended a meeting held at Holt Street Baptist Church on December 5.

A. Yes

Q. Who was the chairman?

A. That was hard to tell.

Q. What do you mean Who was on the Rostrum?

A. It appeared to be spontaneous. Almost all the colored ministers in town seemed to be there

Q. What seemed to be the purpose of the meeting?

A. Mind you, I'm not saying this, just quoting the speakers. They said that colored people desired all of the rights guaranteed in a democracy. They said that they would not retreat one inch from obtaining these rights.

Q. Did they talk about the bus protest or Boycott?

A. Someone introuduced Rosa Parks as an outstanding citizen who had been arrested on the buses. but it seemed that everybody at the meeting had some kind of grievance to air against the bus company.

Q. Did Rev King speak?

A. Yes, I wrote a story and quoted him in my newspaper. He said that no Negro in Montgomery should be intimidated, and that no intimidation should be made against any other person, and added, let each persons's conscience be his guide on whether or not to ride the buses.

By this time the courtroom began to stir with interest. The chagrin of the solicitor William Thetford was obvious. When the trial opened Azbell, though a state witness, had been permitted to cover the trial instead of being isolated outside the courtroom with other witnesses.

Another Montgomery newsman, whose stories had been thought bitterly slanted against the defendants, was denied this courtesy.

With a gesture of resignation and unconcealed agitation the examination was abruptly ended.

Defense council Arthur Shores then, after a consultation with the defendant, had Azbell recall how Rev King had quieted an angry group of people who had gathered around his home shortly after it was hit by a bomb.

"I was scared" said Azbell, "really scared. But Rev King came out on his porch and told the people to quiet down and to use no violence against anybody. He probably saved me from great danger.

In earlier efforts the prosecution met no better success in establishing Rev King's connection to the alleged conspircy. Eight bus drivers were called and related instances when the buses they drove were either shot at or stoned while traveling through colored neighborhoods, but none knew who was responsible for the incidents, as none had seen who fired the shots.

Only light note in the Tuesday proceedings was provided by Willie Carter, Ernest Smith and Mrs Beatrice Jackson through whom the state attempted to establish that Negroes who persisted in riding the buses after December 5 were subjected to threats and intimidation by the alleged conspirators.

Carter testified that he was told to stay off the buses or he would get his neck broken, but didn't know who made the threat, and wouldn't recognize the threatener if he saw him again.

Smith, clad in overalls, says he was yanked from the bus by an unidentified colored man, but had knocked his assailant down and got back on the bus.

"And I'm still riding them". He said.

The defense objected to this testimony, but was overruled.

Mrs Jackson, a huge, unkempt woman, said a man had beaten her up because she rode the buses. She defiantly added, under further examination that she was still riding.

A Montgomery detective K W Jones told of his efforts at stopping cars carrying passengers, and of his work of ferreting out the places where the car pool purchased gasoline and services. He recalled two actual arrests, one for drunkenness and the other for vagrancy. The vagrancy case, he recalled, had been thrown out of court when it was learned that the defendant was regularly employed.

Equally disappointing to the state was the testimony elicited from Rufus Lewis, operator of the Citizens Club which is the official headquarters of the Montgomery Improvement Association. Lewis, head of the transportation committee, admitted the recruitment of drivers and the payment of $24 a week to them for the use of their cars on a full time basis, but all efforts to have him tie Rev King in as "chief conspirator" met with "I can't remember. "I don't know".

In spite of the ruling by Judge Carter that "since this is an alleged conspiracy, indirect evidence may be introduced", the past two days have not been rewarding ones for the state, and its panel of witnesses is rapidly dwindling.

REV MARTIN LUTHER KING is cheerful as he shake hands with members and visitors in his church foyer after delivering his "When Peace Become Obnoxious" sermon last Sunday.

Negroes' Bus Boycott To Continue

Courier-Journal

5,000 Ballot At Montgomery

Fri. 4-27-56

Montgomery, Ala., April 26 (U.P.) — Montgomery's Negroes voted unanimously tonight to continue their boycott of buses in the face of the City's threat to bring court action against the bus operators for removing the color bar.

Memphis, Tenn.

An estimated crowd of 5,000 that packed Bay Street Baptist Church roared its approval of a resolution calling for continuance of the boycott, now in its 21st week, until desegregation is officially approved.

The resolution noted that white and Negro passengers rode together "on front seats without incidents, mishaps or disturbances" in such cities as Richmond, Va., Little Rock, and Dallas.

Union Promises Support

On the other hand, it said, "the public officials of the City of Montgomery and the State of Alabama have indicated that they intend to, and will use all means available, including the arrest of the bus drivers and passengers," to enforce segregation laws.

National City Lines, Chicago, operators of the transit system here, had already decided to no longer enforce segregated seating, and members of the drivers' union promised to support the company policy.

The City Commission appeared determined to keep the passengers from mixing.

Commissioners met with National City Lines representatives today but "reached no conclusions," Mayor W. A. Gayle reported afterward.

"Our conferences will be resumed on either Friday or Saturday," Gayle said. "The City Commission adheres to the position it has originally expressed that it will enforce all applicable Alabama statutes and City ordinances."

OFFICIALS ANGRY OVER BUS ORDER

Times-Picayune

New Orleans, La.

Montgomery Edict Draws Threat of Reprisal

Wed. 4-25-56

By REX THOMAS

MONTGOMERY, Ala., April 24 (AP)—An order to stop segregation on city buses brought angry threats of reprisal today from city and state officials who vowed to keep the races apart as long as possible.

Despite the decision from Montgomery City Lines Inc., to abandon its policy of separate seating of white and Negro passengers, there were no reports of actual mixed seating on the first day.

An Alabama Journal reporter who spot-checked the buses said all the Negro riders he saw were seated in the rear, the part reserved for members of that race under the traditional segregation pattern.

Neither was there any indication that the bus company's action in refusing to continue enforcing city and state segregation laws would bring an immediate end to the boycott by Negroes who have refused to patronize the segregated buses since Dec. 5.

No Immediate Change

A leader of the bus boycott, the Rev. Martin Luther King Jr., issued a statement saying "there will be no change in our position immediately" and that the protest would go on for the time being.

King said some action may be taken, however, at a mass meeting called for Thursday night. He said the Montgomery Improvement Assn., of which he is president, probably would make a recommendation or at least "discuss alternatives" to ending the boycott.

The statement was issued following a meeting of the executive board of the Improvement Assn. which was formed to support the boycott.

King said the Negroes were still awaiting word from bus company Manager J. H. Bagley on their original demand for employment of Negro drivers on predominantly Negro routes, and added:

"If Mr. Bagley says that he will examine applications from Negroes with the same equanimity as he would an application from a white person, that might satisfy our people."

Whether that meant the Negroes might continue the boycott indefinitely without some concession on the hiring of Negro drivers, the minister said he couldn't speculate.

No Applications

Bagley wasn't available for comment. In the past he has said the company had received no applications from Negroes for jobs as drivers.

Meanwhile, what effect the move to end segregation here might have on the $500 fine levied against King on his boycotting conviction wasn't immediately determined.

The Negro baptist minister has appealed, saying he would go to the Supreme Court if necessary.

Circuit Solicitor William F. Thetford, who prosecuted King, said abolition of the segregation laws wouldn't affect the conviction because, he explained, "segregation as such wasn't an issue" in his trial.

Just Cause' Pleaded

Defense attorneys contended the Negroes had a "just cause" and "legal excuse" for refusing to ride the buses, and produced testimony of repeated acts of mistreatment by bus drivers.

Whether they will use the segregation argument in their appeal wasn't learned because the defense lawyers weren't available for comment.

A comparatively few Negroes rode the buses today despite the announced end of segregation. R. C. Mills, assistant manager of Montgomery City Lines, said the number was about the same that continued to use the buses throughout the boycott.

Times-Picayune

The bus company previously had estimated that at about 6 to 15 per cent of the normal Negro passenger load.

3

Whether other Negroes were waiting word from the boycott leaders before patronizing the bus line again could not be determined.

Wed. 4-25-56

'Still in Effect'

City and state officials meanwhile insisted that Alabama's segregation laws are still in effect despite the U.S. Supreme Court decision yesterday which said all bus segregation is unconstitutional.

The ruling applied directly only to South Carolina, and Alabama. Officials contended segregation laws here will remain intact until a court order is directed specifically at them.

That could come May 11, the date set for hearing on an antisegregation suit already on file attacking constitutionality of Montgomery city and Alabama state laws. The suit was filed as an outgrowth of the bus boycott.

Until the city and state laws are knocked down, Police Commissioner Clyde Sellers and other city officials and President Jack Owen of the Alabama Public Service Commission declared that segregation will be rigidly maintained.

Communism Statement

The city commission, all three of those members belong to the White Citizens Council, issued a statement saying it "does not consider that the Supreme Court decision construes Alabama laws or city ordinances by which we are governed."

The council is an organization dedicated to the preservation of racial segregation.

"We, therefore, expect the bus company and all other persons to abide by all existing laws and ordinances," the statement added.

Sellers said he would order the arrest of any passenger or bus driver who permits or indulges in desegregation.

"Will Be Responsible"

"I'll be responsible for any arrests and I'll give the direct orders for those arrests," Sellers said. "As far as I'm concerned, this damn thing (the Supreme Court ruling) applies only to South Carolina. Until they tell us in this suit filed here that it applies to us, I'm going to enforce all city laws to maintain segregation."

Owen sent a telegram to President Roy Fitzgerald of National City Lines in Chicago, the parent company of Montgomery City Lines, demanding that the integration order be withdrawn.

Owen also directed all other carriers operating in Alabama to "strictly adhere to all present existing segregation laws in our state or suffer the consequences."

Without replying directly to Owen, one National City Lines spokesman in Chicago said "We're not going to enforce segregation."

Has No Choice

"This company has no choice but to comply with the decision of the Supreme Court," Vice President B. W. Franklin told The Associated Press. "For that reason we are not going to attempt to enforce segregation.

"We always comply with laws in effect. Now the Supreme Court says the segregation laws no longer are constitutional—no longer in effect.

"We're not going to enforce segregation."

The company also operates bus lines in Mobile, Ala., Jackson, Miss., Tampa, Fla., Tulsa, Okla., Beaumont, Wichita Falls and El Paso, Tex.

Officials at Tampa and Jackson said segregation would be continued on buses operating there despite the company statement in Chicago.

News Photographer Threatened by Driver

MONTGOMERY, Ala., April 24 (AP)—An Associated Press photographer was threatened by a bus driver Tuesday as he attempted to take a picture of a bus operating without racial segregation.

As photographer Horace Cort of Atlanta pointed his camera toward the bus at a downtown stop, the unidentified driver jumped out with fist drawn back and snarled, "If you take my picture, g—— d——you, I'll kill you.

The driver didn't object to taking pictures after he was out of the bus.

Georgia Shows No Effects of Ruling

ATLANTA, April 24 (AP) — The sweeping United States supreme court edict against racial segregation on public buses operating within as well as between states apparently had no effect at all in Georgia Tuesday.

State, city and transportation officials were quick to note that Monday's ruling was on a South Carolina appeal, to which Georgia was not a party. Hence, they reasoned, it will impose no compulsion in Georgia until an action is brought in ths state.

Among those taking this view was Gov. Marvin Griffin who pledged himself to resist the ruling at all odds. He called it "another example of an overt usurpation of the liberties of the people."

No reported efforts were made to break down segregation in buses in Atlanta, Macon, Augusta, Savannah or any other Georgia city. Operators of highway buses, such as the Greyhound System, generally were noncommital on what course they will follow.

The Greyhound manager in Atlanta, R .F. Robinson, along with others, pointed out that he had the state segregation laws to consider. He suggested that these laws and the contradicting federal decree left him in a quandary.

NAACP Plans Move on Little Rock Busses

LITTLE ROCK, April 24 (AP)—An imemdiate end of racial segregation on Little Rock buses will be sought by the National Association for the Advancement of Colored People, a spokesman said Tuesday.

Frank W. Smtih, state executive secretary of the NAACP, said the first step would be a request. He declined to say what would be the next step if the request is turned down.

David Durbin, vice-president of Citizens Coach Company, said transit company attorneys would not advise a company policy until the decision had been studied.

Dallas Police Orders No Enforcement

DALLAS, Tex., April 24 (INS) —Dallas Police Chief Carl Hansson Tuesday ordered his officers to refrain from enforcing segregation on city busses.

The police chief's order came in the wake of Monday's US supreme court decision voiding state and local laws enforcing

Busline Starts Desegregation In Alabama

Star
Sun. 4-24-56
Washington, D.C.

Firm Defies Order Of Commissioners At Montgomery

P. 1

MONTGOMERY, Ala., April 24 (AP). — Montgomery's embattled bus company ended segregation seating this morning, despite a City Commission order to continue separate facilities for white persons and Negroes.

An elderly Negro woman, unaware she was taking part in an unprecedented occasion, became the first of her race to ride on an unsegregated bus in Montgomery.

But the unidentified woman moved to the formerly segregated section in the back after boarding the bus at Court Square, where the first buses of the day make the initial stop for passengers. She was the only person waiting at the stop.

Montgomery City Lines, target of a crippling Negro boycott that became part of a Nation-wide anti-segregation crusade, posted a notice last night saying it would comply with yesterday's United States Supreme Court ruling holding bus segregation unconstitutional.

The first buses to roll under the edict did not begin operating until after 5 a.m. Most of the drivers on the early shift first learned of the company's desegregation order when they reported for work at dawn.

The order to stop assigning seats according to race put the bus company squarely in the middle between the Supreme Court ruling and an order earlier yesterday from Mayor W. A. Gayle that the company continue to maintain strict racial segregation in its vehicles.

The company's directive bore the name of Manager J. H. Bagley.

Legal Action Hinted

Before the desegregation order was posted Mayor Gayle hinted that legal action might be taken if bus officials disregarded State and city laws requiring segregation.

City police said they had no orders to make any arrests of drivers or bus company officials.

The bus company's desegregation decision was timed to become effective with the start of operations today.

Montgomery, in the southeastern quarter of Alabama, has a population of about 120,000. About 50,000 are Negroes.

The Rev. Martin Luther King, jr., a leader in the five-month-old bus boycott, indicated there was little chance the protest movement would be called off before tonight at the earliest.

Star

Mass Meeting to Be Held

Mr. King, a Negro Baptist minister, said Negroes generally would continue to refuse to ride the buses until a mass meeting is held to decide if their demands have been satisfactorily met.

P. 5-A

He said the bus company's action would seem to satisfy demands for unsegragated seating and courtesy to Negro patrons from bus drivers. But he pointed out that the boycotters also have asked that Negro drivers be employed on predominently Negro routes.

When the Supreme Court ruling was announced yesterday, Mayor Gayle emphasized there would be "no change" in the city commission's policy. "We will do everything in our power to maintain segragation on city buses," he said.

"We're going to enforce the State and city ordinances just as we have been doing, and we expect the bus company to continue to abide by these laws."

Joined Citizens' Council

Mayor Gayle and City Commissioners Clyde Sellers and Frank Parks joined the pro-white Montgomery White Citizens' Council last December after early efforts to end the boycott failed.

The boycott has been in effect since December 5, when Mrs. Rosa Parks, a Negro seamstress, was fined $14 in Police Court because she refused to move to the back of a bus.

A Montgomery County grand jury indicted 90 Negro leaders about three months ago for violating Alabama's anti-boycott law. Mr. King, the first and only Negro tried thus far, was convicted and has appealed a $500 fine.

Mr. King is president of the Montgomery Improvement Association, a newly formed Negro organization which has operated a car pool for the thousands of Negroes who joined in the protest movement.

Meeting Slated Today

The young minister said the association's Strategy Committee planned to meet today to discuss the desegregation decree. Recommendations will be made to the group's executive board, he explained, and the question of ending the boycott would be submitted to a vote at a mass meeting.

Montgomery City Lines is a subsidiary of National City Lines, Inc., of Chicago, which operates bus franchises in more than 30 cities throughout the Nation.

The mass refusal of Negroes to ride the Montgomery buses has forced the company to raise its rates from 10 to 15 cents and drastically curtail operations. It has been estimated that 95 per cent of the Negro customers, who once made up about 75 per cent of the total patronage, have stopped riding buses.

Bus Boycott Extended Till State Yields

P. 1
Post & Times Herald
Sat. 4-28-56
Washington, D.C.

Negroes Now Fight Will Go On; Talks Bring No Results

MONTGOMERY, Ala., April 27 (AP) — Bus company and city officials met again today but were unable to break a stalemate in their talks on bus segregation.

Mayor W. A. Gayle issued a statement afterward saying Montgomery City Lines "will be required" to obey city and state segregation laws. The company has announced it will not longer enforce segregation.

Negroes continued their fifth-month-old boycott of the buses, despite the integration order issued late Monday night. They agreed at a mass meeting last night to refrain from riding until public officials agree to accept integration.

The commission earlier had threatened to seek revocation of the bus franchise unless the company rescinded its integration policy.

B. W. Franklin, vice president of National City Lines, Inc., of Chicago, which owns the Montgomery company, declined to comment after today's meeting.

City and bus company attorneys conferred with Negro attorneys and lawyers in the Attorney General's office today discussing legal details of the suit. Chief Assistant Attorney General MacDonald Gallion said afterward that no agreement was reached. Another meeting probably will be held next week, Gallion said.

MONTGOMERY FIRM ON ITS BUS STAND

Times P. 15-C
New York, N. Y.

City and Transit Line Reach Deadlock on Court Ruling—Boycott Leaders at Rally

By JOHN N. POPHAM

Special to The New York Times.

MONTGOMERY, Ala., April 26—Montgomery city officials and representatives of the transit company that operates the local bus lines deadlocked today over the issue of segregation in transportation.

Sun. 4-27-56

They met in closed session for two and one-half hours and then announced that "our conferences will be resumed on either Friday or Saturday."

Their impasse arose from a confusion of reactions to a Supreme Court ruling in Monday in a case involving segregated transportation in Columbia, S. C. At first the decision was widely interpreted as having struck down segregation in all public transportation.

As a result, officers of the Montgomery bus company's parent organization said on Tuesday that drivers would no longer be required to enforce segregation statutes in the buses. The National City Lines, Inc., of Chicago is the parent group of Montgomery City Lines, Inc.

The Montgomery City Commission countered on Wednesday that it would prosecute passengers or drivers who failed to abide by the state and city segregation statutes. The Commission's three members belong to the White Citizens Council, this group has the avowed aim of preserving segregation in the south.

Boycott Leaders Meet

Meanwhile, leaders of the Negro population's boycott against the bus lines held a mass meeting tonight. The "future course" of the boycott was to be discussed within the terms that the Negro leaders have laid down for an "acceptable solution."

The Negro population, which had accounted for an estimated 75 per cent of the bus lines passenger traffic, has been boycotting the buses since Dec. 5. On that day Mrs. Rosa Parks, a Negro, was fined $14 in police court for having refused to move to the rear of a bus.

The boycott's leaders have requested the bus company to employ Negro drivers on predominantly Negro routes.

They also have asked that the "Jim Crow" custom of reserving certain rear seats for Negroes be abandoned and that the bus company permit Negro passengers to take any seats as they become available from rear to forward.

Court's Stand in Doubt

Late yesterday there were reports from Washington that some Federal Government lawyers had expressed doubt that the Supreme Court ruling actually had ruled on the Constitutionality of transportation segregation laws in South Carolina. Some lawyers reportedly held that the decision dealt mainly with a technical procedure of appeal.

Montgomery's city officials have emphasized that they did not regard the Supreme Court decision as applying specifically to Alabama statutes. They also noted that "we are now advised that there is a question as to whether the Supreme Court passed even on the statues of South Carolina.

Meanwhile, Negroes were not pressing the seating issue, although the bus company's decision to ignore segregation statutes was apparently still in effect. The small numbers of Negroes who have continued to ride the buses during the boycott period were still taking rear seats.

It was indicated here that for the time being the Negro leadership largely was keeping its eyes on the principal goal of getting jobs for Negro bus drivers. It was indicated they might let the seating arrangements be worked out along neighborhood patterns.

Montgomery, Ala., Officials Tangle With Bus Company on Mixed Riding

Post + Times Herald P. 42

Fri. 4-27-56

MONTGOMERY, Ala., April 26 (AP)—City officials received legal assurance today that local segregation laws still are valid but they failed to convince bus operators who have ordered the color line removed on their vehicles.

Thousands of Negro workers here, meanwhile, will hold a mass meeting at 8 p. m. tonight to determine if they should call off a 20-weeks boycott of the buses. The Negroes are demanding indiscriminate seating privileges, courtesy from white drivers and assignment of Negro drivers to predominantly Negro routes.

The National City Lines of Chicago, operators of the transit system here, had decided no longer to enforce segregated seating and members of the drivers' union promised to support the company policy.

The city commission, which threatens court action unless the bus company rescends its new policy, appeared determined to keep the passengers from mixing.

Gayle said that the commission earlier took the position that the Supreme Court decision last Monday, leaving undisturbed a lower court ruling against bus segregation, did not pass on Alabama and city laws.

"We are now advised that there is a question as to whether the Supreme Court passed even on the statutes of South Carolina," Gayle said.

[Washington legal experts have said that Monday's Supreme Court order, hailed as ending segregation on intrastate transport, was nowhere near so sweeping. They believe the order was merely procedural and the net effect was only to send the appeal back to the lower courts for further proceedings.]

No solution in sight on boycott

News

MONTGOMERY, Ala., April 28 —(AP)—Montgomery's five-month-old bus boycott rocked along Saturday with no solution in sight.

Post, Ala.

Officials of the Montgomery City Lines Inc., have ordered an end to segregation on their buses, but the City Commission insists that city and state laws requiring separation of the races will be enforced.

Sat. 4-28-56

Following a conference between city and bus line officials Friday, Mayor W. A. Gayle issued a statement saying the bus company will be required to abide by city and state laws.

"No agreement has been reached," the statement said.

The bus company had no comment on Gayle's statement.

City Officials, Bus Firm Fail To Settle Rift

Advertiser Montgomery, Ala.

Sat. 4-28-56

By STEVE LESHER

The wall separating bus company and city officials remained uncracked yesterday after a second meeting between the belligerents yielded little hope of compromise.

Mayor W. A. Gayle issued a statement following the brief meeting saying the city "will require the (bus) company to follow to the letter" existing segregation laws

Benjamin W. Franklin, vice president of National City Lines Inc., parent company of the local bus line, apparently stood firm on his instructions to bus drivers not to enforce segregation laws.

A reliable source told The Advertiser that no meeting had been scheduled for a future date and "chances of a meeting in the near future are slim." The source did not wish to be quoted.

KEEP UP BOYCOTT

Negroes meanwhile continued their five-month-old boycott of city buses. More than 3,000 Negores massed at Day Street Baptist Church Thursday night voted unanimously to continue the boycott until the city withdraws its threats to arrest passengers and drivers who did not enforce segregation.

Franklin had no comment to reporters' questions following the meeting in the offices of Walter Knabe, city attorney. It was the second meeting in two days between the city and the company. No solutions were reached at either meeting.

No new comment was available on the city's threat to revoke the company's franchise in Montgomery if it failed to comply with segregation laws.

Montgomery Holds Out; Negroes Resume "Walk"

Daily World P. 1

Sat. 4-28-56 Atlanta, Ga.

MONTGOMERY, Ala. — (INS) — City officials held out Friday for "To The Letter" enforcement of all local and state segregation laws in the Montgomery bus dispute.

Members of the City Commission and officials of the National City Lines, operators of Montgomery buses, met for a second time yesterday, but made no progress in pushing their opposing views.

The National City Lines, a Chicago-domiciled firm, announced intentions of complying with the U. S. Supreme Court decision this week and ending enforced segregation on its buses. City officials countered that those responsible for mixing white and Negro bus-riders would be jailed.

After Friday's meeting, Mayor W. A. Gayle said:

"No agreement has been reached. The City Commission has advised the bus company that all laws and ordinances will be enforced, and that the Commission will require the company to follow to the letter all laws and ordinances."

B. W. Franklin, vice president of National City Lines, declined comment.

A representative of the city who attended Friday's meeting said no further discussions were planned, and chances of a compromise were "very slim indeed."

Montgomery's Negro population, meanwhile, renewing a vow not to ride "jim crow" buses again, continued a boycott which began Dec. 5. A suit by Negroes directly attacking Alabama's segregation laws --embodying the same principles on which the U. S. Supreme Court ruled this week--is set for hearing in Montgomery May 11.

Threat To Drivers

P. 1

By STEVE LESHER

More than 3,000 cheering Negroes unanimously approved a resolution to continue the five-month-old boycott of city buses until the city withdraws its threats to arrest passengers and drivers who violate existing segregation laws.

Rev. M. L. King, president of the Montgomery Improvement Assn., read the resolution proposed by the executive committee of the MIA. The resolution praised the Supreme Court and National City Lines Inc. and its local subsidiary for their stands for desegregation.

The resolution began by reviewing the Negroes' reasons for beginning the boycott and continued by reporting the Supreme Court's decision made last Monday and the orders issued by the bus company.

SEVERAL CITIES

After stating reliable sources reported white and Negro passengers ride integrated buses in "several Southern cities, including Richmond, Va.; Little Rock, Ark.; Dallas, Tex., and others," King continued:

"Whereas the public officials of . . . Montgomery and . . . Alabama have indicated . . . that they intend to . . . use all means available, including the arrest of bus drivers and passengers who refuse to abide by and obey the segregation laws . . . it is . . . agreed that the conditions heretofore existing remains the same because of the position taken by our public officials.

"Be it therefore resolved that we, the Negro citizens of Montgomery, Ala. . . . will continue to carry on our mass protest . . ."

The resolution was greeted with a thunderous ovation from the Negroes who massed in Day Street Baptist Church.

King urged that Negroes "not abuse" their "new rights and privileges." He added "a great adjustment needs to be made" among the Negroes.

PRAYERS FOR BAGLEY

He urged the throng to pray for the recovery of J. H. Bagley, superintendent of Montgomery City Lines Inc., who suffered a heart attack early Wednesday.

He also urged prayer for the City Commission "to lift them from the darkness of injustice . . ."

Meanwhile, no solutions to the conflicts in their stands were forthcoming from a lengthy meeting yesterday afternoon between officials of National City Lines Inc. of Chicago, Montgomery City Lines Inc. and Montgomery city commissioners.

REVOKE CHARTER

In a statement issued earlier by Mayor W. A. Gayle and City Commissioner Frank W. Parks and Clyde C. Sellers it was indicated the city would seek to revoke the bus company's franchise if the company failed to uphold segregation laws.

Vice President Benjamin W. Franklin of National City Lines, parent company of the local firm, has taken a stand that the company "is not a police body. We will not enforce segregation and we will not enforce integration." Franklin said the company would "certainly help" a bus driver "if he was arrested for obeying our instructions."

After the two and one-half hour meeting in the offices of City Atty. Walter Knabe, Mayor Gayle issued the following brief statement:

Advertiser

"The City Commission has taken the position that the . . . but have reached no conclusions. . . . decision of the . . . Supreme Our conferences will be resumed Court did not pass on the statutes on . . . Friday or Saturday. of Alabama and the . . . City "The City Commisison adheres of Montgomery. We are now to the position it has originally advised that there is a question expressed that it will enforce all as to whether the Supreme Court applicable Alabama statutes and passed . . . on the statutes of city ordinances."

South Carolina.

NO CONCLUSIONS

"We have conferred with representatives of the City Lines Montgomery City Lines representatives had "no comment" to reporter's questions. At the meeting besides the city commissioners, Knabe and Franklin were City Clerk Silas Cater, City Atty. Miles S. Hall, National City Lines Atty. Robert Thrun and Montgomery City Lines Atty. Jack Crenshaw.

Franklin said later that no meeting with Negro leaders had been planned.

Negroes Vote To Continue Bus Boycott

Advertiser

Fri. 4-27-56

Montgomery

Resolution Asks City [illegible] withdraw

Bus Ruling And Action Increase Need For Restraint All Around

News p.14 Birm. Ala. Wed. 4-25-56

With the Montgomery local bus company having announced it would apply in its operations at once a U. S. Supreme Court ruling Monday in a South Carolina case generally construed as against segregation in intrastate public transportation, another serious phase of the racial situation in the South has developed. Problems, as was to be expected, are coming one after another in this field.

The buses began operations early yesterday morning under the new company policy of non-segregation.

Police Commissioner Sellers of Montgomery said, however, that until there is a Supreme Court ruling that the decision against bus segregation applies in Montgomery, he is going to enforce all local laws to maintain segregation.

A suit is pending in the United States District Court in Montgomery challenging Montgomery and Alabama segregation laws. A hearing in this suit before a three-judge panel has been set for May 11.

A Negro boycott of the Montgomery buses has been in effect since early December. Few Negroes were riding the buses yesterday but passengers were generally observing segregation. Commissioner Sellers said any passenger who violates city or state segregation laws will be prosecuted.

Here, obviously, is a serious situation with explosive possibilities. That should be so obvious that all concerned should see that restraint and good judgment are urgently needed on all sides.

The bus company, which, of course, has been facing great stresses, acted promptly to establish a non-segregation policy in line with the high court's decision in another case. In some other similar situations having to do with segregation laws and practices on the state and local level, there has been no immediate application of a ruling in one area applying specifically in another area.

We see no prospect of a Supreme Court ruling against desegregation in local public transportation. But we do see possibilities of more serious trouble if efforts at immediate desegregation on buses and street cars are pressed generally in the South.

National City Lines, Inc., operates bus lines in Montgomery and Mobile and other Southern cities. A vice president of that company told The AP in Chicago yesterday that "this company has no choice but to comply with the decision of the Supreme Court."

But it was not, in our view, legally necessary to move at once. Time is needed in meeting the problems and making adjustments in the many-sided racial situation.

The Washington Post and *Times-Herald* said yesterday an examination of the Supreme Court's order of Monday indicates it was not nearly so sweeping as the general interpretation of it. The story said "all the court did . . . was to send it back to the lower courts for further proceedings."

We hope that wise voluntary action on the part of officials and white and Negro citizens will contribute effectively toward meeting this new phase of our troubles wisely and without more disruptions and disturbances.

Surely it must be apparent to citizens of good sense and good will that restraint will be in the best interests of all.

Precipitate action could increase and intensify difficulties which already are many and serious.

Every citizen directly concerned in the South has an opportunity to do his utmost toward constructive meeting of these difficulties.

State calls conference in Montgomery boycott

News p.9 Fri. 4-27-56 Birm. Ala.

MONTGOMERY, Ala., April 27—(AP)—Lawyers for the bus company, the city of Montgomery and bus-boycotting Negroes conferred with state's attorneys today in an unannounced meeting growing out of Montgomery's bus segregation dispute.

Negroes meanwhile were committed to continue their long boycott until public officials are willing to accept integration. Montgomery City Lines has abandoned segregation on its buses but city and state officials have insisted on enforcing segregation laws.

THE LEGAL conference was held today in the attorney general's office. Representing the state were Chief Asst. Atty. Gen. MacDonald Gallion and Asst. Robert Straub.

Speaking for the Negroes were Fred Gray and Charles Langford, Negro lawyers. City attorneys taking part in the conference were Walter Knabe and Drayton Hamilton. Atty. Jack Crenshaw represented the bus line.

The meeting may have dealt with a pending suit in U. S. Court here challenging constitutionality of city and state segregation statutes. The lawyers taking part are those handling the suit which is scheduled for hearing May 11.

SOME NEGROES have continued to patronize the bus line despite the mass protest, but there has been no reported effort to sit with white passengers. The Negroes have stayed in the rear of the buses where they always sat.

The boycotting Negroes thundered approval last night to a resolution pledging them to carry on the protest indefinitely. Said one minister, "we will never go back to Jim Crow buses."

The resolution was adopted by the widely cheering, hymn-singing Negroes without a dissenting vote at the climax of a mass meeting at the Day Street Baptist Church.

THE RESOLUTION, sharply critical of Montgomery's three city commissioners, was drafted by leaders of the Montgomery Improvement Assn., a group organized to support the bus protest.

MONTGOMERY TALKS ON BUS ISSUE FAIL

p. 23 Commercial Appeal Sat. 4-28-56

City Official Doubts More Meetings Will Be Held

Memphis, Tenn.

BOYCOTT IS STILL ON

By The United Press

MONTGOMERY, April 27. — City and transit lines officials failed again Friday to reach an agreement on the firm's new non-segregated seating policy and indicated further conferences would not be scheduled.

After meeting with National City Bus Lines officials for the second time in little more than 24 hours, the City Commission issued a statement saying: "No agreement has been reached."

'Last Meeting'

A member of the city negotiators, who declined use of his name, said: "I think this is the last meeting the city and the National City Lines will hold."

"The City Commission has advised the bus company that all laws and ordinances will be enforced and that the commission will require the company to follow to the letter all laws and ordinances," the statement said.

Meanwhile, the bus boycott neared the end of its 21st week with a "showdown" court test of city segregation laws looming in the near future.

Thousands of Negroes, spurred by a unanimous vote to continue the boycott, walked or rode to work in private cars as they have done for the past five months.

Meanwhile, representatives of the bus company, the City Commission, the Alabama attorney general's office, the state Public Service Commission, and Negro attorney Fred Gray held a fruitless conference in an effort to thrash out details of the upcoming Federal Court trial.

Case Set For May 11

Four Negro women have contested the city's laws requiring Negroes to seat from the rear of buses and white from the front. The case is docketed for May 11.

A spokesman for the attorney general's office called the meeting "routine" and said it was aimed at trying to "reach an agreement on the facts" to be taken up in Federal District Court.

It was learned no agreement was reached at the conference but further meetings were scheduled.

National City Lines, operator of the transit system here, ordered the color barrier removed after the United States Supreme Court refused to consider a South Carolina case involving intrastate transportation segregation.

38b 1956

Supreme Court Ends Bus Segregation

Weekly 4/1

Washington, D. C. (Special).—The United States Supreme Court moved a step closer Monday to making **democracy** an actual reality within the USA by wiping out racial segregation on public transportation within the borders of a state.

New Orleans La.

The unanimous, short but powerful, decision came during what was expected to be a review of an appeal of a lower court decision that segregation in seat arrangements on South Carolina buses was illegal. In upholding the lower court order, the court cited its own past decisions on segregation cases, dismissing the appeal as "without any authority of law . . . needlessly consumed our time."

Ark. 4-28-56

The case had its origin in Columbia, S. C., when Mrs. Sarah Mae Flemming filed suit for $25,000 damages for alleged violation of her civil rights because a bus driver for the South Carolina Electric and Gas Company (operators of the bus line) forced against her a South Carolina law requiring segregation in intrastate buses.

Philip Wittenberg, legal counsel for Mrs. Flemming, said that the case must now be returned to the court of origin for trial on the question of whether she is entitled to damages.

A positive reaction on the issue came shortly after the decision. In Chicago, B. W. Franklin, vice president of the National City Lines, Inc., which controls the bus line in Montgomery, Mobile, Tampa, Fla., and Jackson, Miss., announced Tuesday that the firm "will remove segregation requirements on all its vehicles." Stating further he declared: "The Supreme Court has now said the bus segregation laws are unconstitutional; therefore we are no longer empowered to enforce them."

There was no immediate effect from the order which flowed into this bus-boycott ridden city of Montgomery. The Organization headed by the Rev. Martin L. King was scheduled to meet Thursday night to discuss the latest moves. However, he indicated that the boycott might continue if Negro drivers are not used in predominantly Negro sections.

Elsewhere the decision was viewed with a "not too surprised" attitudes. In New Orleans, the so-called fair-minded democratic viewpoint here was that the order has no effect since the case involved occurred in South Carolina (presumably outside the USA). That was the apparent position of City Atty. Henry B. Curtis and George Dinwiddie, president of the New Orleans Public Service, Inc., operators of the city bus lines.

Dinwiddie declared that present instructions for operation of NOPSI buses are based on the laws of Louisiana and remain in effect. Curtis premised that the order itself is not binding on Louisiana or the city, because it was rendered in an action in which neither the state nor the city were parties.

Weekly 4/7

In his usual frame of mind, Georgia Atty. Gen. Eugene Cook accused the court of "recklessly exceeding its power" in this as well as its previous desegregation decisions. Georgia Gov. Martin Griffin said legal means would be used to fight this decision too.

Few southern official lacked the gumption to voice the belief of City Atty. O. D. Longstreth, Jr., Little Rock, Ark., who stated that he assumed the city would comply with the court ruling as soon as it can be studied and laid before the council.

4-28-56

Further frustrated opposition was expressed by Sen. Walter F. George, (D-Ga.); Sen. Olin D. Johnson, (D-S.C.), and Sen. Harry F. Byrd, (D-Va.).

Meanwhile, Mayor W. A. Gale of Montgomery, and a member of the white citizens council, declared: "We are going to do everything possible to maintain segregation on buses here."

AFTER MONDAY BOMBING

Sellers Reports Threats Made In Telephone Calls

Wed. 2-1-56

Commissioner Clyde Sellers said yesterday he received a series of telephone calls from "anonymous Negroes" threatening him and his family with violence following the bombing of the Rev. M. L. King's home Monday night.

Sellers said he and his wife "recognized the voices as belonging to Negroes." One caller said, according to Sellers, "The same thing is going to happen to you that happened to King."

Monday night a blast which police said was caused by dynamite rocked the parsonage home of the Rev. King, an outspoken leader in the Negro boycott of city lines. There were no injuries.

Commissioner Sellers said he had "several" similar anonymous calls after he returned to his home Monday night following a personal investigation of the bombing at King's home.

He added that police are making periodic checks around his home and are also watching the homes of the other two members of the City Commission, Mayor W. A. Gayle and Commissioner Frank Parks.

Meanwhile, the pro-white Central Alabama Citizens Council offered a $500 reward yesterday for a solution to the bombing. Mayor Gayle had posted a similar $500 reward. Yesterday the commissioners officially confirmed the reward in a resolution which said "strange and foreign acts" such as the bombing will not be tolerated.

Negroes have been refusing to ride city buses here since Dec. 5 in protest to the segregated seating required by state and city laws. Boycott leaders have requested that seats be allotted on a "first come, first served" basis.

The bombing was the first violence reported since the early days of the protest movement. Several shots were fired at buses then but they caused no injuries.

The Rev. King, who returned home about 15 minutes after the explosion Monday night, issued an appeal from his bomb-damaged home to Negro spectators. He urged them not to resort to violence and promised: "If anything happens to me, there will be others to take my place."

State Sen. Sam Engelhardt of Macon County, president of the Central Alabama Citizens Council, announced the $500 reward offered by his group for a solution to the bombing. He said the council is pledged to fight racial integration by legal means and "we deplore this type of demonstration."

Wed. 2-1-56

The three members of the City Commission are members of the council. They revealed last week that they had joined the anti-integration organization after repeated negotiations with Negro leaders had failed to reach a solution to the bus boycott.

2-2-56

Meanwhile, the City Commission refused to grant a hearing for an application to operate a jitney transportation service filed by a group of Negroes.

Explosive Tossed From Automobile

Call Fri. 2-3-56

First Violence In Montgomery Transit Fight

Kansas City

MONTGOMERY, Ala. — (INS) — The bombing of the home of a Negro leader in a transit segregation dispute in Montgomery was being investigated by police Tuesday, Jan. 31.

Mo.

An explosive thrown from an automobile caused slight damage to the home of the Rev. Martin L. King, Sr., Monday night.

The missile fell short of its target and exploded in the front yard, but the blast smashed windows in the house and damaged a supporting post.

The Rev. Mr. King was away and members of his family who were in the rear of the house were not injured.

The bombing was the first act of violence in a dispute in which the Rev. King urged a boycott by Negroes of busses in Montgomery after a Negro woman was fined $10 for violating the city's ordinance requiring separate seating.

The bombing of the Rev. Mr. King's home followed by five days the arrest of the minister on a "speeding" charge on Thursday, Jan. 26.

Call

The Rev. Mr. King said that he was arrested after police trailed him for 10 blocks, carted off to city jail, and fingerprinted him. He was held in jail about 15 minutes.

P.A.

The militant Baptist minister said that he was charged with exceeding the 25-mile speed limit, which he denied.

Rev. King said that police trailed him as he left a pick up stop, and when he discharged one of the occupants from his car, ordered him to pull over to the side and said, "You are under arrest."

He said that he was carried to the jail where police at first refused to allow anyone to sign his bond. He said that those who asked to let them make the bond were told they would have to get a bond from City Hall, which was closed.

Word of his arrest began to travel around town and crowds swarmed the scene where police held the militant pastor. Eye-witnesses said they believe police intended to try to keep the Rev. King in jail overnight.

As excited citizens poured to the scene police, according to eye-witnesses, told Rev. King he could be released upon a recognition bond, but released him without even giving him a bond to sign, the minister said.

The Rev. Mr. King said that police had begun widespread arrests "for the past three days" (Jan. 24, 25, 26) in an effort, he thought, to try to break up the citizens' free transportation system. "More than 100 traffic violation tickets have been issued and some of the car pool workers have been frightened off," the Rev. King said.

King is president of the Montgomery Improvement association, one of the groups which is leading the protest against Montgomery City Lines for alleged mistreatment of Negro passengers on the franchised intra-city buses.

Bus Boycott May Cause Negro Firings

Post-Herald Thurs. 1-26-56

Businessmen Back Commission Stand

Birmingham

Call P.3

MONTGOMERY, Jan. 25 (U.P.) —City Commissioner Frank Park said he received six telephone calls today from businessmen "offering to lay off" Negro employes connected with the boycott of Montgomery city buses.

Park declined to name the businessmen who contacted him.

The commissioner said he received "35 or 40" calls yesterday, many of them from businessmen offering to discharge Negroes taking part in the demonstration.

"I received a call from a businessman today who said he has a Negro whom he has employed for 29 years but would lay off if necessary to help end this boycott," Park said. "I told him I would not suggest discharging the Negro unless he is directly connected with the boycott or is a "tool" of the National Association for the Advancement of Colored People."

Park also said the City Commission has not received "a single phone call or letter" criticizing the commission's stand in the boycott.

"In fact," Park said, "we have had numerous letters commending us for your position."

Mayor Tries 'Get Tough' Policy But It Doesn't Work

Call P.1 Fri. 2-3-56

MONTGOMERY, Ala.—(ANP)—The mayor of Montgomery has announced that the City Commission will make no further attempts to end the 10-week boycott of city busses by Negroes, Mayor W. A. Gayle backed up his stand by joining the Montgomery Citizens Council.

Kansas City, Mo.

Gayle charged that Negro leaders of the boycott "are after the destruction of our social fabric," and added that "we have pussy-footed long enough."

"The vast majority of whites in Montgomery don't care whether a Negro ever rides a bus again," Gayle declared.

Two members of the City Commission announced they also have joined the Citizens Council, which is devoted to preserving segregation by legal means.

The two are Police Commissioner Clyde Sellers and Commissioner Frank Parks.

Whites Play Chauffeur

Gayle went further and warned white Montgomerians against giving rides to Negro employees who refuse to ride the buses. He issued the following statement:

"The Negroes are laughing at the white people behind their backs—the white people who haul the maids and cooks to and from work. They think it's very funny and amusing that whites who are opposed to the Negro boycott will act as chauffeurs to Negroes . . .

"The City Council urges the white people of Montgomery to cease the practice of paying blackmail transportation money in any form or fashion."

Call

The Police Commissioner Sellers, announced that the city's police have been ordered to "break up" Negro groups which he claims have been "loitering" at certain times of the day in white residential areas.

P.4

Sellers was referring to persons who wait at designated spots for cars which have been supplying transportation.

Not Giving Up

Yet, despite the mayor's statement that "the Negroes have made their own beds and the white people should let them lie in it," there was no indication that Negro leaders were prepared to end the boycott which began over segregated seating on the buses.

The Rev. Martin Luther King, Jr., president of the Montgomery Improvement Association and pastor of downtown Dexter Avenue Baptist church, when questioned on a wire service story which quoted the Montgomery City Commission as saying that an agreement had been reached for settling the refuse-to-ride protest which began Dec. 5 said the story was misleading.

King sai[illegible] that no representative of the asso[illegible]tion which he heads had talked with City Hall on Jan. 21. He added that he learned that a Rev. W. K. Kines, a Baptist minister; the Rev. B. F. Mosely, a Presbyterian minister and Bishop D. C. Rice, Holiness minister, reportedly had held conference with the City Commission.

However, the Rev. King said that the three ministers did not speak for the MIA and had not been authorized to confer with the city officials as representatives of the protesting group. He said that he later talked with Rev. Kines and Rev. Mosely who explained how they were brought into the City Hall conference.

Neighborhoods Meet

A mammoth set-the-record-straight mass meeting was held at Beulah Baptist church Monday night, Jan. 23. Five neighborhood report-to-the-people meetings were held Thursday night, Jan. 26.

One of the ministers in the "conference" with the City Commission charged that he was "hoodwinked" into the meeting, according to Rev. King. The MIA president said that he was told by one of the ministers who attended the City Commission's "conference with three Negro ministers" that he was asked to come see about an insurance policy.

Arrest of Mrs. Rosa Parks on Dec. 1 and finding her Dec. 5 set off the refuse-to-ride campaign. The conviction was appealed to Circuit Court but no date has been set for its hearing.

Bus officials have complained that the reduced bus loads growing out of the protest have resulted in a droppage of revenue. City officials, trying to aid the company, granted it a temporary 50 per cent bus fare raise

Negro patrons before the protest gave the company 75 per cent of its bus-riders. Company and city officials have indicated that the protest has resulted in about a 90 per cent fall off in Negro riders.

Negroes Laughing?

Time

For more than 50 days the Negroes of Montgomery, Ala. have boycotted the city buses, protesting segregated transportation (TIME, Jan. 16). Last week Montgomery's Mayor W. A. Gayle reacted in a way that showed how much the boycott—95% effective—was hurting. He first announced that he and his fellow members of the City Commission had joined the extremist White Citizens' Council. Then he announced a policy of no surrender on the boycott: "We have pussyfooted around on this boycott long enough and it has come time to be frank and honest. There seems to be a belief on the part of the Negroes that they have the white people hemmed up in a corner and they are not going to give an inch until they can force the white people of the community to submit to their demands—in fact, swallow them all." (The Negroes demand seating in buses on a first come, first seated basis, with whites seating from the front backward, Negroes from the back forward.)

Mayor Gayle was specially vexed about the white families who give car rides to their Negro help, or pay their taxi fare. He said that the cooks and maids who boycott the buses "are fighting to destroy our social fabric just as much as the Negro radicals who are leading them. The Negroes are laughing at white people behind their backs . . . They think it's very funny and amusing that whites who are opposed to the Negro boycott will act as chauffeur to Negroes who are boycotting the buses. When a white person gives a Negro a single penny for transportation or helps a Negro with his transportation, even if it's a block ride, he is helping the Negro radicals who lead the boycott. The Negroes have made their own bed, and the whites should let them sleep in it."

Chicago, Ill

* Two of Major John Eisenhower's children, David, 7, and Barbara Anne, 6, attend a private Episcopal school in Alexandria, Va. Susan, 4, goes to the integrated kindergarten at the U.S. Army's Fort Belvoir, Va. All three children attend Sunday schools that have Negro as well as white children.

Mixed Groups Meet To Discuss Ways To Settle Ala Turmoil

Informer Sat. 2-25-56 p. 20

Houston Tex.

MONTGOMERY, Ala. — Last Saturday more than 202 whites and Negroes met to discuss ways of settling the tension and strife in that city. The meeting was not only in defiance of the Citizens Council. but in defiance of the Alabama law which forbids mixed meetings.

The meeting was sponsored by the Alabama Council of Human Relations. Among the sponsors were Representatives George Hawkins, floor leader in the State House of Representatives; James Battle, executive secretary of the State Congress of Industrial Organizations; Carl Griffin, state president of the AF of L; Rev Albert S. Foley, professor of Psychology at the Jewett Spring College of Mobile; Rabbi Charles Mantinban of the congregation B'nai Israel of Hattesburg, and many others.

TOOK COURAGE

It took a lot of courage for these whites to attend the meeting. Just the night before, the Citizens Council had a meeting attended by Senator Eastland, Attorney General Cook of Georgia, and other big shots, in which they had raised sand on the race issue.

Dr L. H. Foster, president of Tuskegee Institute, spoke of individual leadership in a crisis, and said; "We will all agree we are pacing a crisis."

The meeting was at Alabama State College. At lunch whites and Negroes sat together in the cafeteria.

WALK TO COURT

Ninety of them walked to the courthouse for arraignment on antiboycott indictments returned by a grand jury Tuesday. They all pleaded innocent and their trials were set to start March 19.

Defense attorneys at the same time filed demurrers contesting the indictments which charged violation of Alabama's law against "illegal" boycotting. Maximum penalty under the law is six months in jail and a $1,000 fine.

BACK BI-RACE BOARD

Meanwhile, at the Alabama Capitol, Gov. James E. Folsom won support from a group of newspaper editors and publishers and radio and television broadcasters for a proposed biracial commission to settle differences between the white and Negro races.

Meanwhile, in New York, Rep. Adam Clayton Powell (Dem) at an emergency meeting of Negro church leaders called for a one-hour mass work stoppage of every Negro in the nation March 28 in support of the Montgomery boycott.

week-old bus boycott. They also walked home.

have appealed to both races to scorn the use of force and seek instead a law-abiding, peaceful settlement of their differences.

Negro ministers, 24 of their own number charged with violating the state's anti-boycott law, answered the mass of Grand Jury indictments with prayers for "those who hate us" and with urgent pleas for a continuing campaign of "passive resistance" without violence.

Appeal to Ike

IN WASHINGTON, bishops of the African Methodist Episcopal Church appealed to President Eisenhower to act against what they called the "tragic persecution" of leaders of the boycott.

The AME Council of Bishops passed a resolution calling on Eisenhower to "place the full power of the executive branch of our government against this tragic persecution of innocent Americans."

Boycotters Hoof It to Ala. Court

Constitution Sat. 2-25-56 p. 1

MONTGOMERY, Ala., Feb. 24 (AP)—Shunning rides, Negroes in uncounted numbers walked the streets of Montgomery today to demonstrate their continued protest against segregation on city buses.

Atlanta Ga.

They trudged to work through a drizzling rain in response to an appeal from their leaders for a mass 24-hour pilgrimage on foot to prove their willingness to walk if necessary to carry on their 11-

Negroes vow to push boycott despite onset

News Sun. 2-26-56 p. [illegible]

BY REX THOMAS

MONTGOMERY, Ala., Feb. 25—(AP)—An historic week of racial unrest in the Cradle of the Confederacy found bus-boycotting Negroes undismayed Saturday despite the onset of legal reprisals.

Birmingham, Ala.

But there was still an atmosphere of tension which led an investigating Grand Jury to warn of violence unless race relations in Montgomery take a more favorable course.

White and Negro leaders alike

Case under study

News P.1

Two of judges indicate bus laws in force

B'ham, Ala.

Sat. 5-12-56

BY HUGH W. SPARROW, News staff writer

MONTGOMERY, Ala., May 12—After a day-long hearing in connection with a petition by which several Negroes are seeking to outlaw state and local bus segregation laws, three federal judges took the case under advisement Friday afternoon.

Although the judges composing the panel did not indicate just when they would be ready with their decision, at least two of them left no doubt as to how they feel regarding one point.

BOTH JUDGE RICHARD T. RIVES of the U. S. Circuit Court of Appeals and U. S. District Judge Seybourn Leynne of Birmingham declared several times, especially during arguments, they do not think the U. S. Supreme Court has ruled finally on bus segregation laws.

Judge Lynne pointedly interrupted one of the Negro attorneys who had just claimed that the April 23 action by the high court in connection with a case from South Carolina was in effect a ruling that bus segregation is unconstitutional.

JUDGE LYNNE insisted that the court had not ruled at all. Furthermore, he pointedly reminded another attorney that the high court in its ruling banning racial segregation in the schools specified that it was invalidating only that part of the 1896 ruling in the Plessy case as it related to education.

Later on, Judge Rives expressed a similar opinion and once again Judge Lynne replied that "That's my opinion, too." The third judge, newly appointed Judge Frank Johnson, did not comment.

The hearing Friday by the three judge special tribunal was the second case this week n which constitutionality of state and local bus segregation laws was at issue.

Circuit Judge Walter B. Jones, of Montgomery, in a decision handed down in a case brought by the Montgomery City Commission, upheld legality of the laws. In addition he granted the commission's request for an injunction compelling the Montgomery City Bus Lines to observe segregation laws in seating passengers.

News

One of the main points raised by Judge Jones in his decision was that the U. S. Supreme Court has not ruled at all on the question of legality of bus segregation laws.

P. 2

The case before the three judge tribunal Friday was one in which four Mongtomery Negro women are asking the court to issue a declaratory judgment holding the law invalid.

Sat. 5-12-56

THE JUDGES heard testimony from the Negro plaintiffs, from bus and city officials and from others during the forenoon.

After lunch the court listened to arguments and then took the case under advisement.

The case heard Friday named the Montgomery City Commission, police authorities and the Alabama Public Service Commission as joint defendants.

Because state officials and a state agency was involved, Atty. Gen. John Patterson and three assistants appeared as special counsel for Public Service commissioners.

Mr. Patterson presented a motion that the court eliminate Public Service commissioners as joint defendants.

EARLIER Mr. Patterson had placed Commission President Jack Owen on the stand. He testified that under Alabama law the APSC has no authority to regulate the Montgomery Bus Lines.

The commission lacks authority, he said, because the Montgomery lines operate entirely within the city limits. The commission, he added, has power to regulate but one similar transportation company, the Birmingham Transit Company. That authority, he said, is included in a special act.

In his argument Friday afternoon Atty. Gen. Patterson contended the Public Service commissioners were added as defendants in the amended complaint in order to assure a three-judge panel to hear the case.

Sponsors of the suit, he added, knew that it is customary for appointment of a three-judge panel, headed by an appellate court judge, in cases where state officials or a state agency is a defendant.

The attorney general declared also that the plaintiffs wanted a three-judge court to try the case because appeals can be taken directly from such a tribunal to the U. S. Supreme Court without having to go first to the Court of Appeals.

The judges, however, reserved an opinion concerning Patterson's motion. At the start of the hearing they announced they would not rule on any motion until they are ready to announce their final decision.

Atty. Walter Knabe represented the city officials and Robert T. Thrum was counsel for the bus line.

Asst. Atty. Gens. William N. McQueen, Gordon Madison and William T. Black assisted Atty. Gen. Patterson.

THE PLAINTIFFS, Susie Mae McDonald, 77, Aurelia Browder, Mary Louise Smith and Claudette Colvin, the latter trio still in their 'teens, testified.

Each testified, more or less in shrill or indignant tones. They alleged a mistreatment received at the hands of bus drivers. They said they objected in particular to having to move their seats to accommodate white patrons.

One witness, the Colvin girl, spoke in a slurring tone and sought to give extensive replies to questions.

Judge Rives finally instructed her to give direct answers to Atty. Knabe's questions and to "stop trying to make speeches."

All three judges appeared interested in just how the bus companies assigned separate seating space to white people and Negroes.

Reynolds C. Mills, an employe of the bus company, said that on buslines serving Negro areas the space alloted to Negroes generally was "more than three-fourths the entire seating capacity." He declared also that bus drivers had authority to adjust the marker dividing the seating space to meet particular occasions.

MR. MILLS told the court that invariably more white people than Negroes are required to change their seats in adjusting the seating capacity to meet special demands.

Plaintiff attroneys sought to develop that Montgomery Negroes are ready to end the six-month-old boycott and go back to riding buses if segregation is outlawed.

Attorneys for the defendants sought in turn to prove that the boycott was all a part of a prearranged plan to have segregation laws attacked in court.

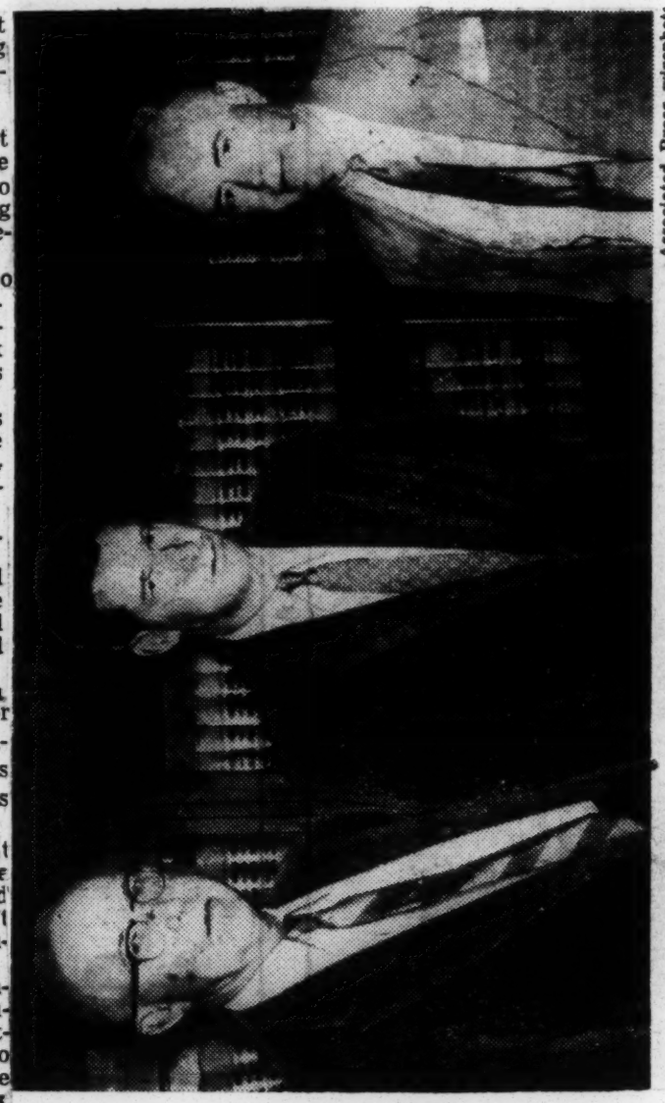
Montgomery Mayor W. A. Gayle testified briefly.

Reliable Negroes, he said, had told him they would like to use the buses again but were afraid of being abused by so-called "goon squads."

Negro Atty. Fred D. Gray, on cross-examination, asked Mayor Gayle: "Do you think it conducive to improved race relations your joining a White Citizens Council?"

"I'll belong to anything that believes in law and order," the mayor replied. "If they started anything out of line I wouldn't be a member, but I have confidence in that organization."

Most of the courtroom spectators were Negroes. They occupied seats anywhere in the courtroom. Apparently there was no semblance of segregation in the courtroom seating arrangements.



Associated Press wirephoto

THREE-JUDGE PANEL HEARS BUS SEGREGATION ARGUMENTS . . . Richard T. Rives, Frank M. Johnson, and Seybourn H. Lynne

The Bus Segregation Ruling

News P. 10

Wed. 6-6-56

B'ham, Ala.

Two of three federal judges on a special panel held yesterday in Montgomery that segregation on local buses is unconstitutional.

The third judge dissented, holding that the "separate but equal" doctrine of Plessy v. Ferguson of 1896 still applies.

It is to be noted, however, that the decision does not immediately become effective. The majority opinion declared: "This holding does not . . . become effective until the entry of formal judgment. The parties are requested to submit to the Court in writing within two weeks from the date of this opinion their views as to the form of judgment to be entered and as to whether such judgment should be stayed pending appeal to the Supreme Court of the United States."

This makes it clear that the legal issue is not yet finally decided; that application of the ruling is not yet ordered.

The majority opinion handed down by Judge Richard T. Rives of the United States Circuit Court of Appeals and Judge Frank M. Johnson of the United States District Court in Montgomery concurred in the Fourth U. S. Circuit's opinion in a South Carolina case that the separate but equal doctrine can no longer be safely followed as a correct statement of law.

The Supreme Court in April returned that case to the lower court. This action was widely interpreted to mean the Circuit Court was upheld. But others have maintained that the Supreme Court has not passed on the basic issue.

In a Montgomery case, Alabama Circuit Judge Walter B. Jones held that the Supreme Court had not passed on the constitutional issue and that state and city segregation laws remained in effect. The majority opinion of yesterday expressed the view the 1896 ruling "has been impliedly, though not explicitly, overruled."

It held that segregation laws applying to a common carrier "violate the due process and equal protection of the law clauses of the 14th amendment to the constitution of the United States."

In his dissenting opinion, Judge Seybourn H. Lynne of Birmingham took the position that the "separate but equal" 1896 ruling still applies in local public transportation.

He wrote that it seemed to him that in its decision against segregation in public schools the Supreme Court recognized that there still remains an area within our constitutional scheme of state and federal government wherein the "separate but equal doctrine" may be applied "even though its applications are always constitutionally suspect and for 60 years it may have been more honored in the breach than in the observance."

He pointed out that Congress had not proscribed segregation in intrastate transportation, and continued: "While any student of history knows that under our system of government vindication of the constitutional rights of the individual is not, and ought not to be, entrusted to the Congress, reticence to intrude upon the internal affairs of the several states should caution us against doing so where the path of duty is not plainly marked and when we must hold a clear precedent of the Supreme Court outmoded."

In our lay view the Supreme Court's action in the South Carolina case did not clearly pass on the intrastate issue. Undoubtedly the issue will eventually reach the Supreme Court.

The majority judges in the Montgomery case acted wisely in delaying issuance of an order putting their ruling into effect and in asking views of the parties in the case "as to the form of judgment to be entered, and as to whether such judgment should be stayed pending appeal to the Supreme Court of the United States."

suit decided yesterday were given two weeks to make written suggestions whether an injunction should be granted pending an appeal and how the formal anti-segregation order should be entered.

THE ALABAMA Public Service Commission, a defendant in the suit by four Negro women, announced it would seek to have the ruling set aside pending an appeal it would make directly to the U. S. Supreme Court. It said "any other action would invite racial conflicts in this state."

The Montgomery City Commission, another defendant in the suit, issued a brief statement taking note of the decision. The group said it had not decided what to do.

The appeal might result in the first clear-cut Supreme Court decision on intrastate bus segregation.

ONLY A HANDFUL of Montgomery's 50,000 Negroes rode city buses yesterday after the decision was given on the six-month anniversary of the boycott's beginning Dec. 5, 1955.

King, who was convicted under an Alabama anti-boycott law for helping lead the protest, said yesterday "it is certainly our hope that the court will not suspend its decree pending an appeal.

"It must be emphasized that the decision does not immediately affect the protest," the Baptist minister added.

King said Negroes will end the boycott "whenever it becomes possible to go back on city buses on an integrated basis."

EVEN THOUGH state bus segregation laws were held unconstitutional, separate action will be needed against them in other Alabama cities. One of the judges who signed the majority opinion, Frank M. Johnson Jr. of the Middle District of Alabama, said that in this respect the decision was comparable to the May 17, 1954, Supreme Court

POINTING OUT the two-week period for submission of views, the commission said "we interpret this to mean that the matter is in status quo until a formal judgement. We feel that it would be improper to determine our course of action until a formal judgement is rendered by the court."

Two of Birmingham's three city commissioners said they plan no changes in segregation laws.

Gov. James E. Folsom was not available for comment.

JOHNSON of Montgomery, and Judge Richard T. Rives of the U. S. Fifth Circuit Court of Appeals, sitting in New Orleans, signed the majority opinion. They held bus segregation a violation of the 14th Amendment to the U. S. Constitution.

Judge Seybourn Lynne of the Northern District of Alabama, Birmingham, dissented with the opinion that the "separate and equal" doctrine of racial segregation applies on buses.

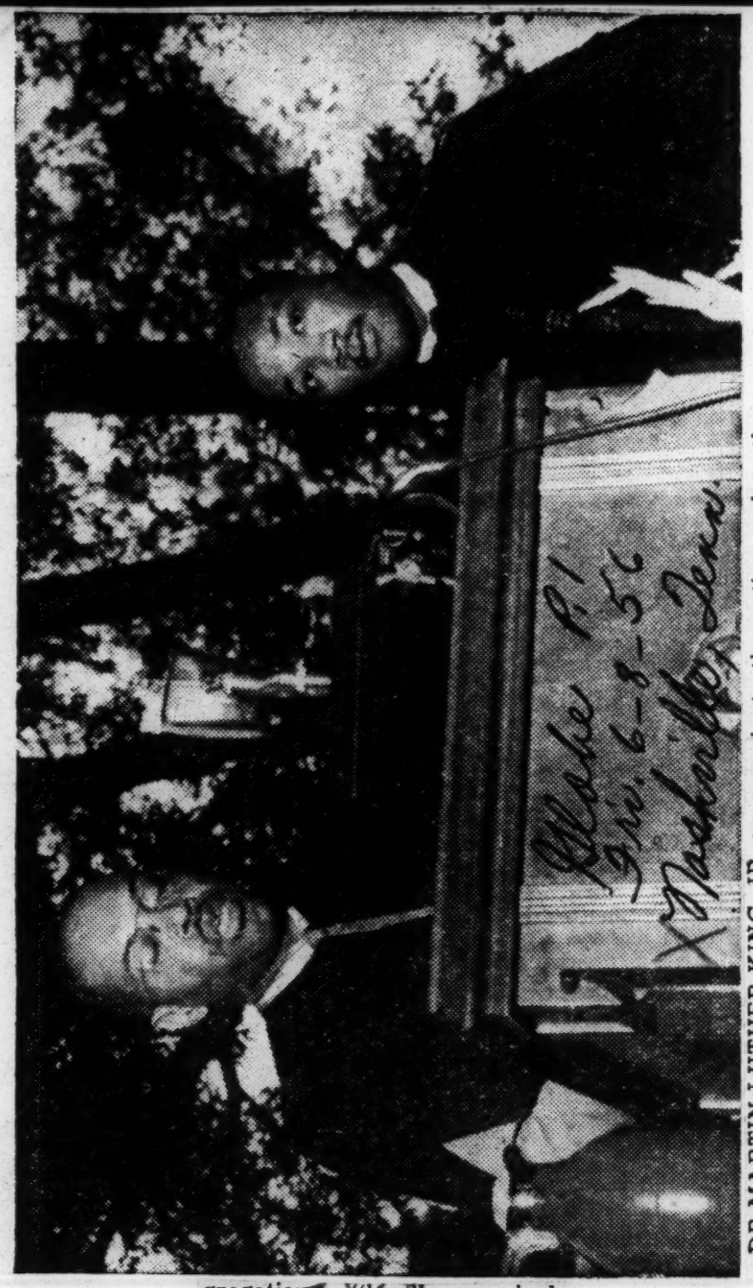
Yesterday's decision "calls for both realism and sober wisdom, the Alabama Council on Human Relations said last night. A statement from the bi-racial group that seeks to build mutual consideration between whites and Negroes was issued by its executive director, the Rev. Robert E. Hughes.

"We must face the fact that regardless of personal feelings our laws have been changed—by judges born and reared in Alabama," the council said.

wooden cross was burned last night in front of the home of a Negro who is a plaintiff in a suit filed here challenging the constitutionality of Tennessee's bus segregation laws.

The gasoline-soaked cross was set near a hedge in front of the brick home of O. Z. Evers, Negro postal employe. Evers filed the anti-segregation suit yesterday through the National Assn. for Advancement of Colored People.

'New Negro' Leader Honored



DR MARTIN LUTHER KING, JR. once again to the nation and to the leader of the Montgomery, Ala., bus world the tremendous power of boycott, was honored last week by moral conviction in a righteous enalumni of Fisk University with a deavor, and in so doing you have citation for distinguished service served the cause of liberty and free- and an honorarium of $500. The citadom everywhere." Shown making tion read. "In the Cradle of the the Jerome Davis alumni award is Confederacy you embodied the spirit of the New Negro, seeking Louis P. Clark, left, president of the equal justice under the law in the Fisk alumni association.—Gunter democratic tradition and the Christian spirit. You have demonstrated

Protest continues—

Boycotters await federal injunction

News Wed. 6-6-56 P 21

MONTGOMERY, Ala., June 6—(AP)—Negro leaders of the Montgomery bus boycott waited today for a federal court decision against city bus segregation to result in an injunction against city and Alabama bus segregation laws. Birm. Ala.

"The protest will continue until this is cleared up," the Rev. Martin Luther King Jr., one of the boycott leaders, said yesterday.

Three federal judges decided yesterday by a 2-1 vote that the laws are unconstitutional. Lawyers who on May 11 argued the decision against segregated public schools.

Local implementation of the school decision depends upon individual court orders, Johnson said, and so would application of the bus segregation decision.

Montgomery's City Commission issued a statement after meeting on the decision.

ATTACK BIAS IN MIAMI

MIAMI, Fla. — Segregation was challenged aboard public buses here last week and Florida's first school suit was filed also. Birmingham Ala. Sat. 6-23-56

Mrs. Bessie Kerbo, 50, posted a $25 bond on a disorderly conduct charge after refusing to move to the rear of a city bus.

At the same time, the NAACP filed a suit in Federal Court for six parents against the Dade County school board to compel admission of their children into white schools.

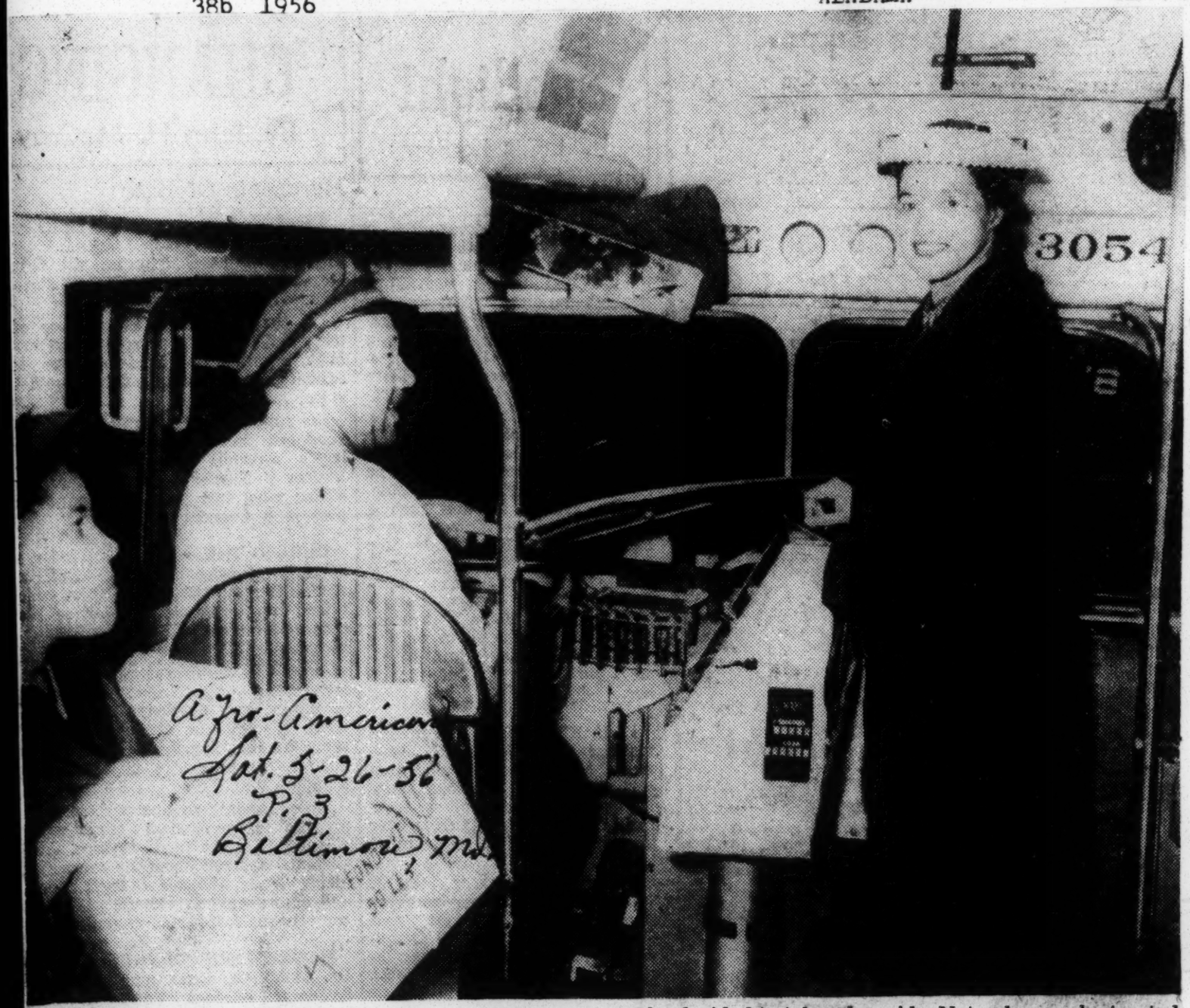
Hebrew leader hails boycott

Afro-American Sat. 6-23-56

NEW YORK — "The most radiant example of religion in action was the bus strike engendered by Christian clergymen in Montgomery, Ala.

"Yet," said Dr. Maurice N. Eisendrath, president of the Union of American Hebrew Congregations, "hardly a single white Christian clergyman or rabbi dared to raise his voice on behalf of the sublimely courageous group, led by Dr. Martin L. King and his true band of 'protestants.'"

Jewish groups "ought to join in this momentous effort," Dr. Eisendrath warned, adding "If we do not share in the struggle we are guilty of the grossest idolatry."



FAMOUS BUS BOYCOTTER—Since Dec. 1, 1955, when she was arrested in Montgomery, Ala. for failing to get out of her seat for a white man, Mrs. Rosa Parks has not been on a bus. Last week, while in New York, she decided to take a bus ride. Not only was she treated courteously, permitted to sit where she desired, but she found it was operated by a colored driver, Delbert Bradley.

"We are determined to win with the weapon of love," boycott leader says

Afro-American Sat. 5-26-56
Baltimore Md.

BY AL SWEENEY

MONTGOMERY, Ala. — "I want it to be known throughout the United States and the world that the 50,000 colored people are determined that there will be no bloodshed on their part, if integration comes." P. 3

The Rev. Martin L. King, president of the Montgomery Improvement Association, made the vow at a mass meeting at the Hutchinson Street Baptist Church Thursday night.

"I note that the police commissioner Walter Sellers has predicted that there will be bloodshed if segregation is ended.

* * *

"I ALSO NOTE that Circuit Judge Walter B. Jones took cognizance of the Sellers observation and ordered the bus company to comply with the segregation laws because of this predicted bloodshed."

The Rev. Mr. King told the assemblage that filled the church that on Friday four of their members were going into Federal Court to seek an end to segregation on the buses.

"Our lawyers believe that the Supreme Court in its recent ruling on a bus segregation case said that segregation in public transportation is illegal.

* * *

"HOWEVER, CERTAIN lawyers have reinterpreted the decision to say that it merely applied to Columbia, S.C.

"As we go into court we go with the virtue of optimism. We are optimistic enough to hope for the best, but realistic to expect the worse.

"In our latest case, we have the comfort of knowing that it will be heard by Federal judges. Our local judges, it seems, succumb to whims and caprices of local custom in deciding cases like ours.

* * *

"IN THE FEDERAL Courts, a judge is appointed and doesn't have to worry about being reelected.

"God grant them the moral courage and integrity to interpret the Constitution in its true meaning.

"If a speedy decision is granted and there is no reason to expect it, don't go back to the buses until you hear from us.

"We will study the decision, if it is made.

"I am convinced that segregation is on its death bed. As sure as the sun rises in the cosmic order segregation is finished.

"Not only because nine judges have indicated so, but because it is the will of God Almighty.

* * *

THE REV. MR. King pointed out if segregation is eliminated that the people should not gloat over a triumph.

"Freedom carries with it an obligation. Freedom is not from something, but to something.

"Once it is achieved, we should take our freedom seriously and our new responsibility seriously.

* * *

"REMEMBER THAT our movement is one in the cause of nonviolence. We use the ammunition of love and the breastplate of righteousness.

"We want it known that the colored people of Montgomery are not advocating bloodshed."

* * *

THE REV. RALPH D. ABERNATHY, chairman of the program committee, announced that the twice weekly mass meetings would be shortened during the summer season.

"We are putting a time limit on all speakers."

In urging the members of the protest movement to continue to pray for success of the boycott and for the trial which seeks to end bus segregation, Rev. Mr. Abernathy said:

"Let us pray that the Kingdom of God will come in our day."

* * *

ELDER E. H. Mason, pastor, Ross Street Christian Church, delivered the meetings "pep talk." Dr. Moses Jones, a physician, presided.

Other participants were: the Rev. G. H. Smith, pastor, St. Mark Baptist Church; the Rev. B. J. Simms, chairman, transportation committee; and Dr. Vernon Jones, former pastor of Dexter Avenue Bapt. Church.

Dr. H. H. Johnson was the host pastor.

Bus Protest Leader To Speak at NAACP Convention

Des Moines Iowa
5-17-56

San Francisco—The Rev. Dr. Martin Luther King, leader in the Montgomery, Ala., bus protest, will be a principal speaker at the annual convention of the NAACP here next month. Seven hundred delegates are expected to attend.

The convention, to be held June 26 to July 1 in the Civic Auditorium, will have as its general theme, community action for civil rights.

This theme will be emphasized in daytime workshops dealing with the elimination of segregation and discrimination in housing, public education both North and South, employment, transportation, recreation and public accommodations. Other workshops will be concerned with political action and improving branch activities for community civil rights.

The Spingarn Medal, annually awarded to a Negro American for distinguished achievement, will be presented during the convention. A "Freedom Fund" dinner will feature awards to NAACP state and local units for outstanding achievement during 1955.

Defender Sat. 5-26-56 Chicago Ill.

AT NEW YORK observance of a "Day of Prayer and Thanksgiving" are (from left) Rev. Horace W. B. Donegan, Bishop of New York; Rev. Martin L. King, leader of the Montgomery, Ala., bus boycott and the Rev. James A. Pike, dean of the Cathedral of Saint John the Divine.

Defender Ill.

CHICAGO'S Orchestra Hall was scene of Windy City observance of "Prayer and Thanksgiving" day. Participants included (left to right) A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters and a vice president of the AFL-CIO; Dr. Joseph H. Jackson, pastor of Olivet Baptist church and president of the National Baptist Convention, U.S.A., Inc., and Mayor Richard J. Daley, Ill.

Bus Boycott To Continue, Leaders Say

Constitution Mon. 2-27-56 Atlanta Ga.

MONTGOMERY, Ala., Feb 26 (AP) — Negro ministers indicted last week in the bus boycott predicted from their pulpits today that the protest against racial segregation would continue. P. 1

The Rev. Martin Luther King Jr., pastor of Dexter Avenue Baptist Church, told his congregation that "segregation can't survive because God is against it."

King said he recenty visited Nashville, Tenn., and 90 per cent of the Vanderbilt University students with whom he talked said they were for integration.

Another indicted minister, the Rev. R. W. Hilson, declared from the pulpit that the bus boycott "has become a spiritual movement for us."

Hilson said his congregation at St. John's AME Church indicated the members strongly favor continuing the 12-week-old boycott.

King, preaching to a capacity crowd, urged Negroes to "Just keep loving" the "enemies and don't lose faith in man."

Informer Sat. 4-7-56 P. 20 Houston, Texas

MRS MARTIN L. KING AND BABY

Brooklyn Gives Hero Welcome To Dr King

Informer Sat. 4-7-56 Houston, Texas P. 20

NEW YORK — Dr Martin Luther King just convicted of illegal boycotting in Montgomery, was given a welcome by 2500 white and black church members in Brooklyn last Sunday.

The audience laughed and wept they prayed and they yelled. They poured out their money in wastebaskets, sartons, cooking utensils, cake boxes, and every sort of container. It is believed that the collection ran into the thousands.

They did all of this during and in response to Rev King's sermon on passive resistance and love in response to hate.

The invocation was given by a Roman Catholic priest. A rabbi also participated in the ceremonies.

Dr King emphasized the Christian basis of the Negro's program in Montgomery, and it was appropriate on this Palm Sunday for him to quote Christ as having said: "I come not to bring peace but a sword." He explained that the sword in this instance was non-violence evoked against the evil traditions of abuse and segregation. There was not a single infection of bitterness in the Reverend's whole sermon. There was wit, such as: "The South has a heart, but it just has a little heart trouble now."

He told how Negroes were abused on Montgomery buses being forced to stand while empty seats remained for whites who might come; how pregnant Negro women were told to go back to the rear and stand with the rest of the black apes."

Probably the most pathetic scene was when a little white girl, about 10 or 11 years old, shyly dumped her piggy bank into the collection basket.

The Reverend emphasized that however badly they may be treated in the future, they will not resort to violence, and they will not degrade themselves by hatred. He said that the Negroes will return good for evil, that they will love their enemies . . not the way you love your wife, but the kind you love that God prescribed for the brother man. He said Christ showed the way, and Ghandi of India showed how it could work.

Rev King told them the fight would go on whatever happened to him or any other Negro. He announced firmly that he intended to appeal the fine of $500 and the court costs of $500. When the meeting was over, he left to return to Montgomery, where his work was awaiting for him.

Bus Discrimination Ruled Unlawful As Boycott Continues

Globe P.1
Grd. 6-8-56
Nashville Tenn.

Two To One Decision Was Made On Constitutional Question And May Be Final; Scofflaws In Birmingham Say Will Not Give UP Jim Crow Policy; They Still Believe Local Law Upset "Uncle Sam"; Resistance Could Get Somebody In Jail

38b

Another ruling by Federal jurists, capable of producing plenty of delays and law suits over its enforcement, has been handed down by a three-judge panel in Montgomery, Alabama.

The ruling which a three-judge panel handed down Tuesday by a 2-1 vote, is intended to bring to an end the horrid segregation law of Montgomery, which in its worst aspect compels colored women to give up their seats on city buses if and when a white man gets aboard and wants to sit down.

In Montgomery it produced the most courageous resistance the South has ever witnessed and the end is not yet. It caused the offended Negro population of Montgomery to stop riding the buses and here lately indications are that many of these thousands of colored citizens may have bade bus-riding good-by forever.

According to the latest count, there are more than 20 new station wagons purchased by colored church congregations, running in Montgomery and carrying their church m[illegible] and from their places of employment. Many buses are sitting idle in their barns; fares have been increased in a desperate effort to stave off financial losses and thus keep the bus company from going out of business in Montgomery.

The success achieved by the colored people in Montgomery has inspired offended colored citizens of other cities, especially, Tallahassee, Fla., where another such incident as touched off the Montgomery boycott occurred some two weeks ago.

It was the arrest of two colored students of Florida A&M University for occupying a bus seat that had been "reserved" for white persons, only.

In Montgomery, many months ago, it was the arrest of a highly respected colored woman who refused to stand up and give a white person her seat.

Prominent in the news as actors in the Montgomery court decision are three Federal judges. They are Judge Richard T. Rivers of the Fifth U. S. Circuit Court of Appeals, whose home is in Montgomery and District Judges Frank M. Johnson, Jr., of the Middle District of Alabama and Judge Seybourn H. Lynne of the Northern District of Alabama, and who lives in Birmingham.

An unusual phase of Court action taken in Montgomery was that it was not unanimous. Birmingham Judge Lynne dissented and took his stand on the validity of the "separate but equal" theory which the U. S. Supreme Court wiped out in its May 17, 1954 decision. The other two judges, whatever their private opinion may be about old time "separate but equal," took their stand on what the latest ruling of the Supreme Court is. They held that the racial segregation policy on Montgomery buses violated the 14th Amendment of the U. S. Constitution. In other words, whereas, heretofore Federal Courts have outlawed segregation in interstate transportation, this decision in Montgomery ushers in a new day when racial segregation will be unlawful on buses, makes no difference whether the vehicles operate between places within or in and out any state.

The decision drives another nail in the coffin of the thing called the "rights of the states." States have no rights that permit them to violate the rights of the people.

What will cause a temporary delay in putting the latest ruling on bus segregation into effect is the privilege granted the attorneys on both sides to write out their views on how the formal judgment should be stated and to say whether the decision should be carried to the Supreme Court for a final decision.

Already the Supreme Court has calmly stated that it hoped the lawyers and judges would not clutter up the highest court's docket with cases on which the law is plain.

Nashville Tenn.

Scofflaw elements in the South have stated that they intend to keep colored people spending money on lawsuits over matters on which the courts have ruled. The hope is that the obstructionists will get a cease and desist order from "on high" that will put them in danger of being held in contempt of the Supreme Court.

Lots of citizens woud love to see a judge, lawyer or bus operator looking through the bars of a good stout jail because he had defied the edict of the highest court in the land.

It is believed that the decision of the court in Montgomery not only applies to that city but to the whole state of Alabama and probably to every state having segregation on vehicles of transportation. But it was prominently set forth in the press early this week that in Birmingham the city authorities had said they did not "contemplate" changing their rule on seating because they have a law requiring bus companies plaintly to state with signs where colored people and white people must sit.

In Montgomery the law was disgusting to colored passengers, in that it permitted the bus operators to compel colored passengers to climb up on the front of a bus, put their fares in the box and then get off and run around to the back and get on. Often passengers would do that and before they could speed to the back and get on, the bus operator would pull off and leave the passengers standing.

That and many other such humiliating antics of the bus operators, including the abuse of colored women, made up the accumulation of straws that finally broke the Montgomery camel's back.

Maybe if the preachers hadn't been so scared of their jobs and the money they get from manipulating the Scriptures in a way to make them misrepresent Jesus Christ, they could have preached some human justice into the city's lawgivers and bus company. But there is no evidence they ever bothered about the cruelty to colored citizens.

They ignored the Montgomery situation until the Rev. King, a young Baptist pastor and one of the successor's of the late Dr. J. T. Brown as the minister of Dexter Avenue Baptist Church in Montgomery, became righteously indignant and majored in getting the bus boycott started six months ago.

Now the bus company and the petty lawgivers of Montgomery better understand what is meant in the Bible where it says "The wages of sin is death, but the gift of God is eternal life."

ONE OF GROUP PROTESTS—

News P. 1

Leaders of bus boycott misuse funds, is claim

B'ham, Ala.

Ins. 6-12-56 38

BY HENRY S. BRADSHER

MONTGOMERY, Ala., June 12—(AP)—Leaders of the six-month-old bus boycott by Montgomery Negroes were charged by one of their number last night with putting personal interests before the protest movement and with misappropriation of boycott funds.

The Montgomery Improvement Assn., which coordinates the boycott for the city's approximately 50,000 Negroes, replied early today that the criticism was "simply another attack designed to hinder our protest movement."

The recording secretary of the association and one of its founders, the Rev. U. J. Fields, resigned his post with the accusations. The Negro minister said, "I can no longer identify myself with a movement in which the few are exploiting the many."

FIELDS SAID boycott leaders "have become egotistical and interested in perpetuating themselves." He charged that "individuals who are handling" money contributed across the nation to support the boycott "are using it for selfish purposes."

The 25-year-old Baptist minister, who three months ago was involved in disputes with his congregation that he said stemmed from his role in the boycott, did not name any individuals.

Dr. Moses W. Jones, second vice president of the MIA, issued a statement from the group today. It termed Fields' criticism "deeply regretable."

"No money received by this association has been misappropriated," the statement said. Individual officials of the MIA who handle its finances also issued flat denials of financial misconduct.

THE STATEMENT contained no direct comment on Fields' charges that boycott leaders have placed personal interest above protest interests.

The MIA was organized when the boycott began Dec. 5, 1955, after Mrs. Rosa Parks, Negro seamstress, was fined $14 for violating bus segregation laws. The association president is the Rev. Dr. Martin Luther King Jr., who was out of town today.

The boycott led to a federal court test of Montgomery city and Alabama state bus segregation laws. A week ago a three-judge federal court panel ruled the laws unconstitutional but held up an injunction against them until attorneys have filed briefs on the decision.

Boycott leaders said the protest will continue until the laws are finally eliminated. State officials said the federal decision will be appealed directly to the U. S. Supreme Court.

FIELDS SAID THAT his position as recording secretary had given him knowledge of funds contributed to support the boycott. He estimated that an amount "up in the thousand of dollars" had been diverted from the announced purpose of providing private transportation for boycotting Negroes.

The MIA has been paying about $3000 a week to provide car pool transportation for the boycotters. Fields said churches, labor unions, industries and "all kinds of social and political organizations" across the nation have been supporting the boycott in addition to the contributions by Montgomery Negroes.

News P. 2

Fields was a recalcitrant state witness during the March investigation of the boycott that resulted in conviction of King for violating an anti-boycott law. Shortly after Fields' appearance on the witness stand a group in his church tried to oust him from his pulpit.

He said at the time "pressure was put on some of my parishioners from outside" because of his "progressive" stand on racial questions.

Ins. 6-12-56

Last night the young minister said that some donations are not brought back to Montgomery in their entirety by couriers who go to get them and that some that reach the association are diverted by persons "using it for their own purposes."

The chairman of the MIA finance committee, the Rev. R. J. Glasco, said Fields' charges of misappropriated funds were "definitely false." His comment was echoed by C. W. Lee, assistant MIA treasurer, and Mrs. Erna Dungee, financial secretary.

Won't be intimidated by ban, says NAACP

NEW YORK, June 12—(AP)—The National Assn. for the Advancement of Colored People says it "will not be intimidated" by an Alabama injunction banning the NAACP from that state.

The NAACP board of directors said yesterday the organization will fight the ban "in the courts and in the arena of public opinion."

Board Chairman Dr. Channing H. Tobias said the board adopted a policy statement that "instructs the NAACP attorneys to take the necessary legal steps to obtain a hearing on the merits of the Alabama injunction at the earliest possible time with a view to dissolving the court's restraining order."

The court order restrains the NAACP from doing business in Alabama on grounds that its actions in the state have been aimed at violation of Alabama law.

Boycott Anniversary Marked By Negro Community Fasting

Advertiser P. 6-C

Ins. 12-1-56

The ringing of Montgomery Negro church bells early yesterday began "a day of fasting and prayer," marking the beginning of a second year of resistance to segregation by local Negroes.

Delegates to the Negro Institute on Non-violence and Social Change being held here this week, and Montgomery Negroes in general, participated in the commemoration of the start of the bus boycott a year ago.

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Bells rang for five minutes and Negro churches opened at 6 a.m. to conduct services for worshippers on their way to work.

Most Montgomery Negro families reportedly abstained from food until late in the afternoon. A source at Alabama State College for Negroes said, however, the school's dining hall operated as usual.

The usual luncheon meeting held daily since the institute started was canceled. Institute chairman Ralph D. Abernathy, one of the boycott leaders, said he couldn't tell how many Negroes observed the day of fasting. Abernathy added that all Negroes he had contacted went without food.

At the seminar yesterday afternoon, the Rev. Glenn Smiley, white field secretary or the Fellowship of Reconciliation, lectured and discussed "Non-Violence in Social Change" and Dr. H. V. Richardson, president, Gammon Theological Seminary, Atlanta, Ga., concluded, speaking on the "Social Aspects of the Christian Gospel."

Guest artist at the meeting last night was Mahalia Jackson, well-known Negro gospel singer from Chicago. Local Negro quartets — Spiritual Flames, Bells of Paradise and Spiritual Four — also were on the program.

The Negroes are now awaiting delivery of a U.S. Supreme Court decision of Nov. 13 banning city bus segregation to U.S. District Court here. After the decree arrives, enforcement of segregated seating of city buses will be illegal in Montgomery.

Negroes have voted to end the year-old bus boycott when bus segregation ends.

Before recent legal developments a court official said the high court order would reach Montgomery about Dec. 12. Since that time the State of Alabama and Montgomery have asked the Supreme Court to reconsider its ruling.

To what extent the petitions filed by the state and city will postpone the decision's arrival here is not known.

38b 1956

Ala. Bus Boycotters' Prayers Answered

Afro-American Sat. 6-16-56 P.5

Baltimore, Md.

MONTGOMERY, Ala. — "It appears that our prayers are answered and our people have not walked in vain."

That was the observation last week of Fred D. Gray, youthful attorney for the four plaintiffs, who successfully initiated a legal attack on the city and state bus segregation laws.

* * *

ON LAST Monday, a Federal court panel of three judges decided 2-1 that the laws requiring segregation were illegal.

Mr. Gray said that he "was going to ask the court to issue a permanent injunction to restrain the city and state officials and the bus company from enforcing segregation on buses."

Attorneys for the state and city are going to request a stay of a court order pending an appeal of the decision to the U.S. Supreme Court.

* * *

MEANWHILE, MR. GRAY revealed that the bus protest was continuing. A car pool, bolstered by 17 station wagons, is transporting the majority of the city's 50,000 boycotters.

The boycott began on Dec. 5, 1955.

"Prior to the decision," Mr. Gray said, "our station wagons were constantly being shadowed by police officers.

"The drivers received many traffic tickets each day. The practice died down somewhat after the decision."

The opinion which declared that segregation on public vehicles was unconstitutional was shared by Judges Richard T. Rives of the U.S. Circuit Court of Appeals and Judge Frank M. Johnson Jr. of the U.S. District Court.

The dissenting opinion was filed by Judge Seybourn H. Lynne of the U.S. District Court.

The suit was brought by Mrs. Aurelia S. Browder, Mrs. Susie McDonald, Miss Claudette Colvin and Miss Mary L. Smith.

* * *

IN ITS ruling, the majority of the panel denied the motion of Attorney General John Patterson for dismissal of the suit.

In denying the request that the panel "for reason of comity," declined to exercise jurisdiction in the case until the state courts ruled on the construction and validity of the statutes and ordinances in question, the judges wrote:

"That doctrine has no application where the plaintiffs complain that they are being deprived of constitutional civil rights, for the protection of which Federal Courts have a responsibility as heavy as that which rests on the state courts."

* * *

JUDGES RIVES and Johnson observed that:

"There is . . . a difference, a constitutional difference, between voluntary adherence to custom and the perpetuation and enforcement of that custom by law. Shelly vs. Kraemer, 334 U.S. 11, 12.

"The 14th Amendment provides that 'No state shall . . .deprive any person of life, liberty or property without due process of law; nor deny any person within its jurisdiction the equal protection of the law.

* * *

"THOSE PROVISIONS do not interfere with the police power of states as long as the state laws operate alike upon all persons and property similarly situated. Barbier vs. Connolly, 113 U.S. 27, 31, 32.

"That amendment 'merely requires that all persons subjected to such legislation shall be treated alike, under like circumstances and conditions, both in privileges conferred and in the liabilities imposed.' Merchant vs. Penn. Railroad, 153 U.S. 380, 390.

"We cannot in good conscience perform our duty as judges by blindly following the precedent of Plessy vs. Ferguson, supra, when our study leaves us in complete agreement with the Fourth Circuit opinion in Flemming vs. South Carolina Electric and Gas Co., 224 F. 2d, 752 appeal dismissed, April, 1956:

* * *

"'THAT THE separate but equal doctrine can no longer be a correct statement of the law.'

"In fact, we think that Plessy vs. Ferguson has been impliedly, though not explicitly, overruled, and that under later decision, there is now no rational basis upon which the separate but equal doctrine can be validly applied to public carrier transportation within the City of Montgomery and its police jurisdiction.

"The application of that doctrine cannot be justified as proper execution of state police power."

* * *

THE JUDGES concluded that the segregation laws "violate the due process and equal protection of the law clauses of the 14th Amndment to the Constitution of the United States

They, however, gave both sides two weeks to submit in writing their views as to the form of judgment that should be entered and whether a formal decree should be held up pending appeal to the Supreme Court of the U.S.

Judge Lynne said that he dissented "on the authority of Plessy vs. Ferguson (the doctrine of separate but equal.)"

C. C. (Jack) Owen, president of the Alabama Public Service Commission, said he was "disappointed and shocked at the majority opinion. The basis of the scholarly dissent by Judge Lynne, . . . should have controlled the case."

Police Commissioner Clyde Sellers, who admitted being a member of the White Citizens Council and predicted violence if segregation ended, had no comment.

Mayor W. A. Gayle also would not comment.

* * *

MEANWHILE, THE Montgomery Improvement Association, headed by the Rev. Martin L. King, sponsors of the bus boycott, has incorporated.

Among its listed objectives is "respect for the individual in the use of public facilities."

It also seeks "to encourage individuals to become first class citizens by securing the ballot and using it wisely" and to support "any and all other acts which will improve the city and county of Montgomery so that all of its citizens will receive all the rights and privileges guaranteed by the state and federal constitution."

Negro Cleric To Tell 'Facts' On Funds Use

Chron. 6-14-56

Montgomery, Ala.

A Negro minister who charged the Montgomery Improvement Association with misappropriation of funds repeated his accusation yesterday and promised to release "the facts" in the near future.

Undaunted by a strong denial by the MIA, Rev. Fields said yesterday he hasn't decided "when to release the facts relative to this particular situation, but I have no doubt as to those facts and will release them at the proper time."

ACCUSED LEADERS

Following his resignation as MIA recording secretary, the Baptist minister last Monday accused several boycott leaders of putting personal interests before the protest movement. He said they used money contributed from throughout the nation for "selfish purposes."

Fields said the "proper time" to release "the facts" depends on several things. But he added it would be less than a month.

Whether he will present "the facts" to Circuit Solicitor William F. Thetford hasn't been decided yet, he said.

Muscle Shoals buses drop segregation

News P. 1 Sun. 5-1-56

FLORENCE, Ala., May 1 —(AP)—Shoals Transit, Inc. drivers stopped enforcing racial segregation in the Muscle Shoals area without incident about two days ago," Manager Tom Bolen said today.

B'ham, Ala.

Bolen said, "Everybody is still sitting in his own place." He said city officials agreed "the only thing we could do was to sit tight and see what happens."

"My drivers have told me that there has been no pronounced change so far," the bus line manager said. "In some ways things have been going even smoother than before the Supreme Court decree.

"I do not believe we will have any trouble here at all unless it is formented from the outside."

BOLEN SAID that if anyone objects to where anyone else is sitting, "He can call the police. We're not law enforcement officers. We're bus drivers."

Shoals Transit Inc. serves the Tri-Cities of Florence, Sheffield and Tuscumbia. The area has a population of about 55,000, of whom about one-fifth are Negroes.

Bowen estimated the bus line carries about 60,000 passengers per month, of whom one-third are Negroes.

Bolen pointed out that federal law "says we can't segregate, and state law says we can't integrate We're over a barrel."

SHOALS TRANSIT is owned by American Transit Lines, Inc. St. Louis.

Segregation on buses still legal, city says

News P. 1 Wed. 4-25-56

B'ham, Ala.

Birmingham city officials said today racial segregation on intra-state buses is still legal.

The U. S. Supreme Court simply sent a South Carolina case back to the lower courts for further proceedings, City Atty. J. H. Willis said.

Commissioner R. E. Lindbergh said, "As of now we still have legal, vital laws on intra-state bus segregation."

Willis emphasized the Supreme Court did not decide the South Carolina case on its merits.

In its four-word decision—"the appeal is dismissed"—the court remanded the case to the lower courts on the grounds that the judgment of the Fourth Circuit Court of Appeals was not a final one, Willis said.

"THE DECISION of the Circuit Court of Appeals was on the merits of the case and held that segregation on intra-state buses violated the equal protection clause of the 14th amendment.

"Yet, since it (the Supreme Court) remanded the case to the District Court for further proceedings, the decision was not a final one from a technical point of view."

Mobile To Enforce Bus Segregation

Post-Herald Wed. 4-25-56

MOBILE, April 24 (AP)—Police Commissioner Charles F. Hackmeyer said today segregation of bus passengers will be continued in Mobile despite a decision by the bus company to stop requiring segregated seating of whites and Negroes.

P. 12

The commission split over the question.

B'ham, Ala.

Commissioner Henry R. Luscher joined the police official in saying the city law will be enforced. The other member, Mayor Joseph N. Langan said, however, he felt the ordinance was invalidated by the Supreme Court's ruling yesterday.

"I don't see there is anything the Mobile City government can do about it," Lagan said. He proposed that bus segregation be continued on a voluntary basis.

Hackmeyer said when it became clear that Mobile City Lines Inc., had stopped enforcing racial segregation on the buses, he would "call in the city attorney and determine the proper steps and procedures to see that the segregation laws of the City of Mobile are continued to be enforced."

The police commissioner said Mobile was not a party to the South Carolina case in which the Court made its ruling. He said the city law consequently was still in effect and would be enforced "just as any other ordinance."

IN MUSCLE SHOALS AREA

Advertiser Wed. 5-2-56

State Bus Line Lifts Racial Barrier

Montgomery

FLORENCE, Ala., May 1 (AP)—Shoals Transit Inc. drivers stopped enforcing racial segregation in the Muscle Shoals area without incident "about two days ago," Manager Tom Bolen said today.

Bolen said "everybody is still sitting in his own place." He said city officials agreed the only thing to do was to sit tight and see what happens.

"My drivers have told me that there has been no pronounced change so far," the bus line manager said. "In some ways things have been going even smoother than before the Supreme Court decree.

"I do not believe we will have any trouble here at all unless it's fomented from the outside."

Bolen said that if any one objects to where any one else is sitting "he can call the police. We're not law enforcement officers. We're bus drivers."

Shoals Transit Inc. serves the tri-cties of Florence, Sheffield and Tuscumbia. The area has a population of about 55,000, of whom about one-fifth are Negroes.

Bolen estimated the bus line carries about 60,000 passengers per month, of whom one-third are Negro.

Bolen said that federal law "says we can't segregate, and state laws say we can't integrate. We're over a barrel."

Shoals Transit is owned by American Transit Lines, Inc., St. Louis.

"Negro passengers have been unusually courteous," Bolen said, "going to great lengths not to offend anyone. Everybody realizes that we are in a bad situation and the less said about it perhaps the better."

The manager said the company never had signs designating areas for white and Negro passengers but drivers notified passengers where they must sit.

Negro Minister Denies OK Of Bus Compromise

Post-Herald Tues. 1-24-56

MONTGOMERY, Jan. 23 (AP)—A Negro minister who attended a City Commission meeting Saturday denied today that he had agreed to a plan for ending Montgomery's seven-week-old bus boycott.

The Rev. B. F. Mosely said he was one of three Negro ministers who attended the meeting at the invitation of the City Commission. The "bus situation" was brought up, Mosely said, but he did not agree to any compromise plan for terminating it.

Birmingham

After the meeting, the City Commission issued a statement indicating a compromise proposal was agreed on "by all present."

Ala.

Mayor W. A. Gayle and Commissioner Clyde Sellers later declined to disclose the names of the "prominent Negro ministers" who attended.

The Rev. M. L. King, Negro pastor and one of the leaders in the boycott, said he had not been invited to the meeting and did not believe the group "was speaking for our people here in Montgomery."

"I'm sure none of our group was present," he said, adding that he believes the boycott will continue.

Meanwhile, the bus company today resumed normal service on three routes through predominantly Negro sections. Service had been stopped or curtailed because of the boycott.

ALABAMA BUS FIRM STOPS SEGREGATION

Commercial Appeal

Three Cities Are Involved In Action At Florence

Wed. 5-2-56

FLORENCE, Ala., May 1.—(AP)—City bus drivers in this Tennessee Valley area were ordered to haltt enforcing racial segregation "about two days ago," manager Tom Bolen said Tuesday.

Memphis Press-Scim.

Shoals Transit, Inc., serves the tri-cities of Florence, Sheffield and Tuscumbia, an area of about 55,000 persons. One-fifth of the population is Negro.

Mr. Bolen said, "My drivers have told me that there has been no pronounced change so far." He said city officials agreed "the only thing we could do was to sit tight and see what happens."

The manager added that if any one objects to where anyone else is sitting, "He can call the police. We're not law enforcement officers. We're bus drivers."

Shoals Transit is owned by American Transit Lines, Inc. of St. Louis and carries about 60,000 passengers a month in this area. About one-third of the passenger total is Negro.

City Transit officials at Montgomery have ceased enforcing segregation, but city authorities immediately announced that segregation laws would be enforced as long as they are on the books.

Mr. Bolen said his company never had signs designating areas for white and Negro passengers, but drivers notified passengers where they must sit.

New Alabama Bill Gives White Women Right To Whole Seat on Bus

Call-Leader Kansas City, Mo. Fri. 7-27-56

MONROEVILLE, Ala. — (ANP) — A state representative here has drafted a new bill designed to preserve racial segregation in public transportation in Alabama through a bill that gives a white woman "her choice or election to the entire seat on a bus, streetcar or train."

The bill is sponsored by Rep. Nick S. Hare, who plans to introduce it at the next session of the state legislature.

In announcing the bill Hare said: "None of the threatened possibilities disturbs southerners more than the prospect of a Negro man taking a seat beside a white woman. This sensitive spot in race relations is generally acknowledged to be the most likely to create strife and tension, or to erupt suddenly in riots or bloodshed.

"The proponent of mixed seating on buses has transportation companies caught in the middle of this turmoil and uncertainty. Bus companies are faced on one hand with organized boycotts by Negroes, and on the other hand with the prospect of complete abandonment of bus travel by white women apprehending mixed seating."

He said his proposal "will give a woman the entire seat she occupies if she wants it, and she may exclude any other person from it, thus preventing an undesirable person from sitting beside her.

"There is no mention of race or color," he remarked, adding that "The law would preserve the dignity, safety and security of women and protect them from embarrassment on public conveyances."

Hare considered the plan "remarkably simple" and contended it would "apparently assure the practical continuance of segregation on public conveyances."

State Also To Appeal Bus Segregation Ban

Post-Herald Birmingham, Ala. Tues. 6-26-56

Public Service Commission To Follow Montgomery In Top Court Move

MONTGOMERY, June 25 (AP)—State authorities announced today that they, too, will ask the Supreme Court to overrule a lower court order holding city bus segregation in Montgomery unconstitutional.

City officials already had decided they would appeal from a decision handed down June 5 by a three-judge panel in federal court. They have until Friday to file notice of the appeal.

The announcement from the Public Service Commission which administers state laws requiring separate seating of white and Negro passengers came following a conference with Atty. Gen. John Patterson.

PSC President Jack Owen and Associate Commissioners Jimmy Hitchcock and Sibyl Pool said the notice will be filed before the deadline.

Carrying out the intent of its June 5 ruling, the federal court panel issued an injunction last Tuesday against continued enforcement of city and state segregation laws on the city buses.

But the injunction was suspended for 10 days to give the city and state time to prepare an appeal, and if an appeal is filed, the suspension will remain in effect indefinitely until the Supreme Court rules whether bus segregation is legal or unconstitutional.

Negro attorneys, however, can ask th ehigher court to set the suspension aside and put the injunction into effect immediately while the appeal is pending. They said they will decide on their next course after the deadline for filing the appeal.

white city patrolmen last week filed suits seeking $1,000 damages each from Negroes.

The policemen, Jack Shows and K. W. Jones, filed the petitions in Circuit Court Friday claiming they suffered "severe personal injuries" in the wreck on a downtown street last May 23.

Defendants named in both suits are Alberta James, driver of the station wagon from the Hutchinson Street Baptist Church, and the Montgomery Improvement Association,

Cops Sue Boycott Drivers

Courier-J. Louisville, Ky. Sat. 8-4-56

MONTGOMERY, Ala. (ANP) —In the wake of a collision between their squad car and a church-operated station wagon used to convey Negro bus boycotters about the city, two

NEGRO WITNESSES TELL OF LONG ENDURED ABUSES

"Get Back Niggers" Common Expression Hurled At Riders

Informer & Houston Tex.
Sat. 3-31-56

BY CHARLES H LOEB
NNPA Correspondent
Montgomery, Ala

"Git back nigger."
"Git up nigger."
"Git out nigger."
"Go to the back nigger."
"Let that white man sit down, nigger. You black ape."

The shocking chant went on, and on, and on, throughout Tuesday afternoon and into the evening, as a procession of Negro defense witnesses "wrote into the record" the shameful and long-endured abuses and humiliations Montgomery's Negro passengers have suffered at the hands and from the lips of the majority of bus drivers employed by the Montgomery City Lines, now estimated to be losing some $3500 per day because on December 5, 1954 Montgomery's Negroes abruptly stopped using the buses.

The defense was showing "just cause" for what the State of Alabama alleges is an illegal conspiracy in restraint of business, but with little apparent success in proving it so through its harassed corps of city solicitors. The tired trio, after a day and one-half of wrestling with witnesses who were either uncooperative or who had little of value to tell, wearily rested its case.

This almost weary capitulation was the signal for the defense to swing into action. Its first move was for a directed verdict that would exclude all of the state's testimony and halt the trial of the Rev Martin Luther King, Jr with a verdict of acquittal.

Presented by Fred D Gray of Montgomery, selected for the assignment by his colleagues in a brilliant battery of seven Negro lawyers here defending Rev King and 89 others, it was an eloquent, scholarly, but futile plea.

Judge Eugene Carter promptly denied it.

But those of us who sat in the Montgomery Circuit Court will not soon forget it. Through Gray the Negroes of Montgomery---and of the nation--were calling upon a court of law in deepest Dixie to forget the skin color of the petitioner before the bar and embrace, with cold and uninhibited logic the basic constitutional precepts that have made the nation great, despite divisions and inequities.

Gray argued that:

1. No criminal conspiracy had been proven.

2. That there had been no showing that the defendant, Rev King has taken any part in an illegal action.

3. The state had not proven even a prima facia case.

4. The statute under which Rev King and others are being tried, though questionable in its constitutionality, provides that the alleged conspiracy must not only be illegal, but must also be committed without just cause. The state, Gray contended, had proven neither.

The statute requires proof of both.

5. Any conviction of the defendant would be illegal and void, as he is an American citizen, and as such is entitled to the freedom of speech, of assembly, of petition, and of due process of law.

Gray covered, point by point, the accusations of the state, the evidence through its witnesses, and labeled it "insufficient to convict."

He said that whatever action the Negroes of Montgomery took in refusing to ride in segregated buses was taken voluntarily, and pointed out that throughout the three long, sometimes tension-filled months, Negroes made no effort to prevent the bus company from operating their buses, wherever they pleased.

The sole testimony that company property had been shot at and stoned had been given by bus drivers who admittedly did not see who shot at or stoned the vehicles, did not know whether the originators of the attacks were whites or Negroes.

To the contrary, be argued, a white witness for the state, a competent city editor, who had thoroughly covered most of the big mass meetings held in various Montgomery Negro churches, had given testimony that the accused Rev King had indeed calmed down a group of angry Negroes who gathered around his freshly-bombed home, and disperse them with a warning against violence or physical retaliation of any kind.

Even if under Alabama's outdated conspiracy law, it could be said that the operation of the Montgomery Improvement Association was a "conspiracy," evidence brought out from state witnesses under cross-examination sustained that Negroes had petitioned bus officials and their City Fathers time after time, without avail, for relief from the abuses and unequal treatment they have received.

And that had done this BEFORE they decided to stay off the buses.

"Can it be denied that they had just cause?" Gray asked. If so, then, even under Alabama law, the state had failed to establish its case, and to further continue the ordeal for Rev King and the other accused to go forward with further defenese...

It is unconstitutional.

Because, the soft-spoken, earnest young lawyer (27) explained:

It would be a violation of his freedom of speech--freedom of assembly-right of redress- right to due process of law.

It was clear that the defense was preparing for the eventuality that, one day, the United States Supreme Court may become acquainted with the Montgomery 'manifesto."

"Git up nigger."
"Git back nigger."
"Git out nigger."
"Go to the back nigger"
"Let that white man sit down, nigger, You black ape."

Montgomery's Negroes tired of the chant, started walking.

They still are.

50,000 Negroes Said 'Stop Riding The Buses'

Informer & Houston Tex.
Sat. 3-31-56

By CHARLES H LOEB
NNPA Correspondent

MONTGOMERY, Ala —The defense was having its day. The state had rested its case in the first of the Montgomery boycott trials Tuesday. Judge Eugene Carter had forced them to call the first of 37 witnesses by overruling a defense motion that it throw out the state's evidence as insufficient to convict the Rev Martin Luther King.

From midday until after 5 p m 20 defense witnesses had been called to the stand, school teacher, washerwoman, minister, school children, store clerks, widows, employed and memployed, polished speech and inarticulate, placid and angry, resentful and tolerant.

Negro Montgomery, at last, got a chance to "testify" to the wrongs it has suffered--from way, way back.

George Gilmore, Veola Bell, Margaret Walker, Estella Brooks, Henrietta Brinson, Frances Rutledge, Lula Mae Harper, Loeva Perkins, Irene Dorsey, Dorothy Lois Jackson, Janie Pace, Anita Burney, Geneva Williams Burney, Odessa Williams, Bessie Sanders Logan, R A Parks, Barbara Murphy, Odella Garneier, Inez Ricks, and Harry Walker.

There'll be more on Wednesday. All with two things in common. They're Montgomery citizens and all have "experienced unpleasant incidents" while riding the buses of the Montgomery City Lines.

And something else, too.

All of them have stopped riding on the buses..

Smartly-attired Thelma Class, member of the Woman's Political Council, had been on numerous committees which had called on City Fathers and on bus company officials for "more courtesy from bus drivers."

Officials were polite. Bus drivers kept on calling Negro women "'n——s."

MRS SADIE BROOKS, 21 years residence, a respected member of the City Federation; also met with officials as a member of various committees-city commissioners, bus officials, in 1952. Again in 1954.

Officials listened politely. Bus drivers still kept passing up Negroes, cold weather or warm. Once saw a driver pull his pistol and order a Negro passenger off the bus. No cross-examination.

RUFUS LEWIS, President of the Citizens Club and originally a state's witness. He's now encouraging Negroes to register and vote. He met with officials too, made the usual complaints, begged for improvement.

Negro bus riders still "black apes". Negro women, "cows."

MRS GEORGIE THERESA GILMORE, citizen of Montgomery since 1920. Couldn't wait for any boycott, stopped riding in October 1955. Tired of hearing "Come out nigger and go into the back." Saw too many others insulted, standing over empty seats and not permitted to sit in them

"I told that bus diver when the company gets it all together, they can't tell Negro money from white money."

"That red head, freckled-faced bus driver on the S Jackson line is a "very nasty bus driver. The nastiest I've ever seen."

RICHARD JORDAN, 26 years in Montgomery, riding buses, taking

insults. Bad experiences? "Too many to recall them all. Remembers how they made his pregnant wife get up on trips to doctor "her time was close", to give up seat to whites.

DELLA PERKINS, 14 years of residence, and eager to testify. She was called an "ugly black ape". She's still mad about it. Asked if she had talked with anybody about the case.

"Yes," Attorney Gray.

Three solicitors straighten up (this is it)

Q. "What did he tell you?
A. "He told me to tell the truth"
NO FURTHER QUESTIONS.

GLADYS MOORE, in Montgomery since 1942. "Very familiar with the "code of seating" on the Montgomery City Lines.

Whites enter through the front. First ten seats reserved for whites.

Negro enter from the back, last ten seats reserved for colored.

In white neighborhoods, only daring Negroes sit in "middle seats" bus drivers will make them move, under threat of arrest, regardless of whether or not all seats in "colored reserve" are taken.

"Git up nigger. Git back" is the stock command.

Compliance means peace. Resistance means arrest.

In predominately Negro neighborhoods, company relaxes the rigidity of its rule on "middle seats". Since these buses are jam-packed with colored passengers going downtown, these seats may be used, but at the risk of having to give them up if white passengers board the bus and all white "reserved" are filled.

The story is becoming monotonous already. State has stopped making objections. Judge seems bored, finally he takes a hand in the proceedings.

For my own information" he purrs, "why did you stop riding the buses on December 5."

Mrs Moore: Because I didn't like the way they treated Mrs Parks, it wasn't fair, Judge.

Judve: Did you attend any of those mass meetings?

Mrs Moore: Yes, several of them.

Judge: Was Rev King there?

Mrs Moore: Yes he was, almost every minister in town was there.

Judge: Who said stop riding the buses?

Mrs Moore: 50,000 NEGROES IN MONTGOMERY.

Shouts, applause, laughter were quickly quelled.

Judge Carter says those in contempt of court go to jail.

But now the judge knows.

REV MARTIN LUTHER KING poses on the steps of his church with two foreign reporters who covered his sermon Sunday, Indian and French.

Rev M L King Well Defended By Staff Of Negro Lawyers

Informer Houston Tex 1-19
Sat, 3-31-56

By CHARLES H LOEB
NNPA Correspondent

MONTGOMERY, Ala— "Motion denied".

Here, in terse legal language, was Alabama's answer to the Rev Martin Luther King and, through him, to 50,000 Montgomery Negroes on whether the Negroes of Alabama have the right, under state statutes to petition, assemble, and peacefully protest their greivances.

It was a justice that was indeed blind. Blind both to the spirit and to the letter of constitutional law. In finding the militant young Montgomery minister $500, and hearing the expected defense notice of appeal, Judge Eugene Carter, with the air of a good southern gentleman dispensing charity to his faithful retainers, approved a mutual agreement between state and defense lawyers that the 89 other defendants, arrested with Rev King remain free on their original bails until such time as the remedies in appeal sought in the King case have been exhausted.

WELL TRIED

Contrary to expectations, this trial was no farcial performance-- no arrogant show of Dixie Justice at its worst. It was not dispensed by a tobacco-chewing backwoods judge addressing his petitioners of color as "boy", or Rufus, or Mandy. It was prosecuted by able solicitors; the best the City of Montgomery City Bus Lines could obtain.

They knew well the law under which they had elected to try as conspirators Rev King and those associated with him in operating the activities of the Montgomery Improvement Association under whose leadership the Negro in Montgomery has shown the world an almost unbelievable miracle of Negro cohesion and determination.

The old statute they had dug up in their efforts to "put an end to this foolishness" had been tailored to their specifications by another generation of Alabamians who at the time were rather desperate about the increase in union memberships. IIts original bias was against white workers. Now, in Alabama's great hour of need it was lying there, rusty, unused, never repealed, to be used against this unprocedented show of Negro solidarity.

ABLY DEFENDED

Among the brilliant staff of Negro lawyers who conlucted the defense, there was never any doubt about the outcome, though each of the eight scrupulously refrained from such predictions.

Charles Langford, Arthur Shores, Fred D Gray, Robert Carter, Orzell Billingsley, Peter Hall, Dr C Eubanks Tucker and Edmund Ragan, huddled together over the counsel table, exchanging notes, ferreting, out witnesses from the tips handed them by Montgomery leaders, were not trying a simple misdeameanor in a small town Circuit Court.

They knew what they were doing and they knew that they, or a hundred different combinations of their counterparts will have to be doing the same thing all over the stubborn Southland before the fine-sounding pronouncements of the United States Supreme Court can have real meaning for the Negro in Montgomery, who must either walk or ride the city buses and hear, over and over again, " to the rear you niggers".

Judge Eugene Carter knew that they were not really trying the case before his court. They were trying it before the Supreme Court of the United States, and to their everlasting credit legal experts who watched their thoroughness, nodded their approval of their efforts.

"Objection." "Overruled." "Objection." "Overruled." Until one lost count, after it became apparant that the ratio would run something like 20 overruled to one "sustained".

RACE SUPREMACY VS LAW

But the counsel for Rev King and his associates well knew that some nine millions of Negroes in 17 states of the South were really the accused.

So, they refused to be ruffled by the special inflection state prosecutor Thettford gave to his precise "Nigra" when referring to colored people. The two other solicitors found it quite easy to pronounce the acceptable Negro.

Judge Carter, too was a "Nigra" pronouncer, too as he sat calm, detached, radiating keen enjoyment of his role, there upon the bench holding the ramparts for the anti-desegregationists - - holding the fort for the Folsoms, Eastlands, Longs anl Ellenders of the reluctant South. . . buying time for the crumbling confederacy that feels its birth pains again but is afraid to conceive.

Appeals are long, drawn-out affairs, and costly, too. So, The South, Alabama, Montgomery Judge Carter are making it as expensive as possible and as long delayed as trick lows, manifestoes, Citizens Councils, economic squeezes, and police state justice can make it.

BOUGHT TIME

The result is inevitable, Alabama bought time at Montgomery, but they have done little to ease the plight of Northern investors who have their money sunk into the Montgomery City Lines.

WILL NEGROES NOW BOARD THE BUSES?

70 Negrooes right outside the courthouse, minutes from the finale, toll this reporter "No" some added, "Never".

They waited outside to cheer, to hug, and to kiss the little leader they have come to trust and adore, and to crowd around him and his attractive and loyal wife with cries, "Hail the King", "Don't worry, we're still walking".

And the City of Montgomery, too, is paying a dear price for this show of Dixie legal strong-arm. It has been pretty expensive this putting "those Negroes in their places'.

Montgomery City lines has lost more than $300,000 in revenue they once collected from Negroes who no longer use their buses.

Before the boycott, (as one Negro Witness, Mrs Georgia Theresa Gilmore declared on the witness stand) bus officials couldn't tell the white money from the Negro money.

NOW THEY CAN.

The white money is far from enough to support the operation. Negroes' testimony revealed during the trial, are 70 percent of the company's customers.

Pardon! Ex-customers.

TIME RUNNING OUT

The City of Montgomery loses to. Its interest was a lush two

signed but income, some time to come, be decently treated, be given a fair transportation bargain for the money they spend, and that they be considered for employment by the firm which, without their patronage cannot operate, has lost them much of the time Judge Carter bought for them in Montgomery Circuit Court.

portant though is with eyes to see concede that it its power to dimidate, and con- it its Negro Citi-

Far more important that observers with ears to hear that's only money.

ss against yield- almost innocous gro citizens, re-

REV. KING'S OWN STORY

Defender P.1 Sat. 3-31-56
Chicago, Ill.

DRAMA IN ALABAMA — Montgomery, Ala., where the Rev. Martin Luther King was found guilty of conspiring to sustain that city's successful bus boycott last week, was a virtual stage with much of the world looking on. Included in the cast of the controversial trial was Mrs. Thelma Glass, (extreme left) president of Women's Political Council of Montgomery. She leaves court after testifying. Star performer at the trial (second from left) was Mrs. Georgia Therese Gilmore, witness for the defense. She stands on courthouse steps with Attys. Fred D. Gray and Ozell Billingsley. Mrs. Gilmore, 36, the mother of six children and a midwife by profession declared: "When

they count the money Negro dimes ain't no different from white!" Ministers attending the trial (second from right) included Rev. W. J. Powell, Old Ship AMEZ church; Rev. T. H. Bonner, CME church; Rev. Solomon Seay, A.M.E. Z. church; Rev. T. R. French and Rev. Leroy Bennett, both AMEZ ministers, and (rear) Rev. Edmond Rogan, C.M.E. church, and Rev. R. Ewing Tricher, Louisville A.M.E.Z. church, Reluctant witness for the defense (extreme right) Mrs. Jeannetta Reese covers up from cameraman as she hurries across street during trial. She has avoided sitting with the rest of spectators because of her role in informing on Atty. Fred D. Gray.

38b 1956

ALABAMA

Agreement Near

Bus Boycott Paying Off

Courier p 2

Pittsburgh, Pa.

B-U-L-L-E-T-I-N-!

MONTGOMERY, Ala.—Faced with a tremendous financial loss, City Commission granted a bus fare hike to the Montgomery City Lines, effective Monday. The fares were increased from 10 to 15 cents, with children's fares up from 5 to 8 cents.

Sat. 1-14-56 38b

MONTGOMERY, Ala.—An economic squeeze . . . with reverse English . . . has the Montgomery City Lines, local bus company, hanging on the ropes!

The squeeze, in the nature of a boycott by Negroes of the city, following a long series of abuses and mistreatments, has accomplished the following:

MRS. ROSA PARKS
. . . victim of bus bias

1—Forced an increase in bus fares.

2—Proven 95 per cent effective for the city's 40,000 Negroes.

3—Pointed up the fact that 75 per cent of the bus riders, under normal circumstances, are Negroes.

4—Forced 80 per cent of the buses to be laid up—with 75 per cent of the bus drivers laid off.

5—Negroes are walking to work (some as far as five miles); with Negro taxi companies ferrying passengers at 10 cents per head, plus hundreds of car pools.

6—Aroused the sympathy of many whites, some who are joining Negroes in their "Don't Ride the Bus" campaign, with white housewives picking up Negro domestics in their cars and taking them to and from work.

This fabulous rebellion . . . first of its kind in recent Southern history . . . isn't getting much attention in the nation's press.

Because it has proved conclu-

Dr. Bennett Rev. Abernathy

sively that the threat of an "economic squeeze," weapon of the White Citizens Councils of the South, is a two-way street.

Montgomery's Negroes, who have taken the action, without violence or threats of bloodshed, have hit the white South where it hurts most—in their pocketbooks!

RUFUS A. LEWIS
. . . key figure in boycott

And it is a graphic lesson to Negroes in other sections of the South that they, too, have a weapon of devastating and destructive power.

* * *

THE BOYCOTT action was touched off by the Dec. 1 arres and Dec. 5 conviction of Mrs. Rosa Parks, under the city's "move-back" segregation laws.

When Mrs. Parks refused to move back to allow a white person to sit down on a crowded bus, she was arrested by the bus driver (who has police powers to arrest) and fined $14.

This was it!

Negroes quit riding the buses. The action was unorganized, spontaneous, full-blown in a matter of hours.

Forty thousand Negroes in this city are walking it out, riding it out . . . and the only thing that looks like an organization directing the action is a committee of teachers and lawyers and preachers.

It's a thing of majestic awe and mystery . . . and it's so effective that the Chicago company which holds the franchise under which the local buses operate, is threatening to pull out.

They're losing money daily. Four-fifths of their buses are in garages, with most of their drivers out of work. And they can't make Negroes ride the buses.

The boycott, nearing the end of its sixth week, is still being sparked by twice-a-week mass meetings, attended by 2,500 or more people.

* * *

THE MOTOR pool of 300 cars costs approximately $1,000 per week to operate . . . and the cars are still running.

There are approximately fifty dispatch stations and almost twenty pick-up stations fro where the 300 cars operate.

Daily newspapers in the city are predominantly fair, publishing many letters to the editors, which reveals the position of both Negroes and sympathetic whites.

Acknowledged leaders of the protest movement (they don't call it a boycott) include the Negro ministers of Montgomery and their congregations, the Methodist Ministerial Alliance, the Rev. J. W. Hayes, presidents; the Baptist Ministers Conference, the Rev. H. H. Hubbard, president; the Rev. R. D. Abernathy, secretary; the Interdenominational Ministerial Alliance, the Rev. L. Roy Bennett, president; the Rev. J. C. Parker, secretary, and the Montgomery Improvement Association, Dr. M. L. King, president, and the Rev. U. J. Fields, secretary.

Leaders, in discussing the situation, state, "At no time have the participants of this movement advanced or anticipated violence. This is a movement of passive resistance, depending on moral and spiritual forces."

Montgomery Bus Line Asks To Hike Fares

Post-Herald Birmingham Ala. 1-24

Negro Boycott Boosts Expenses

Wed. 1-4-56

MONTGOMERY, Jan. 3 (AP)—With a boycott by Negroes entering its fifth week, Montgomery City Bus Lines today asked that bus fares be temporarily doubled and free transfers permanently abolished.

The petitions asked that fares be hiked from 10 to 20 cents and that school children's fares be raised from 5 to 10 cents. Transfers, nowfree, would cost 5 cents.

Montgomery Atty. Jack Crenshaw, representing the bus company, told the commission "we cannot continue to operate under these conditions."

He said bus revenue is now about 22 cents per operating mile while expenses are between 40 and 44 cents per mile. And the only reason revenue is as high as 22 cents per mile, he added, is because we have cut total mileage by 31 per cent since the boycott started."

Last Friday Mayor W. A. Gayle issued a proclamation saying the "attempted boycott of Montgomery City Lines is designed to deprive our citizens" of the benefits provided by the bus service.

He had announced earlier that negotiations with the bus company for a new franchise were at a standstill because of the boycott. The present franchise expires March 1.

Whites now aid boycott

Afro-American Baltimore Md.

MONTGOMERY, Ala.—As the boycott of the city's buslines entered its sixth week, Sunday, the colored patrons found some new allies.

Sat. 1-14-56

Unofficially joining the boycott, the AFRO was told, were the white riders of the Montgomery City Lines, who have been asked to pay increased fares for the duration of the demonstration.

* * *

THE REV. M. L. KING, spokesman for the Montgomery Improvement Association, told the AFRO that the announcement of the increased fares from 10 to 15 cents and children's fares from 5 to 8 cents has "widened the scope of the opposition."

"The boycott is still 99 per cent effective among our people," the Rev. Mr. King reported.

"And now the company is ask-

Bus Boycotters Stand Firm

Afro-American

MONTGOMERY, Ala. — It's a question of an immovable object meeting an irresistible force in the Montgomery bus boycott that entered its seventh week Sunday.

Baltimore, Md.

"Since we have shown them they have no legal grounds to stand on, they have switched to custom," the Rev. M. L. King, spokesman for the Montgomery Improvement Association, told the AFRO.

Sat 1-21-56

The minister was referring to the busline and the city officials flatly rejecting again the demands of colored citizens last week.

* * *

THE DEMANDS include: (1) More Courtesy toward passengers by the drivers; (2) A first-come-first-served seating policy: and (3) the hiring of colored bus drivers.

The major portion of last week's meeting was taken up discussing the question of seating on a "first-come-first-served" demand.

* * *

FRED GRAY, legal counsel to the protest group, presented a resolution.

It was pointed out that the citizens did not seek to violate the law.

The group requested the colored passengers be permitted to begin seating from the rear; the whites, from the front.

Under this plan, the group stated, the problem of passengers being compelled to stand when there are unoccupied seats would be eliminated.

* * *

UNDER THE PRESENT system, ten seats on every bus are reserved for whites. Even though a bus might be overcrowded with colored passengers, they're not permitted to sit in one of the "white seats," even though they might be vacant.

When the group pointed out that other cities in Alabama have similar seating arrangements namely Mobile, Dothan, and Huntsville, Mayor W. A. Gale said such a procedure "would shatter custom."

* * *

AFTER THE two-hour-meeting, the Rev. Mr. King asserted:

"They appear determined not settle this protest in our favor even though it appears that we are right.

"It seems that the mayor is used to having colored people coming to him begging for things; well, we are demanding our rights."

Afro-American

ONE OF THE big supporters of the boycott is the Rev. Robert S. Graetz, white pastor of the Trinity Lutheran Church. His congregation is all colored.

The Rev. Mr. Graetz has made his own car available to the "share-the-ride" pool of 200 cars organized to transport the boycotters unable to pay taxi fares.

P. 2

* * *

"LET'S MAKE this boycott as effective as possible, the Rev. Mr. Graetz urged his members, "because it isn't a boycott if half of us ride the buses and half don't ride.

"If we're going to do it, let's make a good job of it," he said.

The minister spends three hours a day hauling passengers.

* * *

WHILE DRIVING a colored woman to a suburban area on Dec. 19, the Rev. Mr. Graetz reports that he was stopped by Montgomery County Sheriff Mac Sim Butler.

The sheriff charged him with operating a taxi, even though the white minister protested that he was driving "friends."

After being detained a half hour the Rev. Mr. Graetz was released.

* * *

CARL ROWAN, reporter of the Cowles papers of Mineapolis, was in Montgomery last week and subject of an editorial in the daily Montgomery Advertiser.

The Montgomery paper stated that Rowan declined to ride a bus to record the taunts of the demonstrators.

A day later, however, the editors apologized because Rowan rode the bus and there were no taunts and any indication of threats.

* * *

THE PROTEST group is continuing to meet twice weekly and the meetings are attended by overflow throngs.

Last week in an effort to bolster the sagging receipts, the bus company increased fares from 10 to 15 cents and children's fares for 5 to 8 cents.

The action merely angered the whites, the AFRO was told.

As the boycott remains 90 per cent effective, the rabble rousers among the whites are urging that colored persons who don't ride the buses should not be employed.

Mrs. Georgia L. Foster, white, commented:

"We have been good to our colored people but now is the time to make them understand a few things.

"We should quit paying taxi fare, quit going for them or taking them home, quit paying their social security tax, quit lending them money for debts contracted for unnecessary items."

To all such criticism, the Rev. Mr. King insists: "Our demands are simple. They can be met. Until they are met we will continue to protest."

---

ng for the white people to support them, which indicates their panic," he added.

* * *

ON THURSDAY night, Jack Crenshaw, attorney for the busline, went on television to tell the people of Montgomery that the next move to break the demonstration 'was up to Mayor W. A. Gale.

"We will do anything that Mayor Gale suggests," the attorney stated.

On Monday, the Rev. Mr. King and other leaders of the citizens group were to meet with Mayor Gale.

"Either the bus company will have to meet our demands or fold up," the Rev. Mr. King said.

* * *

THE MINISTER pointed out that letters-to-the-editor published in the local daily from white readers indicated that there was considerable support for the boycott among white citizens.

"One white reader wrote that he had been riding the city lines for over 40 years but he wasn't going to ride a bus again until they met our demands."

The demonstrators have made three demands:

(1) More courtesy towards passengers by the drivers; (2) A first-come-first-served seating arrangement; (3) the employment of colored drivers.

"The white citizens are solidly behind us in the first two demands," the Rev. Mr. King reports.

Afro-American

"A reporter from one of the dailies made a survey of four big Southern cities and reported that they followed the suggestion that we have made.

P. 2

* * *

"IN MOBILE and Huntsville, the colored passengers fill up the buses from the rear and the whites from the front.

"Which is all that we are asking. We are fighting the question of segregation in the courts.

"On the third point, the employment issue, the whites that I have talked with are split about fifty-fifty," the minister said.

"Those who oppose, oppose it on grounds that you can't instruct a private industry as to whom they should hire.

"We say that if we have to pay the fares, that we have the right to be employed."

* * *

THE REV. MR. KING said that enthusiasm among the colored citizens remains high. "At Thursday's meeting, we had a standing-room-only crowd," he said.

The Montgomery demonstration stems from the arrest of Mrs. Rose Parks, who refused to give up her seat to a white passenger.

She was arrested on Dec. 1 and fined $14 for violating the state's segregation law on Dec. 4.

Since Dec. 3, the boycott has been waged.

NEGRO ASKING DENIED

Commercial Appeal

Montgomery Group Sought Bus Seating Plan

Memphis, Tenn.

MONTGOMERY, Ala., Jan. 9. —(UP)—The City Commission Monday rejected a resolution offered by a Negro delegation calling for a "first come, first served" seating arrangement on city buses.

1-10-56

The Negroes, leaders in the five-week-old boycott of City Lines, told officials the seating arrangement they seek is in force in Nashville, Atlanta and other Southern cities.

P. 2

The Negroes are asking that members of their own race seat from the rear of buses and whites from the front, with neither race being forced to give up a seat once it has been occupied.

New Bus Pact Likely Today

Advertiser

Tues. 1-17-56

Montgomery, Ala.

The bus franchise held by Montgomery City Lines is expected to be renewed today by the City Commission.

Bus and city officials conferred yesterday afternoon, apparently to put the franchise in final form preparatory to the commission's meeting at 11 a.m. today.

The present granchise, granted in 1935, expires in March.

CHANGES MADE

P. 1

Whether there will be any major changes in the charter because of the extended boycott of busses by Negroes could not be determined.

Since the boycott began over six weeks ago, the City Commission has authorized several changes in the company's operation, including a reduction of routes and an increase in fares.

No other companies have expressed interest in the Montgomery franchise, besides the Montgomery concern. National City Lines of Chicago is parent company of the Montgomery firm. It operates bus lines in numerous other U.S. and Canadian cities.

38b 1956

Tell It To Old Grandma

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Advertiser

'How In Hell Could Birmingham?'

Jan. 7-8-56

EDITOR, THE ADVERTISER—I would like to ask in regard to your editorial Jan. 5 re Birmingham and its part in the Civil War. How in hell would Birmingham take part either directly or indirectly in said war when it did not come into being until 1871? P. 2-b

To write of history one must know history. What you have said is true, but tell the whole truth. What few iron works there were at Elyton were destroyed by Wilson's Raiders.

Montgomery. JOHN HUDDLESTON.

Montgomery, Ala.

Shame On You, Mr. Editor

Editor, The Advertiser:

"In 1871, when Birmingham was Elyton."

This is in regard to your editorial in portation for their daily economy.

However, my "in stride" manner has suffered a much shorter pace; and for that reason I am now much less amendable. Jan. 7-8-56

Let's take the letter signed by the Rev. U. J. Fields, whoever he is. With deletions, I am quoting the last paragraph of his letter, which to me is a more direct threat than ever voiced by Marx or Lenin. P. 2-b

"We shall never cease our struggle for equality—this is from a reliable source (the Negro citizens of Montgomery). We have no intention of compromising . . . unwarranted delay . . . will result in a demand for the annihilation of segregation which will result in complete integration."

First, about the Negro citizens of Montgomery." I can prove that some of the same Negroes have been told by this same ministerial body that it is now against the law to board a city bus. Second; that they would demand an end to segregation. Let them get all the decrees they wish, and then try to find a way to enforce them. Third, they seem to fail to understand, that if we so chose, we could throw up a counter boycott that would starve most of them to death in 30 days. That is not our wish nor intention.

Montgomery

Personally, I know lots of Negroes in Montgomery for whom I have the highest regard, and I think they feel kindly toward me. But I can't go for these this morning's *Advertiser* (Jan. 5), concerning Birmingham, our youngest and largest city. The editorial was headed "The Blunt Truth About Birmingham In The Civil War." Have you forgotten your history so soon, or was it the effects of too many holidays coming so close together? You must remember that where Birmingham stands today was only virgin forest, coal and iron ore, untouched by civilization, during the period of the Civil War.

Now, please let us have some more history on this subject.

Ozark, Ala. A. L. BYRD.

¶ *See Editorial* "Some More History," —Ed.

Don't Bear False Witness

Advertiser

EDITOR, THE ADVERTISER—I have read some of the letters concerning the Negro boycott and I must say I have enjoyed reading where some are in sympathy with the Negro and some are entirely against the Negro.

I read in *old Grandma* a few days ago a letter concerning Julie Seale Harris, asking help from the mayor and different ones about getting into trouble and whipped by colored leaders.

Now I am sure Mrs. Harris can ride, and anyone else who cares to, and no violence or threats from the colored leaders will come to them.

I am a cook and nurse. No one has attempted to whip me or give me any trouble when I ride. Of course I don't have to ride a bus, as I have always had my own way to come and go. But you who don't have it, let's not tell the wrong thing on our colored ministers and leaders.

Montgomery CARNELLA REEVES.
35 Gravel Pit Lane.

Misguided Ministers

Editor, The Advertiser: Advertiser

This present boycott of the City Bus Lines, and as I have heard, of some Montgomery merchants, by the Negro element in our city, has been taken in stride by me. I have never been a patron of the bus lines, because I did not need them; but I have always thought it a privilege to have their services available for those who did depend on that transportation for their daily economy.

"Reverends" of their race who seem bent on only fomenting trouble. Another thought: These Negroes who are riding their own race to work or to town for a small fee? Why not a taxi license? Answer that.

Montgomery. EARL REEVES.

Wife's Opinions Her Own

Editor, The Advertiser:

Regarding the letter [Critical of the bus boycott leaders] appearing on the editorial page Jan. 6, written by my wife, Mrs. Robert E. Neal.

This letter was written unbeknowingly to me. If this letter has caused any ill feeling toward me, I am sorry. I knew nothing about it until I arrived at my office the morning it appeared.

I have represented my company for over 18 years. I have always prided myself in dealing with my fellow man in an honest and upright manner. I have helped many in their trials and tribulations during these years.

I do not belong to any organization other than the Methodist Church.

Montgomery. R. E. NEAL.

Bah, Mr. Benson

Editor, The Advertiser: Advertiser

According to the Jan. 2 issue of *The Advertiser* Mr. Benson mentions the "gap" between what the farmer gets for his produce, and what the consumer pays for it. Jan. 7-8-56

He goes on to say this difference is brought about by the rising cost of handling between the farmer and consumer. This brings to my mind the man who prepared his land, planted, worked and gathered his okra and took it to market. Upon arriving at the store with his okra, he asked the manager what he was paying for okra. Seven cents a pound, was the reply. P. 2-b

So while the farmer was at the store, he looked around to see if there was something he needed. He came to a hamper of okra with a price card on it—28c per pound. 21c per pound handling charges between the farmer and consumer?

Montgomery

It took the farmer three months to get it to market for 7c a pound. It took the store man not more than three days to get it to the consumer.

Ala.

Bah! Mr. Benson will have to wrap that one in something besides sugar coated honey to get the farmer to swallow it.

If the farmer was as well organized as the merchants, the merchants could be found out on the farms bidding against each other to get the precious farm raised products

I don't blame the farmers for quitting their farms. When they must take a gambler's chance on weather, insects, and prices. What went with the days when 12 pounds of meal was a peck? At that rate I should buy a dollars worth for 80c.

East Tallassee, Ala. J. W. CULLIFER.

Bus Fare Hike Granted As Negroes Boycott Line

Post + Times Herald

Thurs. 1-5-56

MONTGOMERY, Ala., Jan. 4 (AP)—Beginning next Monday, adult bus fares will be hiked from 10 to 15 cents and school children's fares from 5 to 8 cents. Washington

Transfers, except for school children, will be 5 cents each.

The city commission granted Montgomery City Lines the increases today in the wake of a month-old Negro boycott of buses. The increases will "be subject to reconsideration" after the boycott is ended, Mayor W. A. Gayle said. P. 9

City Lines officials made the request for fare increases at yesterday's regular commission session. P. 9

Negroes began boycotting the buses Dec. 5 after Mrs. Rosa Parks was arrested and fined $15 for violating state and city laws which requires segregation of the races on public conveyances. She had refused to move to the rear of a bus.

Jack Crenshaw, attorney representing the bus company, told the City Commission revenue is now about 22 cents per operating mile while operating expenses are between 40 and 44 cents per mile.

He said the only reason revenue is as high as 22 cents is because the company has cut total mileage by 31 per cent since the boycott started.

Negro leaders have asked that members of their race be allowed to take seats on the buses on a "first come, first served" basis. The plan called for Negroes to continue taking seats from the rear toward the front, but none would be required to stand if seats in front were vacant.

In rejecting the proposal, the bus company said it would violate the state and city statutes requiring "separate but equal" facilities for white persons and Negroes.

Montgomery Bus Line To Raise Fare; Negroes Still Won't Ride

Daily World Atlanta Ga.
Fri. 1-6-56

MONTGOMERY, Ala. —(SNS)— City officials here have granted the Montgomery Bus Lines permission to raise bus fares in an attempt to cope with the refuse-to-ride campaign which is entering its 34th day.

Mayor W. A. Gayle announced that the City Commission granted a temporary one-third increase in fares on Jan. 4. This means that regular fare will be advanced from 10 to 15 cents and school tickets from 5to 8 cents. Transfers which have been free will cost 5 cents.

The hike in fares came after a back-to-bus-riding proclamation appeal by Mayor Galye had failed to induce the protesting segment to weaken the more than month long stay-off-the-buses protest.

Bus company officials said that revenue had been so seriously affected by the protest that the MBL would be unable to operate unless relief came. The company's franchise expires in March.

Meantime the 10th in a twice-a-week series of information mass meeting is scheduled for Monday night, Jan. 9 at Bethel Baptist Church pastored by the Rev. H. H. Hubbard. A similar know-the-facst mass meeting was scheduled for last night at the St. John A. M. E. Church pastored by the Rev. R. W. Hilson.

The Dec. 1 arrest and Dec. 5 conviction of Mrs. Rosa Parks under the Montgomery move-back segregation laws erupted the protest. The conviction was appealed to Circuit Court but no date has been set for the hearing.

Since the protest started the Montgomery Improvement Association headed by Dr. Martin Luther King, Jr., pastor of downtown Dexter Avenue Baptist Church has assumed the spokesmanship for the aggrieved segment.

The MIA leadership has asked adoption of a 3-point program urging (1) more courteous treatment, (2) seating on a firstcome, first-served basis and the (3) employment of Negro bus drivers on bus running in to areas populated heavily by members of the Negro group.

Both the city officials and the company officials have rejected all three proposals. On courtesy, they claim that racial complaints are normal, and that all over the nation with local transit service such complaints come.

They answer that under Montgomery and Alabama law seating cannot be permitted on a first-come, first-served basis without breaking the law. Hiring Negro bus drivers, city and company officials say, would collide with custom.

Meantime the Central Alabama (White) Citizens Council headed by Macon County Senator Sam M. Englehard, Jr., of Shorter, Ala., has conducted an advertising campaign urging that the buses be patronized more, and suggesting that the bus franchise might not be renewed unless there was more bus patronage.

Protest leaders have made no statement whether they favor making a legal challenge of the validity of local and state imposed bus segregation laws. Meantime the leadership is in the hands of ministers who speak in terms of "protest, love, and faith in God." They tell their followers "we can carry on this struggle for 12 months if we stick together."

One of the MIA leaders said that it was obvious that the opposition was trying to wear them down and was waiting to see how long the protesting segment could carry on the non-ride, non-violence, non-cooperation struggle.

White Pastor Aids Negroes In Montgomery Bus Boycott

Commercial Appeal
Thurs. 1-12-56 p. 17
Memphis, Tenn.

By TOM JOHNSON
Associated Press

MONTGOMERY, Ala., Jan. 11.—Here in the Cradle of the Confederacy, a young white minister stands in the pulpit of his church on Sundays and urges his congregation to support a Negro boycott of city buses.

His remarks do not fall on hostile ears. On the contrary, the 210 church members respond enthusiastically.

The Rev. Robert S. Graetz, 27, pastor of all-Negro Trinity Lutheran Church, came to Montgomery for "missionary" work last June from a predominantly Negro church in Los Angeles.

He told his congregation on Dec. 4—the day before the boycott began—that he was making his own car available to a "share the ride" pool organized to transport Negroes unable to afford taxi fares.

Plea Is Sounded

"Let's try to make this boycott as effective as possible," he urged the members, "because it won't be any boycott if half of us ride the buses and half don't ride. If we're going to do it, let's make a good job of it."

In the days following, the Rev. Mr. Graetz put in as much as 16 hours a day carrying on his church duties and helping organize the boycott which was begun in protest of the segregated seating arrangement on city buses.

He hauled passengers three hours a day and served as a member of a transportation committee that organized a pool of 250 to 350 private cars.

Dispatch and kickup stations have been set up for transporting Negroes to and from work.

Goes Right To Work

It didn't take the boyish-looking minister long to get thoroughly wrapped up in Negro affairs after he arrived in Montgomery. By the time the boycott developed he was already acquainted with most of the principals, including seamstress Rosa Parks, whose defiance of the bus segregation law touched off the protest movement.

Of her, the Rev. Mr. Graetz says: "She must have figured that if the Lord wanted to make her the goat, she was willing."

The Rev. Mr. Graetz and the pastors of most Montgomery Negro churches urge their congregations to make special offerings to buy gasoline for the car pool. He estimates it costs about $200 a day to keep the cars moving.

Besides the money raised locally, the Rev. Mr. Graetz said funds have come from churches outside Montgomery—New York, Philadelphia, Mobile, Tuscaloosa, Tuskegee—and from "anonymous white friends." At last report, he said $7,000 had been raised and there was a "rather sizable balance."

Stopped By Sheriff

While driving five Negro women to a suburban area on Dec. 19, the Rev. Mr. Graetz said he was stopped by Montgomery County Sheriff Mac Sim Butler who demanded: "What are you doing—running a taxi?"

He replied that the Negroes were "friends," not passengers. He said Butler accused him of picking up passengers in a taxi zone and ordered The Rev. Mr. Graetz to follow him to the county jail.

There he was detained for a half hour and released.

Born in Charleston, W. Va., The Rev. Mr. Graetz said he became interested in racial problems at the Lutheran Capital University in Columbus, Ohio.

The young minister thinks of himself as a "radical" although not as much as he once was. ("I was really radical in college"), yet his strongest expression on integration is that the process should occur gradually but should be speeded up over the present pace.

Owns Mass Shares

He says he has been accused of being a communist but adds: "I'm a capitalist with 30 shares of stock in Libby-Owens-Ford," the Charleston glass company for which his father works.

It is clear that the South is not what the Rev. Mr. Graetz envisioned: "I thought Negroes were shot if they walked down the street."

He says of his work: "I have been told that I am a kind of symbol to my people. Many of them had long ago concluded that it was scarcely possible for a white person to be a Christian. But now they know that, with some of us, Christianity is more than a pious profession of the lips.

"I know that I shall be criticized for my stand. I may even suffer violence. But I cannot minister to souls alone. My people also have bodies."

The Rev. Mr. Graetz lives with his wife and two children in a ranch-house style parsonage next door to the church, which is situated in a Negro district.

Tell It To Old Grandma

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Why Is It A Sin To Ride The Bus?

EDITOR, THE ADVERTISER—Can you help some of us cooks? The folks tell us that they pass a law against the colored folks riding any bus.

I don't have enough money to ride the taxicab. Last week it took $3.80 for taxicabs. The bus company has been mighty nice to me and so has our bus driver. He helps the old white folks and the old colored folks and is nice to all alike. I wanted to ride the bus and the bus driver said I could, but some folks told me I would get myself in trouble.

Mr. Advertiser, can you please help us, so we can ride the bus. The preacher at our church told us not to ride—maybe a year or more, and that it would be a sin, but I don't see how it is a sin for colored folks to ride a bus.

The bus is more convenient for us. I get to my job late every morning since the boycott. The white lady I been working for is mighty nice to me and I want to stay on, but this boycott is hurting a lot of us colored folks. Please help us if you can and tell the mayor we want to ride the bus like we been doing all the time.

Montgomery. JULIE SEALE HARRIS.

Overbearing Bus Drivers

Editor, The Advertiser:

As the magnificient and successful bus boycott continues I would like to make it a matter of record that there are white bus riders in Montgomery who are honoring the request of our colored friends by refraining from patronizing the City Lines in an effort to express our sympathy.

The plaintive plea of Mayor Gayle, calling for public support of bus service has a futile and hollow ring, coming from a man who has callously ignored the appeals of delegations who have called upon him repeatedly in the past for redress. Someone should scrawl across his office wall, "It is later than you think."

The demands of the Negro populace are extremely moderate and within the law. I challenge any legal light in the state to show how these modest requests are outside of the law, though city hall politicians, City Lines counsel, and curbstone lawyers continue to prattle about the sacrosanct inviolateness of state statutes.

Man and boy, I have ridden street cars and buses in Montgomery for over 40 years. Seamy and sordid have been the scenes I have witnessed. The charges brought by the Negro protestants in their paid advertisement of Dec. 25, are confirmed by personal observation many times over. Has the bus company ever conducted a training program among its drivers stressing curtesy and consideration to its customers?

There are bus drivers who are courteous to both races, but has any effort been made to weed out the belligerent, overbearing and profane drivers who have caused most of the trouble? Would any responsible businessman permit his employes to insult his customers in such ways and expect to remain in business? Are our city fathers less aware of their responsibility than the leaders of Mobile and Houston, Texas? Are our newspapers less capable of keeping citizens abreast of the changing times than the publications of those two cities? Are those of us who sympathize too timid to make our views known? There is ample blame to share among all of us.

Answering the mayor's appeal to save the franchise by patronizing the bus lines, here is one white ex-bus rider who would like to declare that as long as the bus boycott is on, it will be a dreary, rainy day, when I have a sprained ankle, and less than 45c cab fare, before I board one of those yellow rolling cell blocks again.

Montgomery. WILL T. SHEEHAN.

Where Will They Strike Next

Editor, The Advertiser:

I have been reading some of the letters in *Old Grandma* concerning the bus boycott. They seem to be written mostly by Negroes or Negro sympathizers. Being neither one of these I would like to put my 2¢ in.

I am not a bus rider, but I am concerned over the bus boycott, because I know if the Negroes win this boycott, it is only the beginning. Suppose the bus company is forced to bow down to the Negro through these methods. Who will they strike next? Most likely the department stores! And what for? A seat at the white lunch counter and colored sales girls. These stores can be bowled over one at the time just as the bus company is being done now.

The Negro has tried to make this boycott appear as a strike against the bus company, but the way I see it, it's another strike against the white people to gain superiority. They have already proved it is not equal rights they want. The bus boycott is a very good example of how well the Negroes are organized, and the people that like the South the way it is had better stand up and take notice.

Why should the bus company and the 30-odd drivers that have been laid off be expected to stand this loss alone, when it is to the interest of so many. It is known that some white people are now making donations through the bus meters. Which seems like the best legal way to beat the Negroes at their own game. So what do you say we all help the bus company, who is trying to uphold the laws of our state as well as our way of life. J. P. JAMES.

Montgomery.

Let's End The Boycott

EDITOR, THE ADVERTISER:

Montgomery has always had the reputation as a city of "good will, pleasant living, and cordial relations between the rates."

I, for one, think the vast majority of its people still believe this to be true, and cannot understand why the bus boycott has dragged on and on, and hasn't been settled long ere this. There is so much basis for compromise, without violating either city or state laws on segregation, if only men will meet together with "open minds and good will in their hearts."

There is no reason not to take in good faith the statements and advertisements of the Negro Improvement Association, that they are willing to compromise, and are not asking a violation of the segregation laws. The threatening ads of the Central Alabama Citizens Council, that bus fares will be increased or buses will be discontinued if the boycott is not called off, certainly do not help the situation nor tend to solve it. Threats have never solved any problem.

The committees which Mayor Gayle appointed have twice met and failed to get together on a single issue. It's up to Mayor Gayle, or the other members of our city commission, to now take the initiative, appoint entirely new committees, with no pre-conceived opinions, to meet together in "good will," and settle this issue. Every day that it drags on not only hurts the reputation of our fair city, but its economy as well. It must be settled with dignity on both sides, and there is no reason why it cannot be done. Let's re-establish Montgomery once again, as a city of "good will, pleasant living, and cordial relations between the races." Mr. Editor, perhaps you, too, can help to bring this about.

MRS. MYRON C. LOBMAN.

Montgomery.

1 Bus Route Out, Service Reduced On Other Runs

Tues. 1-3-56

One regular city bus route was cut out yesterday and service abbreviated on other schedules.

The Riverside Heights route was eliminated yesterday while others were served at longer-than-usual intervals, a spokesman for Montgomery City Lines said.

The City Commission had earlier given the company permission to halt buses on all routes Dec. 25, 26 and Jan. 1, but no mention was made of Jan. 2.

The spokesman said the company had given no advance notice of reduced service yesterday.

Bus Officials Win Approval On Fare Boost

Thurs. 1-5-56

A 50 per cent rate increase and a charge of five cents for transfers were granted Montgomery City Lines yesterday by the City Commission. The increases become effective Monday.

Pending settlement of the Negro boycott—a month old today—the commission authorized the bus company to raise adult fares from 10 cents to 15 cents and school fares from five to eight cents.

Transfers, which have been free to bus passengers, will cost five cents.

LOSS CLAIMED

Mayor W. A. Gayle said the increase will be "subject to reconsideration" when the boycott is ended.

Company officials had asked for approval to double fares, because of losses said to be 22 cents for each mile the company operates.

Since Dec. 5—after Rosa Parks was fined $14 for violating the city's segregation law—the Negro boycott against the company has been virtually 100 per cent effective.

Several conferences between Negro leaders and city and civic officials have produced nothing near an agreement.

Mayor Gayle said yesterday the citizens committee he appointed to iron out the differences "stands ready when called." However, he said he knew of no meetings planned.

NEGRO GROUP

A similar statement came from the Rev. M. L. King, spokeman for the Montgomery Improvement Association, a Negro organization which claims to represent "50,000 citizens."

King said his group would meet with city officials or any group "sincerely interested" in settling the controversy.

King, in reply to a question, said he knew of no circumstances under which the Negroes might relent from the three demands they have made as the price for ending the boycott. But he added he has been out of town "for a few days" and hasn't checked with the association recently.

The Negroes have asked for elimination of reserved sections on buses for white and Negro, suggesting instead a first come, first served seating arrangement. Once properly seated, no passenger would be subject to reassignment. Negroes would fill the buses from the rear and whites from the front.

Other demands include hiring Negro drivers and "More courteous" treatment at the hands of white drivers.

Telephone Survey Supports Fare Hike

A cross section poll of Montgomerians on their general feeling toward the rise in bus fares indicated a strong majority overwhelmingly in favor of the fare hike and fully behind the bus company.

The poll, conducted yesterday by The Advertiser, consisted of telephoning 50 Montgomerians, 38 whites and 12 Negroes.

In all, 34 persons voted in favor of the rise, five voted against it and 11 were non-committal. Only 16 persons of the 50 contacted were non-bus riders.

Three white persons were against the rise and two offered no opinion. Two Negroes said the rise was "steep" and voted it down

while the remaining nine Negroes offered no comment. The two Negroes voting "no" were the only Negroes who said they were bus riders.

One person said, "If this (the rise) helps the bus company to keep segregation on the buses until this boycott is broken, then I'm all for it."

Said another, "I'm in favor of the rise . . . I hope it means better service . . ."

Most persons voting in favor of the rise said they believed every concern should try to operate at a profit.

One person suggested, "I'm not only in favor of raising the fares, but I think they should set up contribution boxes to help the company during this boycott."

5c A Ride To Preserve Bus Seating System

IS IT WORTH a nickel more a ride to preserve the status quo in bus seating here? Advertiser

This is the challenge presented to white bus patrons, who can back the bus company's stand in favor of the present seating system on Montgomery buses, regardless of the 50% boost in fares effective next Monday. Thurs. 7-5-56

On Monday, by order of the City Commission handed down yesterday, adult bus fares will jump from 10c to 15c.

This is to make good the loss of fares through the Negro boycott. P.4-A

At the same time a 60% boost in the fare for school children, from 5c to 8c, will go into effect.

On top of the fare increases, a transfer charge of 5c will be levied, for the first time. This does not apply to school children. Montgomery, Ala.

★

THE BUS COMPANY, in petitioning the city commission for increases, asked for more than it got. This is not infrequent practice—a utility will ask for an increase which looms large, and the regulatory body will compromise on something in between the existing rate and what was asked. This leaves the public feeling that it has champions looking after its interests.

In the pending case, the bus company asked for an adult fare of 20c, 10c for school children, and the same 5c transfer charge that it was allowed.

One thing bus patrons should write on their cuffs is the possibility that the increased fares are here to stay. At least there is no positive assurance that they will be reduced when the emergency is over.

★

THE BUS COMPANY agreed, in principle, that the increases requested should be subject to reduction when business picks up and the company's financial condition warrants it. But, since the company got less than it asked, except on the transfer charge, it is in a position to argue that any agreement to a future reduction was on the basis of its "asking price" which has already been "reduced" by the commission's order. Besides, the company obviously has a sizable boycott deficit to be made up. The bus company is hard up.

The City Commission's order contained no reference to any reduction when the boycott is over—so far as the official document is concerned, the increases were granted without strings. Queried on this point, Mayor Gayle said that when traffic picks up the question of a reduction will be "taken under consideration." To anyone with memories of "temporary" taxes and such like, it would not be surprising if the 15c adult fare, at least, should prove permanent.

It is apparent to anyone that the bus company cannot be expected to operate at a loss, which it has been doing in a big way since the boycott began Dec. 5. Operating expenses run 40c to 44c a mile, while since the boycott income has been about 22c.

★

ASKED to give specific grounds for the transfer charge, a bus company spokesman said it obviously costs more to haul a passenger four miles than two. He was of the opinion, also, that the charge would help curb abuse of free transfers, such as getting a transfer the patron did not intend to use, and giving it to a friend downtown, for example, to evade payment. Most cities have a transfer charge, the spokesman said.

AS FOR THE increase in fares for school children, it was pointed out that bus driver costs are higher, proportionately, in operating special school buses than elsewhere. This is due to a contract rule, typical of such contracts in general, that when a bus driver is called out, he cannot be paid for less than two hours even though he may actually work only an hour or less.

Vandalism on school buses was another problem mentioned, though this has not been as bad of late as formerly.

Officials pointed out that Maxwell Field has recently called on City Lines to take over transportation of school children from the field to Montgomery schools. This action was taken, it was said, after an expert from Washington had made a survey of existing costs of free transportation in government-owned buses.

★

THERE IS, of course, no mortal more eloquent than a utility spokesman justifying an increase in rates. But in the pending case, there was no question that something had to be done.

Montgomery's last bus fare increase was March 21, 1954, when a flat adult fare of 10c was allowed, abolishing tokens which until then had been obtainable at six for 50c, or 8 1-3c each. The new adult fare of 15c is thus nearly double what it was less than two years ago. It is to be hoped that this will hold us for a good while to come.

Montgomery Bus Line To Raise Fare; Negroes Still Won't Ride

World
Fri. 1-6-56

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The hike in fares came after a back-to-bus-riding proclamation appeal by Mayor Galye had failed to induce the protesting segment to weaken the more than month long stay-off-the-buses protest.

Birmingham

Bus company officials said that revenue had been so seriously affected by the protest that the MBL would be unable to operate unless relief came. The company's franchise expires in March.

Ala.

Meantime the 10th in a twice-a-week series of information mass meeting is scheduled for Monday night, Jan. 9 at Bethel Baptist Church pastored by the Rev. H. H. Hubbard. A similar know-the-facst mass meeting was scheduled for last night at the St. John A. M. E. Church pastored by the Rev. R. W. Hilson.

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Bus Officials Press Demand For Fare Hike

Advertiser
Wed. 1-4-56
P. 1

Officials of Montgomery City Lines told the City Commission yesterday unless adult bus fares are doubled "we just can't live."

K. E. Totten, vice president of City Lines, and Atty. Jack Crenshaw also asked for abolishment of the free transfer and five-cent school fare.

Montgomery

Since a Negro boycott of the company began Dec. 5, Crenshaw said the company has lost as much as 22 cents for each mile it operates.

Ala.

INCOME 22 CENTS

Operating expense for each mile is 40 to 44 cents, said Crenshaw. Since the boycott, income has been about 22 cents.

Crenshaw said the increased adult fares would be lowered again when the "abnormal situation" is settled.

He added, however, he thought an increase in school fares to 10 cents and a charge of five cents for transfers should become permanent.

Mayor W. A. Gayle and Commissioners Frank Parks and Clyde Sellers discussed the company request yesterday but apparently reached no immediate decision.

Totten indicated he thought the rate increase preferable to making further reductions in service, which he said, have more lasting effect.

Crenshaw advised the commission that "labor leaders" would not oppose an increase in fares.

After the meeting, the company attorney said he was hopeful the public would cooperate with Mayor Gayle's plea last week for greater patronage of the buses.

It is expected that several Montgomery civic clubs plan to endorse the mayor's proclamation, which described the boycott as "designed to deprive our citizens" of the benefits provided by the bus firm.

MONTGOMERY BUSES WIN RATE INCREASE

Commercial Appeal

Fares Boosted One-Third As Result Of Boycott

MONTGOMERY, Ala., Jan. 4. — (UP) — The City Commission Wednesday permitted the boycotted City Bus Lines, which claims its income has been slashed, to temporarily increase fares by one-third and charge a five-cent fee for previously free transfers. Thurs. 1-5-5

The commission took the action as a result of the four-week-old boycott of city buses by from 80 to 90 per cent of the city's Negro population. P. 31

The Negroes are protesting the segregation law that prevents Negroes from sitting in the forward sections of buses.

The commission granted permission for the company to raise adult fares from 10 to 15 cents. Fares for school children may be increased from five to eight cents. All transfers, except those for school children, will cost five cents.

Memphis

The new rates will become effective next Monday. Mayor W. A. Gayle said the increase is temporary but the resolution adopted by the commission made no provision for a reduction.

The boycott began as a protest against court action in which a Negro woman was fined $10 for refusing to move to the rear of a bus. Negro leaders say they have no desire to wipe out the law, but merely want to alter it so members of both races can sit in opposite sections if they contain the only available seats.

BUS REQUEST DENIED 'BOYCOTT' SPOKESMEN

Negro leaders took their fight for a new bus seating arrangement directly to the City Commission yesterday but a two-hour conference produced no settlement of the 36-day-old boycott.

Advertiser P. 2-A

Mayor W. A. Gayle said a committee representing Negro ministers and their congregations and the Montgomery Improvement Association (Negro) merely repeated previous demands for what they term "fair and reasonable" seating arrangement on a first come, first served basis.

Said Gayle: "We are going to carry out the law as we see it, and state law and city ordinances call for segregation on buses."

Montgomery, Ala.

The city has maintained that the seating arrangement sought by the Negroes would not comply with the segregation law requiring separate but equal facilities.

As explained in a resolution presented to the commission yesterday, the Negro demand is "that the seating of passengers be on a 'first come, first served' basis. This means that the Negro passengers will begin seating from the rear of the bus toward the front and the white passengers from the front toward the rear until all seats are taken."

Tues. 1-10-56

Gayle said the committee didn't ask for a change in the present law—merely that it be interpreted differently.

Among those present was the Rev. M. L. King, a Baptist minister who has been principal figure in directing the boycott. He requested the meeting yesterday.

Civic Leaders Watching Bus Appeal From Montgomery Mayor

World

Tues. 1-3-56

MONTGOMERY, Ala. — (SNS) — Civic leaders today were watching the franchised local buses today to see whether an appeal by Mayor W. A. Gayle to ride the Montgomery Bus Lines was having any affect on their 29-day old rideless protest.

Buses were due to resume running after a one-day total suspension of service Jan. 1. The company previously had halted all bus service Dec. 25-26. City officials had approved the temporary curtailment of operation to try to help the bus company which has been missing Negro patronage.

P. 2

A ministers-led refuse-to-ride protest was set off here by the Dec. 1 arrest and Dec. 5 conviction of Mrs. Rosa Parks, church devotee and well-thought-of civic worker who was charged with violating the city and state bus segregation laws. The conviction was appealed to circuit court.

Spearheaded by the Montgomery Improvement Association of which Dr. Martin Luther King, Jr. is president, the civic leaders have asked city and bus officials to guarantee more (1) courteous treatment on the buses, (2) seating arrangement on a first come — first served basis and (3) the employment of Negro bus drivers. All three proposals have been rejected by company and city officials.

Birmingham

Meantime the Central Alabama (White) Citizens Council headed by Macon County Senator Sam M. Englehardt, Jr. of Shorter, Ala. has conducted an advertising campaign in the newspapers urging persons to ride the bus.

Ala.

The (white) council Dec. 29 announced the posting of a $100 reward for the arrest and conviction of persons responsible for attacks on Montgomery City Lines buses during the stay-off-the-buses protest.

But neither the company nor the city has undertaken such a course as offering a reward for bringing to bar alleged violators during patron-imposed non-cooperation campaign.

Mayor Gayle's proclamation said: "Whereas the attempted boycott of the Montgomery City Lines is designed to deprive our citizens of these advantages, I call upon each and all citizens of Montgomery to patronize the existing transportation systems so that all may be more safely transported, that traffic congestions may be reduced, and that every one may be assured of continuation of bus transportation in the city."

Tell It To Old Grandma

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Advertiser

Ride The Bus, If Your Conscience Permits

EDITOR, THE ADVERTISER—In reference to the letter that appeared in *The Advertiser* Jan 4 from Mrs. Julie Seale Harris, "Why Is It A Sin To Ride The Bus."

Fri. 1-6-56

I would just like to put in my two cents. It is no sin to ride the bus. But it is a disgrace to her race. I am a cook and have been for 19 years and I had harder times getting to work before the boycott than I have now.

P. 4-A

There are thousands of cooks getting to work each day on time. So Mrs. Harris, why can't you get to work on time?

Mr. Editor, please tell Mrs. Harris to attend one of the many meetings that are held for further instruction. There she will be told of how to save her $3.80.

Mrs. Harris, there are many good things the preachers have told you and you didn't mention them. Why mention something to work head lines?

It's your right to ride the bus, when and where you please. Trouble will come to no one who rides the bus. If your conscience don't trouble you, your race won't.

The boycott shouldn't have any connections with you and your white folks. If they was nice to you before the boycott, they should still be nice to you unless you talk too much out of your mouth and make them fire you. Take heed and be persuaded by your own opinion and ride the bus without fear.

See you at the next meeting.

(MRS.) ESSIE B. IVERY

Montgomery.

◆

Answering Mr. Sheehan

Editor, The Advertiser:

Having read the letter of Will T. Sheehan I don't know him) I wish to comment on what he had to say.

He was evidently sore with the bus company in the first place and ridiculed their drivers because of his grievances. If he does not want to ride our buses then good enough. (We don't force any patrons to ride.) He could go North so that he can mix and mingle with his colored friends to his heart's desire.

I personally do not blame the City Commission for not appeasing the arrogant forces back of the boycott. It is ignorant to think we here in Montgomery would adhere to such. If the ones who oppose our way of life here in the South would only go elsewhere it would be better for both white and colored. Why do they try to stir up race agitation any way?

It certainly isn't gaining them anything and only causing a large majority of our people to have hardships imposed upon them. Did Mr. Sheehan ever stop to think what bus curtailment means to so many? H called our buses "yellow rolling call block." Well anyway the citizens as a whole need, like and want them. I hope he will have a change of heart. Something is wrong with him not our bus drivers.

MRS. ROBERT E. NEAL

Montgomery

Montgomery, Ala.

What The Constitution Could Not Foresee

Editor, The Advertiser:

The mentality, the principles, and the social organizations of Negroes will best be served by membership in their own organizations, and associations among those of their own race. By all means encourage and aid them in raising their standard of living, but do not lay the foundation for ultimate intermarriage the disintegretion of the white race which was created superior to the black area.

When the Constitution of the United States was written, America did not have the dense Negro populations which it has today. Our forefathers could hardly have foreseen the changes and the growth of our country to such an extent that they could realize integration of the two races. Vast expansion and increased population of both races are problems facing us in both the present and the disintegretion of the white race ligently and loyally observing the highest ideals and principles which are our heritage.

It seems to me that there may be a more moderate interpretation of "all men are created equal." Christianity molds them into a better character. Tolerance and consideration for all classes are murtured in the minds and hearts of both the white race and the Negro race by Christian influences.

Where would be the wisdom, the virtue, the glory, in the unhappiness inflicted upon countless thousands of both the white and the Negro races by appeasing and satisfying the unreasonable and selfish demands of a very small minority of both races? We who do not oppress others do not desire to be oppressed. Where the Spirit of the Lord is, there is liberty," *2 Corinthians 3:17.*

MRS. SAMUEL R. RUSHING

'We're not budging, AFRO told

Afro-American Sat. 1-7-56

(Special to the AFRO)

MONTGOMERY, Ala.—"They won't budge and we aren't thinking of budging." P.1

In the words of the Rev. J. L. King, a leader of the Montgomery Improvement Association, that sums up the impasse in the negotiations of the bus boycott that began its fifth week, Sunday.

"Tired of being humiliated by bus drivers," the colored citizens of Montgomery decided on Dec. 4 to refuse to travel by bus until the operators of the bus lines acceded to three demands.

Baltimore, Md.

THEY ARE: (1) More courtesy towards passengers by the drivers; (2) A first-come, first-served seating arrangement; and (3) the employment of colored drivers.

"I think that our demands are simple," the Rev. Mr. King told the AFRO Saturday, "but the company doesn't show any inclination to grant them."

Meanwhile, the spokesman for the Montgomery citizens group whose boycott is 99 per cent "and maybe forty-four one-hundredths" effective, said the bus company had withdrawn about "two-thirds of its buses."

* * *

"ON CHRISTMAS and Christmas Monday," the minister revealed, "the company ceased operations.

"I hear," he continued, "that they might not seek to renew the franchise."

It is estimated that the strike has cost the company about $150,000 in loss of revenue. About three-fourths of the regular passengers are colored.

* * *

THE RIDERS are being transported by a 200-car pool and taxicabs. The improvement association has collected over $6,000 to finance the demonstration.

"It is not uncommon to see white employers of domestics drive their limousines into our neighborhoods to pick up their maids, either," the minister reported.

Afro-American

"Many of the good white people of Montgomery are in sympathy with us. Several have made financial contributions to the cause." P.2

A SPECIAL citizens committee composed of members of the association and white community leaders, in addition to the officials of the bus company, are expected to resume negotiations this week.

The strike was the outgrowth of the Dec. 1 arrest of Mrs. Rose Parks, who refused to get up out of her seat for a white passenger.

She was fined $14 on Dec. 3 for violating the state's segregation law.

★ Tell It To Old Grandma ★

Your name and address must be given on letter ★ But upon request name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry please ★ Repeat. No letter will be printed unless Editor knows who wrote it

Advertiser

Negroes Cannot Compromise

EDITOR, THE ADVERTISER—I have noticed that since the protest began there has been an avalanche of letters appearing in the *Grandma* column urging that a compromise be reached. Some of these letters and suggestions came from people who are quite optimistic in their thinking; a few came from people who are realistic in their reasoning; but the majority of them came from people who are pessimistic in their belief.

Be it known, now, henceforth and forever, that the Negroes of Montgomery have no desire to compromise in this "bus situation." I have moved through the streets, and have been convinced beyond a shadow of a doubt that Negroes prefer walking rather than to go back to riding the buses.

Phila. Inq. 1-5-56

Our request has been reasonable. These are the proposals: Phila. P.4-A

¶ That assurance of more courtesy be extended the bus riders.

¶ That the seating of passengers will be on a "first-come, first-served" basis, with Negroes being seated from the rear to the front and whites being seated from the front toward the rear.

¶ That Negro bus drivers be employed on the bus lines serving predominately Negro areas.

Montgomery

On our side there can be no compromise with this principle envolved. In the first place this is a compromise to begin with. We should have demanded complete integration which does away with Jim Crow, and what our constitutional rights guarantee to all American citizens. It then seems to me that those who cry "compromise," should be courageously seeking ways to supplement these proposals.

Ala.

The type of segregation, Jim Crow and discrimination being practiced here in the South is on its deathbed. There are some who are trying to keep it alive. But internal coercion and external pressure is sure to cause this personality to have an early funeral.

The Negro ministers have been charged by some as misusing religion and the Church. If there is any group of people who have come in personal contact with Jesus it certainly must be the Negro ministers. We don't teach people however, that the Bible teaches separation of the races. We teach them to believe in and live the life applicable to one who practices the brotherhood of man and the fatherhood of God. To underestimate the Negro ministers is uncalled-for, unjustifiable and absurd at the least. We believe in "good race relations" or as Mrs. Myron C. Lobman calls it "cordial relations between the races." However, I am quite sure we do not define the term alike. We believe that "good race relations exist only when everyone is treated as an equal. This cannot be as long as there are laws preventing men of one race from enjoying the privileges and rights enjoyed by another race.

We shall never cease our struggle for equality until we gain first-class citizenship, and take it from me this is from a reliable source (the Negro citizens of Montgomery). We have no intention of compromising. Such unwarranted delay in granting our request may very well result in a demand for the annihilation of segregation which will result in complete integration.

[The Rev.] U. J. FIELDS, Minister
Bell Street Baptist Church, Secretary of the Montgomery Improvement Association.
Montgomery.

◆

First Come Already First Served

Editor, The Advertiser:

I am a widow, 60 years old, and have to work for a living. The bus is the only way I have of getting anywhere. I ride the Veterans Hospital bus, and I have my first time to hear one of these drivers ask a Negro to give a white person a seat. One afternoon just before the boycott I got on the bus and Negroes had every seat they could have. White people were standing. I would have had to stand all the way to town except a four-year-old girl got up and let me have her seat. Since busses did not run Dec. 25-26. I had to stay home on my only holidays.

Montgomery. MRS. M. L.

◆

A Mother's Thanks

Editor, The Advertiser:

I am the mother of J. M. Strickland, who along with Robert F. Richards was injured very seriously in an automobile accident on U. S. Highway 82, East, Saturday night, Nov. 12, 1955.

Robert F. Richards suffered from shock and also suffered a fractured pelvis and multiple bruises and abrasions. My son, J. M. Strickland, suffered from shock, fractured vertebra, lacerations of his forehead which has required a skin graft, and other skull and back injuries, cuts and abrasions.

Immediately following the accident, my son was bleeding profusely from his head wound. Both of these fine young men are thankful for the skill and mental alertness and quick action of Mr. Richard L. Tidwell, a member of the Montgomery Fire Department. At the scene of the accident, Mr. Tidwell administered first aid. Mr. Tidwell treated both boys for shock. He stopped the bleeding from my son's head wound by using the "pressure point."

It is my understanding that Mr. Tidwell has worked with the Highland Avenue Fire Department for 13 years and that all this period of time he has been taught first aid. For Mr. Tidwell's knowledge of first aid, I salute the City of Montgomery and its Fire Department, and I send a mother's undying heart-felt gratitude.

I cannot find words adequate to express my appreciation to you personally, Mr. Sellers, to Chief Lampley and to all the other members of the Montgomery Fire Department.

Montgomery MRS. NELLIE S. HUNT.

White Pastor Spurs Negroes' Bus Boycott

MONTGOMERY, Ala., Jan. 11 (AP)—Here in the cradle of the Confederacy, a young white minister stands in the pulpit of his church on Sundays and urges his congregation to support a Negro boycott of city buses.

His remarks do not fall on hostile ears. On the contrary, the 210 church members respond enthusiastically.

The Rev. Robert S. Graetz, 27, pastor of all-Negro Trinity Lutheran Church, came to Montgomery for "missionary" work last June from a predominantly Negro church in Los Angeles.

He told his congregation on Dec. 4—the day before the boycott began—that he was making his own car available to a "share-the-ride" pool organibed to transport Negroes unable to afford taxi fares.

'Make Good Job,' He Urges

"Let's try to make this boycott as effective as possible," he urged the members, "because it won5t be any boycott if half of us ride the buses and half don't ride. If we're going to do it, let's make a good job of it."

In the days following, Graetz put in as much as 16 hours a day carrying on his church duties and helping organize the boycott that was begun in protest of the segregated seating arrangement on city buses.

He hauled passengers three hours a day and served as a member of a transportation committee that organized a pool of 250 to 350 private cars.

It didn't take the boyish-looking minister long to get thoroughly wrapped up in Negro affairs after he arrived in Montgomery. By the time the boycott developed he was already acquainted with most of the principals, including seamstress Rosa Parks, whose defiance of the bus-segregation law touched off the protest movement.

Of her, Graetz says: "She must have figured that if the Lord wanted to make her the goat, she was willing."

Graetz and the pastors of most Montgomery Negro churches urge their congregations to make special offerings to buy gasoline for the car pool. He estimates it costs about $200 a day to keep the cars moving.

Stopped by Sheriff

While driving five Negro women to a suburban area on Dec. 19, Gractz said he was stopped by Montgomery County Sheriff Mac Sim Butler, who demanded: "What are you doing—running a taxi?"

Graetz replied that the Negroes were "friends," not passengers. He said Butler accused him of picking up passengers in a taxi zone and ordered Graetz to follow him to the county jail.

There he was detained for a half-hour and released.

A native of Charleston, W. Va., Graetz said he became interested in race problems at the Lutheran Capital University in Columbus, Ohio.

It is clear that the South is not what Graetz envisioned: "I thought Negroes were shot if they walked down the street."

Graetz lives with his wife and two children next door to the church, which is situated in a Negro district.

Associated Press

REV. ROBERT S. GRAETZ
. . . prayers and a car pool

Profile of the Rev. Mr. Graetz—

White pastor leader in Capital boycott

Negroes have been boycotting city buses in Montgomery since Dec. 5. The bus company has had to raise fares to make up some of the lost revenue and no settlement is in sight. This article on one of the most controversial leaders in the boycott movement was written for The Associated Press by Tom Johnson, a reporter for The Montgomery Advertiser.

BY TOM JOHNSON

MONTGOMERY, Ala., Jan. 11—(AP)—Here in the Cradle of the Confederacy, a young white minister stands in the pulpit of his church on Sundays and urges his congregation to support a Negro boycott of city buses.

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Pastor Graetz

Is Threatened And Quickly Receives Clyde Sellers' Protection; As Phone Gashes Praise, Abuse

By Tom Johnson

THE REV. ROBERT S. GRAETZ made the following sleepy notes after a telephone call at 2:15 a.m., Tuesday.

"White man who seemed to be drunk demanded that I come and give him taxi service like what has been furnished to the dark complected people. Suggested we set up a car pool for white peopl so [they] can save the 15c fare. Refused to give name.

After *The Advertiser*, containing the story of his ministry at a Negro Lutheran church on Cleveland Avenue appeared in general circulation a few hours later, Graetz was beseiged by the after-clap of a surprised, and in many cases angry, indignant, white citizenry.

And he, in turn, was surprised by the number who called to express their support of his work. A few dropped by to speak to him in person.

As of late yesterday, Pastor Graetz had logged 30 telephone calls as a direct result of his boycott activities becoming known.

Twelve whites and nine Negroes made friendly calls. Eight calls were of the unfriendly sort, four of them downright hostile.

At 3:35 p.m. Tuesday, a caller threatened that "something might happen" unless Graetz got "out of town by nightfall." Two hours later, three other calls came from the same person in quick succession.

Clyde Sellers Comes Through

BY THAT TIME, Graetz had informed police and a couple of detectives were on hand. When the phone rang the last time, Graetz quickly passed it to one of the officers, who grinned and said: "I heard him all right."

Some time later, Graetz received one of the "nicest calls" since his troubles began. The caller was Police Commission Clyde Sellers, who had learned of the threats shortly after the young pastor called the police.

Almost immediately, Graetz says, Sellers told him: "You know I don't agree with what you believe but I do believe that every man has the right to his own beliefs."

Then Sellers, a White Citizens Council member, assured Graetz, the former NAACP organizer, that nothing would happe nto him, that police cars would watch the pastorate all night to discourage any violence.

Graetz Joins Investigation

THE TWO had a lengthy discussion of the boycott issues, with Sellers expressing the opinion the "boycott has failed." He also informed Graetz of incidents that led him to believe the nearly unanimous abstention of Negroes from riding buses was not entirely voluntary.

Graetz, "thoroughly surprised," said he had heard of no instances where protesting Negroes were pressured, but he promised "to investigate."

Graetz was impressed that the police commissioner should make a friendly call.

Negro Son-In-Law

NOT SO FRIENDLY was the letter from a Union Springs "white man," with the white underscored three times. Its cryptic contents: "May you have for a son-in-law the blackest Negro that ever originated from the wilds of Africa."

A telephone call Tuesday evening: "Pastor, if I was you I wouldn't call myself a pastor. You're a no-good Son-of-a-bitch."

An "old white lady" who said she was a member of an "old family and knew all the city officials" offered her Oldsmobile for use in the car pool.

A man from Macon County said there are "thousands of white people who are determined to right the wrongs that have been done." He added that race relations are "splendid" in Shorter, Ala.

38b 1956

ALABAMA

Double-Edged Blade

Time

On Dec. 1, 1955 Mrs. Rosa Parks, a 42-year-old Negro seamstress, was ordered by a Montgomery City Lines bus driver to get up and make way for some white passengers. She refused, was arrested and fined $10 under an Alabama law making it a misdemeanor for any person to disobey a bus driver's seating instructions. But that was not the last of the Rosa Parks case: it has since been used to prove that economic reprisal, as advocated against Negroes by the white Citizens' Councils of the South (TIME, Dec. 12), is a double-edged blade.

Within 48 hours after Rosa Parks had been arrested, mimeographed leaflets were being circulated in Montgomery's Negro sections, calling for a one-day boycott of the city buses. The strike was so successful that Negro leaders decided to continue it until their demands were met. The demands: that Negroes be seated on a first-come, first-served basis without having to vacate their places for white passengers; that white bus drivers show more courtesy toward Negro passengers; that Negro drivers be employed on buses traveling mostly through Negro districts. The bus company agreed only to instruct its drivers to treat Negroes more politely.

The boycott continued, and last week, as it entered its second month, was still 95% effective. Rallies were held twice a week in Negro churches, where overflow crowds gathered to receive the latest information on car-pool schedules (the motor pool includes more than 200 cars operating from 40 regular pickup points).

The boycott's economic punch has been staggering, because the 25,000 Negroes who ordinarily ride Montgomery's buses make up some 75% of the company's patronage. Company officials refused to reveal the size of their losses, because "that's exactly what they want to know."

Last week the city commission granted the desperate company's request for a fare increase: adult prices went up from 10¢ to 15¢, school fares from 5¢ to 8¢, and transfers, which had been free, were priced at 5¢. The strike spirit showed no signs of flagging. A Negro minister, working for the car pool, stopped to pick up an old woman who had obviously walked a long way. "Sister," said he, "aren't you getting tired?" Her reply: "My soul has been tired for a long time. Now my feet are tired, and my soul is resting."

The New Bus Contract

Advertiser 1-4-56

IS THERE danger of Montgomery being deprived of bus service altogether?

This question inevitably arose Tuesday when the City Commission extended the franchise of Montgomery City Lines 10 years, but without the forfeiture clause embodied in the original franchise granted 20 years ago.

38 Ala. Montgomery

The abandoned clause provided that if the company abandoned or discontinued service, all its properties should be forfeited to the city without payment or compensation. That clause was left out of the new franchise.

Both company and city officials minimized the omission. A city spokesman pointed out that if the company should try to quit, the city could still take legal action to compel it to live up to the contract.

Journ. 1-26-56

THE city spokesman noted further that courts are traditionally slow to enforce forfeiture clauses, where such clauses are so drastic as to amount to punitive action. The old forfeiture clause thus might not have stood up in court had it been tested.

A point made by both bus and city representatives for omission of the forfeiture clause was the big increase in the company's assets. Where 20 years ago it was an untested concern with small resources, it has now greatly expanded, has a long record of service, and is showing a willingness to take a licking rather than submit to group demands it regards as unreasonable.

★

WHEN the original franchise was granted, the company had 23 buses, and operated from rented headquarters. Today it has 72 buses, bigger and costlier than those of 20 years ago, and owns its own shops and offices. Its physical assets are valued at around $1,250,000 today, as against about $100,000 back in 1936.

Bus routes have of course been greatly extended. The routes set forth in the new franchise are the same as were in operation Dec. 1, 1955 (before the bus boycott).

A notable feature of the new franchise is that it stipulates a 10¢ cash fare. This pointed up the fact that both the city and the company are committed "in principle" to a return to the 10¢ fare when the boycott is over and the company's revenues justify it. None can say when that will be.

The franchise provides for a 2¢ transfer charge. The present charge, recently granted along with the emergency boost in fares, is 5¢. The company is willing to make it 2¢ when conditions become normal.

It fixes the school children's fare at 7½¢, where tokens are used, or 10¢ straight fare. This means holding on to the increase from the old school fare of 5¢, granted earlier this month.

★

QUESTIONED about the effect of the recent increases in fares, a company spokesman said they are still losing money.

How long can they keep on losing it? A man does not have to be a financial wizard to know that there are limits.

But renewal of the franchise was not marked by any defeatist attitude.

The old franchise expires March 8. The company's willingness to sign up for another 10 years at this bleak hour in its affairs showed faith in the future. A company man remarked that everything comes to an end.

A city division chief who has been in on the conferences hooted the idea of Montgomery losing its bus service. He voiced belief that if it comes to the worst, the company could rearrange its schedules and services and continue to provide service for white people only from here on out. He did not say, however, that he thought they could do it at the present fare.

City Approves Bus Franchise For 10 Years

Advertiser Montgomery Ala. Wed. 1-25-56

A 10-year bus franchise providing for possible cancellation in the event of boycotts "or other cause beyond the control of the company" was approved yesterday by the City Commission.

Approval came after two previous postponements granted to allow attorneys for the city and for Montgomery City Lines to work out a satisfactory franchise.

The new agreement must "lie on the table" for 30 days to give opponents a chance to protest its passage.

The word "boycott" did not appear in the old franchise, which expires March 8, 1956.

MAJOR DIFFERENCE

A major difference in the old and new franchises is the elimination of a clause allowing the city to acquire all rolling stock if the company ceases operation.

That provision was left out entirely in the new agreement.

Permanent rates fixed by the new franchise are the same as the pre-boycott shcedule, except that the company will be allowed to make a two-cent transfer charge.

Adult passenger fares will be 10 cents and school fares 7½ cents (with the use of tokens).

Presently, under a resolution approved last month, the company charges 15 cents for adult fares, 10 cents for school fares or two for 15 cents, and five cents for transfers.

However, the resolution provided for "readjustment" when the boycott is ended.

NOT MENTIONED

The franchise granted in 1936 provided for heavy penalties on the company in the event of willful violation of the terms of the franchise. The city could assume ownership of the company's facilities and operate the buses for "liquidating damages."

The new franchise does not mention such eventualities, except to allow the city to "declare a forfeiture" for violation of the contract terms.

Mayor W. A. Gayle said later the city could still seek a court injunction to protect it in case the bus company should abandon the franchise.

Brands Report Of Settlement Of Montgomery Bus Drive "Misleading"

World P. 1

Tues. 1-24-56

Leaders Say No Solution In Montgomery Bus Situation

Birmingham Ala.

MONTGOMERY, Ala. — Authentic leaders here in the 50-day old stay-off-the-buses campaign yesterday branded as completely false a story which had appeared in public print that they had held a conference with Montgomery city officials which produced a solution to the eight-week old protest.

The Rev. Martin Luther King, Jr., president of the Montgomery Improvement Association and pastor of downtown Dexter Avenue Baptist Church, when questioned on a wire service story which quoted the Montgomery City Commission as saying that an agreement had been reached for settling the refuse-to-ride protest which began Dec. 5 said the story was misleading.

Mr. King said that no representative of the association which he heads had talked with City Hall on January 21. He added that he learned that a Rev. W. K. Kines, a Baptist minister; the Rev. B. F. Mosely, a Presbyterian minister and Bishop D. C. Rice, Holiness minister, reportedly had held conference with the City Commission.

However, the Rev. King said that the three ministers did not speak for the MIA and had not been authorized to confer with the city officials as representatives of the protesting group. He said that he later talked with Rev. Kines and Rev. Mosely who explained how they were brought into the City Hall conference.

A mammoth set-the-record-straight mass meeting was scheduled for Beulah Baptist Church Monday night, January 23. Five neighborhood report-to-the-people meetings were scheduled for Thursday night, January 26.

One of the ministers in the "conference" with the City Commission charged that he was "hoodwinked" into the meeting, according to Rev. King. The MIA president said that he was told by one of the ministers who attended the City Commission's "conference with three Negro ministers" that he was asked to come see about an insurance policy. But was advised that before talking insurance he would have to help find a way to settle the "boycott" of the buses.

The statement attributed to the Montgomery City Commission said that the conference agreed that the "City Commission and the bus company must abide by all laws regulating public transportation."

But that the following ideas had been agreed upon, subject to ratification by Negro leaders and upon a request for restoration of bus service in those areas where it had been discontinued:

1. More courteous treatment.

2. The 10-seats plans — setting aside 10 seats in front of the bus for white passengers and 10 in the rear for Negro passengers.

3. No authority to suggest who the company should employ as bus drivers.

MIA leaders (2) are insisting on a first-come and first-served seating and (3) the employment of Negro bus drivers on buses running into Negro districts.

The City Commission's plan also provided "special buses for strictly Negro use" during the peak-load hours on bus lines running into predominantly Negro residential areas.

The Rev. King indicated that a meeting of MIA leaders was held Sunday at which the City Commission plan was rejected as inadequate.

Meantime today the franchise of the Montgomery City Lines, Inc. was scheduled to come up for renewal Action on the franchise had been postponed last Tuesday.

A delegation from the Montgomery Improvement Association was scheduled to attend the City Commission meeting this morning, according to Rev. King.

Arrest of Mrs. Rosa Parks on Dec. 1 and fining her Dec. 5 set off the refuse-to-ride campaign. The conviction was appealed to Circuit but no date has been set for its hearing.

But officials have complained that the reduced bus loads growing out of the protest have resulted in a droppage of revenue. City officials, trying to aid the company, granted it a temporary 50 per cent bus fare raise. Negro patrons before the protest gave the company 75 per cent of its bus-riders. Company and city officials have indicated that the protest has resulted in about a 90 per cent fall off in Negro riders.

Mixed Ala. audience plan end to conflict

Afro-American Sat. 2-25-56 P. 6 Baltimore, Md.

MONTGOMERY, Ala. — Some 200 colored and white Alabamans Saturday violated a state law and disregarded a longtime custom to discuss ways and means of solving community conflicts.

The group met at an all-day conference at Alabama State College under the auspices of the Alabama Council on Human Relations — the only organized interracial group in the state.

Included in the group of about 70 whites attending were Rep. George Hawkins, floor leader in the State House of Representatives and a member of the Council's board of directors;

* * *

JAMES BATTLE, executive secretary of the State CIO; Carl Griffin, state president of the AFL; Charles Dobbins, former publisher of the Montgomery Examiner;

And Dr. Walter D. Agnew, retired president of Huntington College in Montgomery; the Rev. Albert S. Foley, professor of psychology, Jesuit Spring Hill College, Mobile; Dr. Robert E. Tidwell, retired dean of education at University of Alabama;

Also Rabbi Charles Mantinband of the Congregation of B'nai Israel, Hattiesburg, Miss., and Dr. Andrew Turnipseed, Mobile district superintendent of Methodist Church.

* * *

"MEANS OF Resolving Race Conflicts in the Community" was the subjct of the symposium.

President L. H. Foster of Tuskegee Institute stated that "we all agree that we are facing a crisis" in pointing out the role of the individual leader in a crisis.

Rabbi Mantinband, also a former chairman of the Mississippi Council on Human Relations, told how religion can be useful in solving the issue in question.

And Mrs. Fred Cousey, Montgomery clinical psychologist, explained how research can be used to locate the source and determine its strength in race conflicts.

* * *

THE MEETING, held on the second-floor auditorium on campus, was a direct contrast to a meeting the night before which was sponsored by the White Citizens Council.

Attending that meeting were Sen. James O. Eastland of Mississippi, state legislators of Alabama, the Georgia Attorney General and Montgomery city officials.

Unlike the Citizens Council meeting, there were no flags or bands; there were representatives of both races; they lunched at the same table;

And most of all—not to maintain a lily white state, but to discuss ways and means for a final settlement to the current racial conflicts.

Montgomery Boycott: New Phase

Nation p. 149

The latest official attempt to beat down the three-month-old boycott of city buslines by the Negro residents of Montgomery, Alabama, is to unleash a grand-jury investigation under color of an ancient state anti-labor law. Circuit Judge Eugene B. Carter told a panel of seventeen whites and one Negro on February 13 that "the right to conduct one's business without wrongful interference of others is a valuable property right which will be protected, if necessary, by injunctive process." He cited a statute, passed in 1921 for the purpose of breaking a miners' strike in Birmingham, which reads:

New York City, N. Y.

> Two or more persons who, without a just cause or legal excuse for so doing, enter into any combination, conspiracy, agreement, arrangement or understanding for the purpose of hindering, delaying, or preventing any other persons, firms, corporation . . . from carrying on any lawful business shall be guilty of a misdemeanor.

Sat. 2-25-56

The status of this law is rather murky; a second part of it, outlawing picketing, was specifically voided by the U. S. Supreme Court.

Carter declared that if the bus boycott were illegal it must be brought to an end. And, in a clear reference to the Negro pastors who have served as spokesmen for the boycotters, his six-page charge said: "The doctrine of hate has no place here and particularly has no place in our churches." (Recently, at the Methodist church he attends, Judge Carter sponsored—and saw passed—a resolution barring Negroes from the premises except in the performance of janitorial duties.) But perhaps the most intriguing of his remarks was his assertion to the jurors that "no court, whether it be federal court, state court or city court, can interfere with your deliberations. You are the supreme inquisitorial body." This aroused speculation that the Justice Department may have indicated an interest in the proceedings, and that the prosecutors themselves may face prosecution for infringement on civil rights if indictments are brought. Or again, Carter may have been only expressing the rancor and disquiet shared by several Southern judges at the recent F. B. I. investigation into the methods of selecting juries in a county in Georgia.

'TIME TO BE FRANK'

Advertiser P. 1-A

Mayor Stops Boycott Talk

Tues. 1-24-56 Montgomery, Ala.

By JOE AZBELL
Advertiser City Editor

Mayor W. A. Gayle declared yesterday there will be no more discussions with the Negro boycott leaders until they are ready to end the boycott.

The mayor declared in a dynamic statement of his stand on the boycott that the vast majority of whites in Montgomery "do not care whether a Negro ever rides a bus again if it means that the social fabric of our community is to be destroyed so that the Negroes will start riding buses again."

Shortly after the mayor issued his statement, it was announced that the entire City Commission, Mayor Gayle, Commissioner Frank Parks and Commissioner Clyde Sellers, had joined the Montgomery Citizens Council.

Mayor Gayle said that "We have pussyfooted around on this boycott long enough and it has come time to be frank and honest." He added that the Negro leaders have proved "again and again that they will say one thing to a white person and another thing to a Negro about the boycott."

His full text statement follows:

"The City Commission has attempted with sincerity and honesty to end the bus boycott in a businesslike fashion.

"We have held meetings with the Negroes at which proposals were made that would have been accepted by any fair-minded group of people.

"But there seems to be a belief on the part of the Negroes that they have the white people hemmed up in a corner and they are not going to give an inch until they can force the white people of our community to submit to their demands — in fact, swallow all of them.

"The Negro leaders have forced the bus boycott into a campaign between whether the social fabric of our community will continue to exist or will be destroyed by a group of Negro radicals who have split asunder the fine relationships which have existed between the Negro and white people for generations.

Advertiser

"No other city in the South of our size has treated the Negro more fairly. In Montgomery they have better facilities in schools, hospitals, health centers and the like than in the vast majority of cities. Until the bus boycott occurred, the Montgomery Negro rode the bus cheaper than Negroes in the vast majority of cities in the nation. Now the boycott has been fabricated by the Negroes into a campaign for forcing the white people of our community to accept their demands or else they will not ride the buses. We attempted to resolve their reasonable complaints but they proved by their refusal to resolve the reasonable ones that they were not interested in whether the bus service was good or not. What they are after is the destruction of our social fabric.

P. 2-A

"The Negro leaders seem to believe there is considerable concern among whites on whether the Negroes ride the buses or don't ride the buses. There is no such concern among the whites as the whites are not alarmed about whether the Negroes ride the buses again.

"It is time to be frank about this matter. The white people are firm in their convictions that they do not care whether the Negroes ever ride a city bus again if it means that the social fabric of our community is to be destroyed so that the Negores will start riding the buses again.

"It is not that important to whites that the Negroes ride the buses. This is not a matter of a bus boycott. It is a amatter of a community relationship.

"The Negro leaders have proved they are not interested in ending the boycott but rather in prolonging it so that they may stir up racial strife. The Negro leaders have proved they will say one thing to a white man and another thing to a Negro. They have proved it again and again.

"The Negro is the person who is concerned with bus transportation in Montgomery. They have admitted this by their own claims that 75 per cent of the passengers are Negroes. If they want bus transportation, they can ride the buses. I don't believe the majority of whites care one way or another and certainly not enough to destroy our heritage and way of life so that Negroes will get on buses and ride them.

"The Negro leaders say the boycott will last until their proposals are given 'sympathetic treatment.' If the Negro leaders mean what I believe they mean by 'sympathetic treatment,' then there is not likelihood of the end of the boycott.

"When and if the Negro people desire to end the boycott, my door is open to them. But until they are ready to end it, there will be no more discussions."

Earlier yesterday, there was a restoration of normal bus service on three predominantly Negro routes.

Montgomery City Lines Manager J. H. Bagley said there were "a few more passengers on other routes" but no "noticeable increase on the Negro routes."

Service was reinstated on the Day street, Maxwell Heights and Veterans Court buses. What had been known as the Day street bus during the boycott will become the Holcombe street bus.

Bagley said the company had received numerous requests for resumption of service to the Negro sections. That, coupled with a compromise statement issued Saturday by the City Commission, led to the decision to restore service. The bus company was not represented at the Saturday meeting.

The Rev. M. L. King, pastor of the Dexter Avenue Baptist Church and boycott leader, chared that the three Negro ministers who talked with the commission were "hood-winked" into attending a city commission meeting Saturday.

It was this statement by King that caused Gayle to declare that Negro leaders were "saying one thing to whites and another thing to the Negroes."

King also charged that the three Negro ministers who had attended the meeting at the invitation of the commission all told him they had been duped into going.

One of the Negro ministers, the Rev. B. F. Mosley, who said he attended the meeting, issued a statement claiming he had not agreed to any compromise plan for ending the boycott.

The Rev. King said that the City Commission statement was "totally erroneous" if it gave the impression an agreement had been reached.

"More than 99 per cent of the Negro citizens of Montgomery have stated their position and it remains the same," he said. "The bus protest is still on and it will last until our proposals are given sympathetic treatment."

Gayle replied to the "sympathetic treatment" statement that there was no likelihood of an end to the boycott if the Negroes mean what he thought they meant by "sympathetic treatment."

City Approves Bus Franchise For 10 Years

Advertiser
Montgomery, Ala.
Wed. 1-25-56

A 10-year bus franchise providing for possible cancellation in the event of boycotts "or other cause beyond the control of the company" was approved yesterday by the City Commission.

Approval came after two previous postponements granted to allow attorneys for the city and for Montgomery City Lines to work out a satisfactory franchise.

The new agreement must "lie on the table" for 30 days to give opponents a chance to protest its passage.

The word "boycott" did not appear in the old franchise, which expires March 8, 1956.

MAJOR DIFFERENCE

A major difference in the old and new franchises is the elimination of a clause allowing the city to acquire all rolling stock if the company ceases operation.

That provision was left out entirely in the new agreement.

Permanent rates fixed by the new franchise are the same as the pre-boycott shcedule, except that the company will be allowed to make a two-cent transfer charge.

Adult passenger fares will be 10 cents and school fares 7½ cents (with the use of tokens).

Presently, under a resolution approved last month, the company charges 15 cents for adult fares, 10 cents for school fares or two for 15 cents, and five cents for transfers.

However, the resolution provided for "readjustment" when the boycott is ended.

NOT MENTIONED

The franchise granted in 1936 provided for heavy penalties on the company in the event of willful violation of the terms of the franchise. The city could assume ownership of the company's facilities and operate the buses for "liquidating damages."

The new franchise does not mention such eventualities, except to allow the city to "declare a forfeiture" for violation of the contract terms.

Mayor W. A. Gayle said later the city could still seek a court injunction to protect it in case the bus company should abandon the franchise.

FOR NEGRO SERVANTS

End To Free 'Taxi Service' Requested By Mayor Gayle

Advertiser
Montgomery, Ala.
Wed. 1-25-56

By JOE AZBELL
Advertiser City Editor

Mayor W. A. Gayle, speaking for the City Commission, urged white Montgomerians yesterday to halt the practice of using their automobiles as "taxi services for Negro maids and cooks who work for them."

He said the maids and cooks by boycotting the Montgomery City Lines are "fighting to destroy our social fabric just as much as the Negro radicals who are leading them."

"The Negroes are laughing at white people behind their backs. They think it's very funny and amusing that whites who are opposed to the Negro boycott will act as chauffeurs to Negroes who are boycotting the buses.

"The City Commission urges the white people of Montgomery to cease the practice of paying Negro maids, cooks or other employes 'blackmail' transportation money in any shape, form or fashion. This practice of extorting transportation money from whites under the threat of not showing up for work is shameful. The Negroes are merely using this practice to pay taxi fares so they can stay off city buses. If they want to ride in taxis, let them pay for them out of their own earnings.

"When a white person gives a Negro a single penny for transportation or helps a Negro with his transportation, even if it's a block ride, he is helping the Negro radicals who lead the boycott.

"The Negroes have made their own bed and the whites should let them sleep in it."

Commissioner Clyde Sellers also announced that he is instructing the Montgomery Police Department to break up congregations of Negroes who have been loitering for long periods in white residential districts.

"We have received complaints from white homeowners that Negroes are loitering in groups on the sidewalks outside their homes and that the habit has become rather chronic. A person has a perfect right to wait for a ride, but the practice of six and eight Negroes huddling together for an hour or more, trampling lawns and making loud noises in white residential districts must cease," he said.

"Actually some Negroes have turned into hitchhikers and we do not intend to allow the hitchhikers to become nuisances in the white sections."

Commissioner Frank Parks said that he had received dozens of calls from businessmen who said they were going to "lay off Negro employes who are being used as NAACP instruments in this boycott."

All three commission members said that the innocent Negroes who are being used as pawns in the hands of radicals "should wake up."

Meanwhile, a "tremendous ovation" was heaped on Mayor Gayle yesterday for his stand in ending Negro boycott talks and telling Negroes that "whites didn't care if the Negroes never rode the bus again if it meant destruction of the city's social fabric."

In stores and on the streets, white residents praised Mayor Gayle, Commissioner Sellers and Commissioner Parks for their "leadership in cutting the legs off the Negro boycott."

The consensus among whites was that they didn't care if the Negro boycott of the city buses "continued forever" and one man declared, "I hope the Negroes walk until they get bunions and blisters."

At the City Hall, Switchboard Operator Katherine Brown said she was swamped at the switchboard with hundreds of telephone calls praising the mayor and commissioners.

"In my 19 years at the City Hall, I can remember only once or twice when there were more telephone calls," she said.

In the mayor's office, Mrs. Kate Barnett, his secretary, said the "telephone hasn't stopped ringing and there have been so many people in here this morning to thank the mayor that we haven't been able to do a thing."

Mayor Gayle displayed a thick stack of telegrams received from throughout the state congratulating him on his stand.

"The people are with the commission. They have proved it today. We are going to hold to our stand. We are not going to be a part of any program that will get Negroes to ride the buses again at the price of the destruction of our heritage and way of life," he declared.

Commissioner Sellers said that he, too, had received "scores of telephone calls" and "people have been in my office to volunteer their support."

"I am convinced beyond any doubt that every right-thinking white man and woman in Montgomery is solidly behind us in our stand," he said.

Commissioner Frank Parks said he was "amazed with the avalanche of telephone calls, telegrams and visits."

"Our people want leadership in this matter and we, the City Commission, have resolved that we will furnish that leadership."

Throughout the city, white residents were discussing the commission's stand and many commented that "our governor ought to take a stand like that instead of siding with Negroes."

Attorneys, doctors, and other professional people strongly endorsed the mayor's stand as did mechanics, bus drivers, clerks and others.

'MISUNDERSTOOD'

Negro Leader Denies Saying End Of Boycott To Be Aired

Advertiser Montgomery, Ala. Thurs. 2-9-56

A Negro leader who was quoted Tuesday as saying the Montgomery Improvement Association (Negro) would consider ways to end the bus boycott at its meeting yesterday has denied the statement.

The Rev. M. L. King said he was "misunderstood" and that he meant to say the matter "might" be discussed.

Following the meeting of the association — the policy-making arm of the boycott—the Rev. R. D. Abernathy said no announcement "of interest to the press" would be made.

Abernathy said the meeting was routine, adding that it was not called for a specific purpose.

Meanwhile, the Men of Montgomery, a civic organization, solicited advice from "anyone" with suggestions on ways to restore normal racial relations in Montgomery.

William R. Lynn (telephone 5-3546), secretary of the group, made the announcement yesterday.

The organization released a statement identical to one approved earlier by the Montgomery Ministerial Association, describing the city as a "house divided against itself," and urging:

"(1) That very citizen exercise censorship of his own words, that malicious and unfounded rumors may cease.

"(2). That all measures savoring of force, intimidation, and reprisal be stopped and remedies sought at the council table.

"(3). That the differing groups select true representatives who will lay aside passion and, together, endeavor to reach an agreement."

Advertiser

The civic organization noted that the former "spirit of goodwill has given place to one of bitterness, suspicion and hatred" in Montgomery. P. 2-A

King, who has served as spokesman for the boycotters on several occasions, was quoted after talking with two reporters as having said ending of the boycott might be discussed in view of a federal suit pending against the city's segregation laws.

He was not available to reporters yesterday and his secretary said she did not know where he could be reached.

Threat of job loss cuts bus boycott ranks

Afro-American Sat. 2-11-56 Baltimore, Md.

MONTGOMERY, Ala. — Because both she and her husband had been threatened with loss of their jobs, Mrs. Jeanetta Reese, asked that her name be withdrawn as a plaintiff to the bus segregation suit filed here Wednesday. P. 8

She was one of five plaintiffs who had asked the Federal Court here to declare state and city laws requiring segregation in transportation unconstitutional.

* * *

MRS. REESE, told the AFRO not only had her employer, for whom she works as a domestic, threatened her with discharge, but that her husband had been told he would lose his job unless she withdrew as party to the suit.

She said telephone calls from Citizens Council had also threatentd immediate foreclosure on their home.

Fred D. Gray, who with Charles Langford, attorneys, prepared the suit, said Mrs. Reese's withdrawal would not affect the case in the least.

Four other plaintiffs, all of whom at various times have been victims of mistreatment on the city's buses, still remain.

AT MEETING TODAY

Group To Study Possibility Of Ending Boycott Of Buses

Advertiser Montgomery, Ala. Wed. 2-8-56

Discussion of the possibility of ending the two-month-old Negro boycott of buses will be on the agenda of the executive board meeting of the Montgomery Improvement Assn. today.

The Rev. M. L. King, boycott spokesman, said the matter would be presented to the association board of which he is president.

"I really couldn't say yet whether or not we will start back riding the buses," he said, "It will depend upon the meeting and the action taken on any recommendation the board may make," he said.

He explained that the executive board's action—one way or another—would be in the form of a recommendation to Negroes at large.

"If we suggest an end to the movement, it will be placed before the next mass meeting of the group," he said. The group usually meets at least once or twice a week.

Mayor W. A. Gayle said he was "always in favor of peace and harmony in our city."

King said the position of the boycotters had been "changed somewhat" byp the filing of a suit in federal court last week attacking Montgomery and Alabama travel segregation laws as being unconstitutional.

He said the litigation could last a "long time" and that he did not "know whether Negroes would want to continue the boycott until the suit is settled."

"We are now depending on the courts to give the final answer," he said.

Advertiser

King declined to say where today's meeting will be held.

Meanwhile, the Montgomery Ministerial Assn. passed a resolution urging that racial "bitterness, suspicion and hatred" be ended and that the "spirit of unity, peace and concord," be restored.

The resolution passed unanimously by the group states:

"A few weeks ago Montgomery was a city that was justifiably proud of its community spirit. Different racial, religious, and economic groups lived, worshipped, and worked here in an atmosphere of mutual respect and good will. P. 2-A

"Today Montgomery is a 'House divided against itself.' The spirit of good will has given place to one of bitterness, suspicion and hatred.

Montgomery Ala.

"The loss to Montgomery, morally and economically, is incalculable—a loss resulting from our own intemperate thinking, talk, and acting.

"That further harm may not be done, and that there may be restored the spirit of unity, peace, and concord to our city, we urge:

"(1) That every citizen exercise censorship of his own words, that malicious and unfounded rumors may cease.

"(2) That all measures savoring of force, intimidation, and reprisal be stopped and remedies sought at the council table.

"(3) That the differing groups select true representatives who will lay aside passion and together endeavor to reach an agreeable solution."

NEGRO BUS BOYCOTT MAY BE ENDED TODAY

Commercial Appeal

Matter To Be Taken Up At Montgomery Meeting

MONTGOMERY, Ala., Feb. 7. —(UP)—Negro leaders in a boycott of city buses have scheduled a meeting here Wednesday which could lead to an end of the two-month-old demonstration. Wed. 2-8-56

Rev. M. L. King, a Negro leader and president of the Montgomery Improvement Association, said the matter of ending the boycott would be presented to the association Wednesday.

However, he added, "I really couldn't say yet whether or not we will start riding the buses. It will depend upon the meeting and the action taken on any recommendation the board might make." Memphis

The Improvement Association was the principal organizer of the "protest movement," which began over seating arrangements on city buses. Tenn.

King said the association's action, one way or another, would be in the form of a recommendation to Negroes at large.

He said if an end to the boycott is recommended it would be presented to the next mass meeting of the Negroes.

The youthful minister said the position of the boycotters had been "changed" somewhat by the filing of a suit in Federal Court to declare state and city segregation laws unconstitutional.

"We are now depending on the courts to give the final answer," he said.

Color Line Restored On Alabama Buses

Herald Wed. 4-25-56 Miami, Fla.

MONTGOMERY, Ala. — (INS) — Montgomery City Bus Lines Inc., was oredered by the state of Alabama Tuesday to replace the color bars it dropped earlier in the day, or "suffer the consequences." P. 1

The demand came from the president of Alabama's Public Service Commission, as the capital city's buses began rolling under a new policy of no-segregated seating.

It was a paper policy, because the few Negroes riding Tuesday moved to the rear of the vehicles of their own accord. City officials vowed to arrest anyone attempting to integrate the races on buses, including drivers.

Most Negroes in the Alabama city stayed off the vehicles as they've done since their boycott began Dec. 5.

The bus company adopted its new policy after the U. S. Supreme Court held Monday that segregation on Columbia, S. C., buses is unlawful.

Tuesday, C. C. (Jack) Owen, president of the Alabama Public Service Commission, fired a telegram to the bus company ownership, with copies to all other transit firms in the state, saying:

"All public carriers are hereby directed to strictly adhere to all present existing segregation laws in our state or suffer the consequences."

Owen would not elaborate on the consequences. His telegram was addressed to Roy Fitzgerald, president of National City Lines of Chicago which owns the Montgomery firm. It declared:

"As president of the Alabama Public Service Commission, elected by the people of Alabama, sworn to uphold the segregation laws of this state which include all forms of public transportation, I hereby defy a ruling handed down by the U.S. Supreme Court ordering desegregation on public carriers. Alabama state law requiring segregation of races on buses still stands.

"I demand that you withdraw your order, approving integration on buses in Montgomery."

Citizens Continue To Walk Rather Than Ride Buses

Daily World P. 1
Sun. 2-26-56
Atlanta, Ga.

BY PAT J. McDONNELL

MONTGOMERY, Ala. — (INS) — Montgomery Negroes doggedly continued to walk rather than ride segregated buses Saturday while the U. S. Justice Department studied the mass arrest of 89 boycott leaders, with an eye to possible federal intervention.

There was no sign of any compromise in the dispute that has gripped the Alabama Capital since Dec. 5, and one churchman described the city's 50,000 Negro residents as "closer together than ever before."

The White House disclosed that Attorney General Herbert Brownell, Jr. has been asked to determine whether the Federal government can or should intervene in the Montgomery case.

Editor Expresses Caution For Rep. Powell Movement

Daily World
Sun. 2-26-56
P. 4

In a night letter to Congressman Adam Clayton Powell, C. A. Scott, editor and general manager of the Atlanta Daily World said:

Atlanta, Ga.

"I appreciate your concern about the Montgomery, Alabama situation but think plan for work stoppage would be unfair to innocent persons. Reports are that Governor Folsom and the U. S. Department of Justice are intervening in Montgomery problem and we believe this will result in a satisfactory solution."

Attorney A. T. Walden, local leader has also expressed a similar interest, stating that such a move as advocated by the famous Congressman, would cause Negroes to lose more friendly support to their cause in Montgomery and hurt the program generally.

NEW LOW

Rep. Adam Clayton Powell, (D) N. Y., who asked for federal intervention, arrest of boycott leaders—many of them church or political figures—"a new low in American barbarism."

There was some hesitation among Montgomery Negroes about endorsing Rep. Powell's call for a nationwide one-hour work-stoppage of Negroes on March 28, as a "passive resistance" demonstration of support for the boycott.

HESITANT ON APPROVAL

Daily World

The Montgomery leaders described as "encouraging" the messages of moral support from national Negro leaders, but were hesitant to lend approval to the spread of their own movement.

P. 4

"We have not given this too much study," said the Rev. A. W. Wilson of the national movement, adding that "personally I don't know whether it would be wise" to endorse a national Negro crusade.

He explained:

"The inclination here has been to say that Montgomery Negroes have been 'stirred up by outside agitators.'

"This is not so at all.

This has been a local movement and our people will continue to seek ways of working out our problem. I believe our people will remain united and carry on. But I think we need to wait a while, until things get normal again, before considering any new moves."

89 LEADERS

The Rev. Wilson said that the long bus boycott, marked by bombing of two homes of Negroes and by the arrest this week of 89 leaders on a misdemeanor charge of illegal boycott, "has united our people in a common cause under the banner of the church." He added:

"The future is too uncertain. I would hesitate to say what might happen. But I believe the Negro population today has been brought closer together than ever before.

"I think it has all had a very wholsome effect on the community. Regular church service attendance has increased. Some people who had not been as regular as they should have been, now have come back to seek guidance of the almighty in a time of trouble."

Negro leaders appeared ready to sit tight for the moment. Spokesmen said the executive committee of the Montgomery improvement association, formed to guide the boycott, probably would take no additional action until those arrested on boycott charges this week stand trial the week of March 12.

Nor did city officials have any announced plans of action to settle the dispute pending the trials.

WELL PUBLICIZED

White citizens questioned at random on the streets about the dispute shrugged their shoulders, and generally gave the impression of trying to ignore the well-publicized "day of walking and praying."

Editors of leading Alabama newspapers viewed the boycott as part of the southhwide problem evoked by attempts to end the region's traditional racial segregation. On the suggestion of Gov. James E. Folsom, the editors decided to have a bi-racial committee study possible ways of easing "tensions."

While the Montgomery boycott wore on, another aspect of the segregation question was to be unfolded Wednesday in Birmingham. A federal court will decide there whether University of Alabama officials should be held guilty of contempt of court for barring a Birmingham Negro, Autherine Lucy, from the Tuscaloosa campus.

Miss Lucy, the first Negro student in the school's 125-year history, was admitted to classes on a federal court order earlier this month, but "excluded" by the school trustees after three days of demonstrations and riots by students and townsfolk.

We Don't Wanna Wide

Head Of PSC Set To Order Segregation

Advertiser Sat. 1-14-56

President C. C. (Jack) Owen of the Alabama Public Service Commission said yesterday he was in the process of reminding all carriers in the state of Alabama's laws pertaining to racial segregation.

Montgomery Ala.

In letters mailed to the presidents of all bus and railroad companies operating in Alabama, Owen explained three phases of the law in relation to a desegregation decree handed down several weeks ago by the Interstate Commerce Commission.

Owen said the ICC decision had no bearing on bus lines operating in Alabama, and under state law they would be required to continue segregation practices both on interstate and intrastate carriers.

P. 7

All railroads which were not a party to the suit which led to the ICC ruling also must continue to comply with Alabama laws Owen added, both in interstate and intrastate traffic.

Finally, Owen explained, railroads which were a party to the suit must still practice segregation on all intrastate carriers but would not be required to do so on interstate carriers.

"We are directing all public carriers to keep segregation signs in their stations in compliance with Alabama law," Owen said. "It is the law of the state and we intend to uphold it to the best of our abilities as long as it is on the books."

Owen said letters were also being sent to city law enforcement officers in the state, reminding them also of Alabama's segregation laws.

Hearing Set For Negro In 'Bus' Case

Advertiser P. 2

A Negro man accused of beating up a Negro woman for riding city buses during the boycott is scheduled to receive a hearing in Recorder's Court tomorrow.

Montgomery Ala.

Beatrice Jackson, 1502 W. Fifth St., testified yesterday that Thomas Carter, 1212 Thurman St., beat her in the face after accusing her of "acting smart" in riding the buses.

News 1-26-56

The hearing was continued until tomorrow to hear additional testimony.

Before it was continued, the woman testified Carter, in addition to beating her just after she disembarked from a bus, threw a steel chair at her as she ran into the house.

Carter denied the bus boycott had anything to do with the incident. He said he went to her house to buy whisky and she "jagged me with a knife," after a dispute arose over some furniture he was helping her move.

Another case continued until tomorrow was a disorderly conduct charge against James D. Thomas, 32, of 720 Columbia Ave.

Witnesses testified he tried to eat at the Crystal Cawe and tried to register at the Exchange Hotel. Patrolmen W. W. Anderson and C. L. King said Thomas called them obscene names when they arrested him.

Judge John B. Scott contiuned the hearing to allow Thomas to undergo a psychiatric examination.

Tell It To Old Grandma

Advertiser 1-4-56

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Montgomery, Ala.

The Question Of A Wisconsin Schoolgirl

EDITOR, THE ADVERTISER—Our Social Problems class of Saxon Union Free High School has recently read an article from the Jan. 22 *Minneapolis Sunday Tribune* about the bus situation concerning the Negroes.

Our class now has the viewpoints of the north and would appreciate it if you sent us one of your issues carrying the Southern viewpoints.

Saxon, Wis. JANE HEFFNER.

Wed. 2-1-56

¶ *"Dear Jane: Perhaps this note tailored for a classroom in Wisconsin will be better than previously written editorials, which have repeatedly made the point that there isn't going to be any general race mixing in Alabama for a long time to come.*

"The U.S. Supreme Court says we are going to mix the races. We say we aren't.

"Is this defiance of the court? Yes.

"Is this possible? American history answers yes. Alabama gets part of her inspiration from Wisconsin. Your teacher is doubtless an intellectually honest person and educated. So get her to tell your class about the time Wisconsin defied the court in the 1850s. Wisconsin believed in abolition of slavery as sincerely as Alabama believes in segregation. The Supreme Court of Chief Justice Taney ordered Wisconsin to obey the Fugitive Slave Act. The Wisconsin court would not even accept the Supreme Court's writ. It was passionate defiance. Ask y[illegible]cher to tell you all about it.—Ed.

Masterpiece

Editor, The Advertiser:

W. B. Houseal's letter in yesterday's *Advertiser* is a masterpiece—you should reprint it for a week in the largest type you can find.

Montgomery. JOHN W. SIMS.

Fitting Tribute

Editor, The Advertiser:

Stuart X. Stephenson's tribute to Frank Grove in *The Advertiser* on Sunday, Jan. 22, was gratifying to members of our profession. We appreciate the attention which our leader certainly deserves and commend the honest appraisal of his contributions to education and the teaching profession in Alabama. Mr. Stephenson did an excellent job of reporting.

MRS. JOHN I. WAITES.
Montgomery. President, MTA.

Humiliating Review

Editor, The Advertiser:

I feel so strongly against your review of the Hess recital given Thursday night. It was an injustice not only to the public but to the excellent committee which brings to us such valuable programs. Please send some other critic to report these concerts, some one who knows something about the best in music.

I was humiliated in even reading such a review of a lovely personality as Dame Hess.

Thanking you for your excellent newspaper.

GERTRUDE C. HUSSEY.
Montgomery.

Negroes File 'Test' Of Bus Segregation

Post-Herald Birmingham

MONTGOMERY, Feb. 1 (AP) — Four Negro women filed suit today asking that state and city laws requiring segregation on public transportation facilities be declared unconstitutional.

Ala.

The Federal Court suit also seeks an injunction to prevent enforcement of the segregation travel laws while the suit is before the court.

Press 2-2-56

It was filed by Attys. Charles L. Langford and Fred Gray in behalf of four women, two of whom claim they have been convicted of violating Montgomery city ordinances requiring segregated travel on public vehicles.

The complaint was filed against three members of the Montgomery City Commission both "individually and collectively." It also names Police Chief G. J. Ruppenthal and the Montgomery City Lines, the bus company which Negroes have been boycotting since Dec. 5.

White-Negro signs ordered

News P. 1

MONTGOMERY, Ala., Feb. 10—(AP)—The Public Service Commission has ordered all railroad and bus stations in Alabama to provide "white" and "negro" signs for their waiting rooms in Alabama.

News 2-10-56

Alabama law requires separate but equal accommodations but doesn't mention signs designating them. The PSC order does make that mandatory.

Birmingham

Some railroad stations removed their "white" and "Negro" signs recently after the Interstate Commerce Commission directed certain carriers to discontinue separate waiting room facilities.

Ala.

The PSC promptly ordered the accommodations kept separate on all carriers not directly affected by the ICC ruling.

The new order announced today, which PSC Atty. Pete Black says applies to all stations in Alabama regardless of the ICC directive, was signed by President Jack Owen and Commissioners Jimmy Hitchcock and Sibyl Pool.

Ask Alabama Governor to Halt Bus Row Violence

Pittsburgh Courier Thurs. 2-9-56 P. 1

Des Moines Iowa

NEW YORK — Roy Wilkins, NAACP executive secretary, has called upon Gov. James E. Folsom of Alabama to halt violence against Negroes in Montgomery, Ala.

The homes of two Negro leaders in the current protest movement against bus segregation in Montgomery were bombed this week.

Meanwhile, NAACP attorneys filed suit in the U. S. District Court in Montgomery on behalf of Negro plaintiffs seeking a decree declaring the Alabama statute requiring racial segregation in public buses unconstitutional.

Suit Filed

The suit, filed on Feb. 1, also asked the court to enjoin Mayor W. A. Gayle, Frank Park and other city commissioners, Police Commissioner Clyde Sellers(and Chief of Police Goodwin J. Ruppenthal from interfering with the plaintiffs in the exercise of their constitutional right to ride public buses without state-imposed racial segregation.

Representing the plaintiffs were NAACP attorneys Fred D. Gray of Montgomery and Robert L. Carter of New York City.

In his message to Gov. Folsom, dispatched on Feb. 2, Mr. Wilkins specifically called upon the state official to "take appropriate investigative and police action to restore law and order in Montgomery, to protect Negro citizens there from further intimidation and violence, and to see that those responsible for the bombings are brought to justice."

The persons whose homes were bombed are the Rev. M. L. King and E. D. Nixon. Mr. King's wife and baby and Mr. Nixon's wife were all at home when the bombings occurred but were not harmed.

No arrests have been made in the attempted murders.

Mr. Wilkins pointed out in his telegram to Gov. Folsom that "these bombings follow a 'get tough' policy announced by Mayor Gayle last week as a means of ending the protest movement against city bus segregation."

Mayor Gayle, Mr. Wilkins noted, "is reported to be a member of the notorious Citizens Councils."

"It would appear," the NAACP leader continued, "that the 'get tough' policy of the Montgomery city administration has created an atmosphere inciting to violence and riotous disorder which is a threat to the lives of all Negro citizens in the community."

"Further, all this indicates the existence of a conspiracy to injure Negrocitizens who are protesting peacefully against municipal bus segregation. We are confident your office appreciates the danger . . ."

The bombing of the King home took place on Jan. 30 and that of the Nixon home on Feb. 1.

* * * *

Dynamiting

MONTGOMERY, ALA. — A second explosion within a week has been set off at Montgomery, where a bus-segregation row has raised tensions increasingly since last November.

Police say the blast, apparently dynamite, was touched off during the night in the yard of C. D. Nixon, a Pullman porter and former state president of the National Association for the Advancement of Colored People.

Not At Home

Nixon was not at home. His wife and a neighbor's child were in tse house, but no one was hurt. A fence in front of the home was damaged. An orderly crowd of about 200 Negroes gathered while police investigated.

Earlier this week, an explosion rocked the home of the Rev. Martin Luther King, Negro Baptist minister who has led a boycott of city buses by Negroes protesting "Jim Crow" seating regulations.

In Boycott

Nixon also has been prominent in the boycott. He appeared in court when Rosa Parks was charged with violating segregation laws pertaining to bus seating. It was that case which touched off the boycott.

Wednesday five Negroes brought suit in federal district court asking that Montgomery city laws and Alabama state laws concerning racial segregation in public transportation be declared unconstitutional.

Courier Pittsburgh, Pa. Sat. 9-22-56

Sat. 9-22-56

AID BOYCOTTERS—A highlight of the 32nd annual convention of the Inter-denominational Ushers Association of North Carolina at Raleigh was the presentation of a check for $1,166 to the Oxford Orphanage and another check to the Montgomery Improvement Association. Norma McCoy presents the check to C. L. Taylor, assistant superintendent of the orphanage. The lower photo shows the finance committee counting the money.

Montgomery Threatens Bus Line With Court Action

Special to the New York Post 4-25-56

Montgomery, (Ala.) April 25—The City Commission said today that the company operating Montgomery's city bus lines would be "subject to court action" if it permitted racial integration.

Such action would be based on city and state segregation laws, Mayor W. A. Gayle said.

The announcement followed a statement by National City Lines, Inc., which operates bus lines here and in seven other Southern cities, that the company would back up any driver arrested for permitting racial integration on his bus.

City officials here had warned they would arrest both passengers and drivers if integration occurred on a bus.

PSC DIRECTIVE

Advertiser

Segregation Signs Ordered For Alabama Waiting Rooms

Sat. 2-11-56 P. 1

Montgomery

All Alabama railroad and bus stations have been ordered to post "white" and "Negro" signs and maintain separate waiting room facilities.

Notice was sent out to the carriers by the Alabama Public Service Commission reminding that state law still requires separate but equal accommodations.

While the law doesn't specify that racial designation signs be provided, the PSC order makes that mandatory.

After the Interstate Commerce Commission directed some railroads to discontinue separate waiting rooms, some railroad stations took down their "white" and "Negro" signs.

The Commission's directive as to separate facilities applies to all carriers in Alabama not affected by the ICC ruling.

Commission Atty. Pete Black said the new order as to posting signs applies to all stations in Alabama regardless of the ICC ruling. It was signed by President Jack Owen and Associate Commissioners Sibyl Pool and Jimmy Hitchcock.

Bus boycott costly to community

News

Birmingham, Ala.

Tues. 2-14-56

MONTGOMERY, Ala., Feb. 14—(AP)—How much has the 10-week-old bus boycott by Negroes here cost the bus company and the community?

Officials of the National City Bus Lines aren't making public the company's loss. The cost in terms of the community is much more important, and that isn't measurable either, civic leaders say.

But racial tension between white persons and Negroes has mounted throughout the prolonged stalemate. The Montgomery Advertiser recently put it this way:

"Never before in Montgomery has the word 'nigger' been used as frequently as in recent weeks."

The racial unrest in Alabama has pulled white persons and Negroes farther apart. Thousands of Negroes attend boycott meetings here, and officials of the pro-white Central Alabama Citizens Council say their membership has jumped from a few hundred to 12,000.

The boycott began Dec. 5 in protest to segregated seating required on buses by state and city laws. On that day Mrs. Rosa Parks, a seamstress, was fined $14 for refusing to move to the back of a bus. Since then the Negroes have stayed off the buses in droves.

ESTIMATES OF the boycott's effectiveness run as high as 95 per cent. About 65 per cent of the bus company's patrons were normally Negroes but the company claims it is now breaking even by hiking bus fares and curtailing service.

Negotiations between white and Negro leaders for a compromise broke down completely after the first few wee[illegible] the boycott. Now both are seeking legal means t[illegible] the protest movement.

Yesterday, Circuit Judge Eugene Carter charged the Montgomery Couuty Grand Jury to determine if Negroes boycotting the buses are part of a conspiracy violating the law. The Grand Jury is composed of 17 white members and one Negro.

On the other hand, five Negro women have filed suit in U. S. District Court challenging the constitutionality of the state and city statutes requir- for white persons and Negroes on public vehicles.

In a reference to increased racial unrest, Carter told the grand jurors that "Montgomery has been a city that both races have had pleasure in living in." Then he added:

"I say to both black and white, let's continue to live as neighbors. The doctrine of hate has no place here."

MAYOR W. A. GAYLE said recently that the City Commission was through "pussyfooting around" with the boycott.

Boycott leaders, many of them ministers, have demanded bus seats on a "first come, first served" basis. They said Negroes would continue to sit from the rear toward the front but would not be required to stand if back seats aren't available.

But Gayle, pointing to the federal suit challenging constitutionality of the segregated seating laws, said the Negro leaders will be satisfied with nothing short of complete integration.

Despite the growing tension, there have been few incidents of violence here and no injuries.

Two weeks ago, small dynamite bombs exploded in front of the most outspoken boycott leaders. A few buses were struck by bullets in the first week of the boycott.

The bombs were tossed at night .8 hours apart at the homes of the Rev. M. L. King, Negro Baptist minister and one of the most optspoken boycott leaders, and H. S. Nixon, Negro pullman porter and former state president of the National Assn. for the Advancement of Colored People.

Angry City Bus Driver Threatens AP Staffer

Advertiser Montgomery, Ala.

An angry city bus driver yesterday threatened an Associated Press photographer who attempted to take a picture of his bus under the new racial integration policy.

Photographer Horace Cort of Atlanta said the driver jumped from the bus, drew back his fist and growled, "If you take my picture, G—— d—— you, I'll kill you."

Cort said the driver had no objection to the bus being photographed when he wasn't on it. The incident occurred at a downtown stop several hours after the bus company had ordered its drivers to stop enforcing segregation laws.

ALABAMA

Dale County Sheriff Maintains Segregation In Waiting Rooms

Advertiser Montgomery, Ala.

Sun. 4-24-56

By JAMES H. KELLEY

Advertiser Correspondent

OZARK, Ala., April 23 — Dale County Shiriff J. Hoyett Searcy announced today that the "White Waiting Room," and "Colored Waiting Room" signs at the Ozark Passenger Section of the Atlantic Coast Line Railroad had been reinstalled by his deputies and upon his orders during the past week.

Sheriff Searcy said "I put the signs up, and intend for them to stay as long as segregation is required by Alabama Law." The sheriff said thede was no racial troubles in Dale County.

GOOD RELATIONS

"From a standpoint of continued good relations between the races it is necessary to keep the races segregated," he added.

Dale county has a population of approximately 22,000, with Negroes constituting something like 25 per cent.

The segregation signs here have experienced somewhat of an "on again — off again — gone again —Lonnegran" cycle during the past few months, after having gone undisturbed over 50 years.

STARTED IN DECEMBER

In compliance with an order of the Interstate Commerce Commission early December, employes of the Atlantic Coast Line Railroad painted over the signs adorning the two passenger waiting rooms.

Searcy prepared his own signs, and sent deputies to place the signs over the waiting room doors. This was completed according to orders of Sheriff Searcy, and the signs remained nailed over the doors for some time.

Later, railroad employes noted that the signs had been removed, reportedly during their absence from the passenger station.

CULPRITS UNKNOWN

Sheriff Searcy declares he has never been able to ascertain the name or names of the person or persons who might have removed them

The fourth phase of the "Coastline Segregation Signs" took place during the past week. Sheriff Searcy said he had waited for some time believing that the Atlantic Coast Line Railroad would reinstall the signs themselves, in conformity with a ruling of the Alabama Public Service Commission. When this was not done, he proceeded to have some more signs made. These signs, put up this week, maintain segregation, "By Order of Dale County Sheriff."

Mobile Will Continue Segregation On Buses

Advertiser Montgomery, Ala.

Wed. 4-25-56

MOBILE, Ala., April 24 (AP)—Police Commissioner Charles F. Hackmeyer said today segregation of bus passengers will be continued in Mobile despite a decision by the bus company to stop requiring segregated seating of whites and Negroes.

The commission split over the question.

Commissioner Henry R. Luscher joined the police official in saying the city law will be enforced. The other member, Mayor Joseph N. Langan said, however, he felt the ordinance was invalidated by the Supreme Court's ruling Monday.

"I don't see there is anything the Mobile city government can do about it," Langan said. He proposed that bus segregation be continued on a voluntary basis.

CAL LATTORNEY

Hackmeyer said when it became clear that Mobile City Lines, Inc., had stopped enforcing racial segregation on the buses, he would "Call in the city attorney and determine the proper steps and procedures to see that the segregation laws of the city of Mobile are continued to be enforced."

The police commissioner said Mobile was not a party to the South Carolina case in which the Supreme Court made its ruling. He said the city law consequently was still in effect and would be enforced "just as any other ordinance."

This policy would be continued, he added, unless "some action is taken by the City Commission to repeal the law, or there is some legal action in the courts to throw it out." He said h did not anticipat any steps by the commission to repeal the law.

A Mobile official of the National Assn. for the Advancement of Colored People siad no immediate action is planned by that group.

IN VIEW OF RULING

An official of the parent company of Mobile City Lines announced in Chicago yesterday that segregation will not be enforced on its lines in southern cities. B. W. Franklin, National City Lines vice president, said the decision was made in view of the Supreme Court ruling.

National operates bus lines in Mobile and Montgomery, Ala., Jackson, Miss., Tampa, Fla., Tulsa, Okla., and Beaumont, Wichita Falls and El Paso, Tex.

The Mobile bus lines normally serve about 45,000 passengers daily.

In Alabama

Choice Seats Sought For White Women

Weekly

Sat. 4-7-56

New Orleans

MONROEVILLE, L. (AP) state representative here has drafted a new bill designed to preserve racial segregation in public transportation in Alabama through a bill that gives a white woman "her choice or election to the entire seat on a bus, streetcar or train."

The bill is sponsored by Rep. Nick S. Hare, who plans to introduce it at the next session of the state legislature.

In announcing the bill Hare said:

'None of the threatened possibilities disturbs southerners more than the prospect of a Negro man taking a seat beside a white woman. This sensitive spot in race relations is generally acknowledged to be the most likely to create strife and tension, or to errupt suddenly in riots or bloodshed.

"The proponent of mixed

seating on buses has transportation companies caught in the middle of this turmoil and uncertainty. Bus companies are faced on one hand with organized boycotts by Negroes, and on the other hand with the prospect of complete abandonment of bus travel by white women apprehending mixed seating.'

He said his proposal 'will give a woman the entire seat she occupies if she wants it, and she may exclude any other person from it, thus preventing an undesirable person from sitting beside her.

would "apparently assure the practical continuance of segregation on public conveyances."

that no boycott would come into being.

He said: "I do not think our colored people here are going to unite in anything of that type, which would bring further bad publicity to our city. Our facilities here are good. Everything that could be done has been done.

"One thing for sure. We are going to enforce the law and no good can come from any attempt to thwart the law," the mayor added.

Driver stabbed

Afro-American
Baltimore, Md.
Sat. 10-18-56

BIRMINGHAM — A 55-year-old white bus driver who didn't know how to properly address colored passengers was in University Hospital this week recovering from a knife wound in the left side.

Officers said William C. McDowell had called a boarding passenger an offensive name. The passenger, still at large, pulled out a knife and stabbed him.

New Alabama Bill Gives White Women Right To Whole Seat on Bus

Call Kansas City, Mo.
Fri. 7-27-56

MONROEVILLE, Ala. — (ANP) — A state representative here has drafted a new bill designed to preserve racial segregation in public transportation in Alabama through a bill that gives a white woman "her choice or election to the entire seat on a bus, streetcar or train."

The bill is sponsored by Rep. Nick S. Hare, who plans to introduce it at the next session of the state legislature.

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"None of the threatened possibilities disturbs southerners more than the prospect of a Negro man taking a seat beside a white woman. This sensitive spot in race relations is generally acknowledged to be the most likely to create strife and tension, or to erupt suddenly in riots or bloodshed.

"The proponent of mixed seating on buses has transportation companies caught in the middle of this turmoil and uncertainty. Bus companies are faced on one hand with organized boycotts by Negroes, and on the other hand with the prospect of complete abandonment of bus travel by white women apprehending mixed seating."

He said his proposal "will give a woman the entire seat she occupies if she wants it, and she may exclude any other person from it, thus preventing an undesirable person from sitting beside her.

"There is no mention of race or color," he remarked, adding that "The law would preserve the dignity, safety and security of women and protect them from embarrassment on public conveyances."

Hare considered the plan "remarkably simple" and contended it

Birmingham Bus Bias Under Fire

Defender P. 2
Chicago, Ill.
Sat. 7-21-56

BIRMINGHAM — (ANP) — Next in line in the campaign against segregated seating on local public transportation is the city of Birmingham, which last week received a request to institute a "first-come, first - seated" policy on all its buses, and also to begin hiring Negro drivers.

The request was submitted by the Alabama Christian Movement for Human Rights, a Negro group organized last June 5 and pledged to the "removal from our society (of) any forms of second class citizenship."

President of the organization is Rev. F. L. Shuttlesworth. Rev. C. H. George is head of the transportation committee.

The Birmingham Transit company, to whom the request was made, promised to consider it for 30 days and then meet with the Negro organization to "thrash out' the matter.

Official acknowledgement that Birmingham may face a crisis similar to that now being entertained by Montgomery, Ala., and Tallahassee, Fla., came from Birmingham Mayor James W. Morgan.

However, the mayor was optimistic in expressing his belief

ON PUBLIC CARRIERS

Choice Seating For Women Asked In Segregation Bill

Advertiser P. 2-F
Montgomery, Ala.
Sun. 7-15-56

MONROEVILLE, Ala., July 14 (AP) — New legislation aimed at preservation of racial segregation on public carriers in Alabama was proposed today by State Rep. Nick S. Hare.

He said he has drafted a bill to provide that when a woman is first to occupy a seat on a bus, streetcar or train, she has the right to occupy the entire seat "at her choice or election."

Hare said he plans to introduce the bill at the next session of the State Legislature.

The legislator said in announcing the bill:

"None of the threatened integration possibilities disturbs Southerners more than the prospect of a Negro man taking a seat beside a white woman. This sensitive spot in race relations is generally acknowledged to be the most likely to create strife and tension, or to erupt suddenly in riots or bloodshed.

MIXED SEATING

"The prospect of mixed seating on buses has transportation companies caught in the middle of this turmoil and uncertainty. Bus companies are faced on one hand with organized boycotts by Negroes, and on the other hand with the prospect of complete abandonment of bus travel by white women apprehending mixed seating."

He said his proposal "will give a woman the entire seat she occupies if she wants it, and she may exclude any other person from it, thus preventing any undesirable person from sitting beside her.

"There is no mention of race or color. The law would preserve the dignity, safety and security of women and protect them from embarrassment on public conveyances. It is designed to protect the individual rights of female travelers and it will serve to preserve law and order for all."

Hare described the plan as "remarkably simple" and contended it would "apparently assure the practical continuance of segregation on public conveyances."

Montgomery boycott—

People who haul maids harassed

News P. 14
Wed. 10-17-56
Birmingham, Ala.

MONTGOMERY, Ala., Oct. 17 — (AP) — White housewives who drive their Negro maids to and from work are being harassed by anonymous phone calls, The Montgomery Advertiser said today.

THE NEWSPAPER quoted persons who received calls as saying men had threatened physical violence and used profanity. Most of the post-midnight calls were limited to the question:

"Isn't it about time you went to get your nigger maid?"

Montgomery Negroes have been boycotting city buses since last December in protest to the arrest of a Negro woman for violation of a segregated seating law. A federal court decision that city bus segregation is unconstitutional is on appeal to the U. S. Supreme Court.

PENDING THE appeal, both enforcement of bus segregation and the boycott are continuing. An organization set up to coordinate the boycott operates a car pool that provides transportation for many Negroes.

The only phone call reported to him, Police Chief G. J. Ruppenthal said, was to a resident living outside the city. Postmaster Charles Moore said he had heard of no threatening letters but would investigate if any were reported.

Letters received in some South Montgomery areas said in full:

"Dear friend: Listed below are a few of the white people who are still hauling their Negro maids. This must be stopped. These people would appreciate a call from you, day or night. Let's let them know how we feel about them hauling Negroes."

The lists included a number of prominent Montgomery residents, The Advertiser said.

Negro calls tactics 'the forces of evil'

CORTLAND, N. Y., Oct. 17—(AP)—A leader of an antisegregation bus boycott in Alabama says such tactics are aimed at "the forces of evil," not at individuals.

The Rev. Dr. Martin Luther King of Montgomery, Ala., told the New York State Universalist Ministers Assn. last night that "tension" in his community was "not between white and Negro but . . . between justice and injustice."

Dr. King, a Negro, was found guilty in an Alabama court last March of leading what the prosecution termed an illegal boycott against the Montgomery City Bus Lines. He has appealed a sentence of a $500 fine and payment of $500 court costs.

The 29-year-old minister said a "crisis" in race relations had been precipitated by the Supreme Court decision outlawing segregation in public schools and by "a radical change in the Negro's evaluation of his nature and destiny."

DR. KING said that violent resistance created social problems, it did not solve them. He said that nonviolent resistance sought to win friendship and understanding, not to defeat and humiliate opponents.

The minister told the church group that "in Montgomery, we can walk and never get tired because we know there will be a great camp meeting in the promised land of freedom."

Ala. boycott driver given $50 fine

Afro-American
Baltimore, Md.
Sat. 10-27-56

MONTGOMERY, Ala. (ANP) —What was described as an "improper left turn into oncoming traffic" cost a car pool driver $50 last week as police here stepped up their crusade against bus boycotters.

Mrs. Alberta Judkins James, represented by attorney Fred D. Gray, pleaded guilty to making the turn. In addition to the fine, Judge Alex A. Marks recommended that her license be suspended for 30 days.

She was driving the Hutchinson St. Baptist Church station wagon when the violation occurred. The boycott is sponsored by the Montgomery Improvement Association.

Ala. Bus Boycotters Sing 'My Country 'Tis of Thee'

Afro-American Sat. 2-11-56 P. 1
Baltimore, Md.

Folks won't budge on cop's order

By CLIFF MACKAY
Editor of the AFRO-AMERICAN

MONTGOMERY, Ala. — The amazing story behind the 100 per cent effective bus boycott, now in its tenth week, is that it is a fight led by two young men not yet in their 30's, and it gets its most enthusiastic support from followers twice their age.

The leaders, both Southerners but products of Northern schools, are the dynamic Rev. M. L. King Jr., 27; and the brilliant Fred D. Gray, 25, attorney at law.

Holding up their arms is a solid phalanx of graying grandmas, who unhesitatingly express their joy over having "lived to see this day."

* * *

"WE ARE simply sick and tired of being insulted and humiliated," they say.

"We will walk forever before we set foot on those buses. We're not doing this for ourselves. We're fighting for a better chance for our grandchildren."

Equally significant is the unbelievable cohesion of all segments of the community behind the militant, but intelligent, leadership of the youthful team of King and Gray.

It is this heroic worship of the two men which has the majority of the white community astonished; it has also stirred fear in the hearts of those officials, who for generations have refused to concede that there has been any change in race relations since 1863.

* * *

IT WAS manifest Monday night shortly after unknown assailants tossed what state bomb experts now say was a stick of dynamite on the porch of the Rev. Mr. King's residence.

The blast occurred at 9:15 p.m.

By 9:23 more than 2,000 of Dr. King's followers were gathered in front of the house, jamming the sidewalks and blocking traffic in the street.

Five squads of policemen, obviously of the "old school" arrived and began shouting:

"All right, the fun's over. You boys and girls break it up and go home. Get movin' and we mean move now!"

Not a single person budged. Bewildered, the policemen drew heavy nightsticks, but still no one moved.

* * *

SUDDENLY, ONE aging workworn woman in the back of the crowd began singing, "My Country 'Tis of Thee." Hundreds of voices picked up the strain.

The perplexed officers stood at attention, their mouths open in amazement.

Then Rev. Mr. King, stepped out on the porch and began addressing them.

"Everything is all right," he reassured them. "It is best for all of you to go home. The police are investigating, nobody has been hurt and everything is under control."

Only then did the huge throng begin to break up in small groups and move from the street, giving unconcealed menacing looks at the baffled policemen.

* * *

EVEN GROVER HALL JR., editor of the Montgomery Advertiser, who prides himself on being abreast of the times in racial matters, confessed that he was confused.

"If someone had offered to bet me $1000 that this boycott would last more than two days, I would have snatched it up," he said.

The AFRO interview was granted on the second floor of the block square building which houses both the Advertiser, a morning newsppaer, and its evening companion, the Alabama Journal.

Mr. Hall greets you with firm handshake, a gesture which is in itself a violation of Southern custom, takes your top coat and offers you a seat.

* * *

YOUR EYES stray to his desk on which rests one of the longest and shiniest 12-guage shotguns you have every seen.

He sees your glance, then rushes to explain. "No," he says, "things are not that bad. I just happened to bring it down this morning to have it cleaned."

He plays nervously with a pencil as he looks straight at you through heavy horn-rimmed glasses.

"You know this is an old Confederate community, rooted in the plantation philosophy, yet we have maintained the best race relations in the country here," he begins.

* * *

"FRANKLY, I believe the majority of white people were with the colored people when this thing first broke out, but now I don't know.

"It has developed into a contest between white and colored. The gully is growing wider and wider. This thing has set the colored people back at least five years, maybe ten.

"If they had just staged a one-day boycott as a symbol of protest and then sat down around a conference table, I believe we could have worked this thing out.

"But then when it kept spreading and the colored leaders began demanding things, white opinion changed and hardened against them."

* * *

"DO YOU know," he said pointing a chewed pencil, "that this thing has made the White Citizens Council? Before the boycott started they couldn't get anywhere.

"They had third-rate leaders and just the ragtail of white people following them. Now the very best and most respectable people have joined and there's no telling where it will end.

"But there's one thing you can tell all of your readers who are agitating this segregation business up North, the schools in the South will never be mixed, Supreme Court or no Supreme Court."

* * *

REMINDED THAT the schools are already being mixed in such Southern states as Kentucky, Maryland, Tennessee, Oklahoma and that state universities were mixed in every state except South Carolina, Mississippi, Georgia and Florida, he blinked and said:

"That's different," but offered no further explanation why this mixing could be different than any other kind.

You leave with the impression that Mr. Hall is a sincere but troubled man at war with his conscience and his religion, yet firmly bound by the web of custom and tradition.

* * *

DETERMINED, BUT not the least bit troubled is Fred David Gray, 25, whose law offices are within a stone's throw of the city hall, where sits one Police Commissioner Clyde C. Sellers.

Mr. Sellers, a chubby politician, tells you that "if it were not for outside agitators, this thing would have been settled long ago."

And then you ask Mr. Gray if he is an "outsider."

* * *

HE REPLIES "no," and assures you that he was born and bred in Montgomery.

A 1951 honor graduate of Alabama State College, located in Montgomery, he left to take his law degree on an out-of-state scholarship at Western Reserve University in Ohio only because the state denied citizens of his race an opportunity to attend the University of Alabama.

Mr. Gray, in contrast to the Rev. Mr. King, is a calm, unhurried individual, who lawyer-like, weighs carefully every word he utters.

* * *

OF SLIGHT build, he has the appearance of a college freshman, but behind his glasses I sense the wheels of thought turning, turning.

Sixteen months ago, he took the Alabama bar examination and to his own surprise was allowed to pass.

He opened his office on the second floor of the AME Zion building, two blocks from the city hall.

One of two colored lawyers among Montgomery's 42,000 colored population, he has a steady stream of clients but saves his best legal zeal for civil rights cases.

* * *

WHILE THE arrest of a 40-year old seamstress, Mrs. Rosa Parks on Dec. 5 precipitated the citywide protest, Mr. Gray says it was really the result of years piled upon years of grievances.

The situation really came to a head, he explains, on March 2 when a bus driver caused the arrest of a 15-year old school girl, Claudette Colvin.

Tried in juvenile court, she was fined, but on appeal to the state circuit court, she was given a probationary sentence. Her parents refused to allow a further appeal.

Then on Oct. 15 of last year, a bus driver called police to arrest Mrs. Mary Louise Smith, a passenger in a crowded bus, for refusing to surrender her seat to a white man.

* * *

TRIED IN recorder's (police) court, she was fined $9 for violation of the city's segregation law. It was the Smith case, according to Mr. Gray, that stirred angry women passengers to suggest a boycott.

Forming a two-man committee with Charles D. Langford, the city's only colored lawyer, Mr. Gray said they conferred in March with bus officials, in an effort to get a better interpretation of the city's bus segregation law.

The law, as they saw it, he he said, did not require colored persons to give up their seats to late-boarding white passengers. It only required colored passengers to seat from the rear and white passengers from the front.

* * *

COUNSEL FOR the bus company was willing to accept this interpretation, but the city administration headed by Mayor W. A. Gayle and Police Commissioner Clyde C. Sellers refused to concede even this small point.

"Even now," the youthful, but serious-faced lawyer said, "the bus company is willing to grant all of our requests, but the one permitting colored bus drivers but the city officials are opposed to any settlement that might appear had we had won."

Hearing on the appeal of the conviction of Mrs. Rosa Parks, he disclosed, will be held in the Montgomery County Circuit Court on Feb. 22.

* * *

IF NECESSARY, he disclosed, it will be appealed all the way to the U.S. Supreme Court and the Montgomery Negro Improvement Association, the organization backing the boycott, has already raised funds for this purpose.

Adding fuel to the running battle the association is having with city officials, Mrs. Gray filed a petition in the U.S. District Court of Middle Alabama Wednesday asking that city officials, particularly Police Commissioner Sellers be enjoined from "molesting and interfering" with volunteer drivers carrying bus boycotters to and from work.

The petition which named not only Sellers, but Mayor Gayle and the third commissioner, Frank L. Parks, charges that police, complying with their instructions, have been intimidating drivers in the motor pool formed to aid domestics and other workers inconvenienced by the boycott.

DRIVERS HAVE been flagged down, asked for their chauffeurs' permits and registration certificates, and even the boycott leader, the Rev. M. L. King was arrested for driving "30 miles in a 25-mile an hour zone" after officers had trailed him for more than 10 blocks.

Counsellor Gray and the Rev. Mr. King are not the only Alabamans who find no love in their hearts for the tactics of Police Commissioner Sellers.

Sharing their lack of admiration for him is his most powerful political enemy, Gov. James Folsom, who bluntly describes him in a three-word highly uncomplimentary expression.

* * *

GOVERNOR FOLSOM, a giant of a man, has proved to be an oddity in Southern politics, in that he is a liberal, who doesn't allow his Dixie roots to blur his love of equal justice.

Mr. Sellers dismissed him as a "n— lover," because of the governor's open advocacy of increased voting by colored citizens, who helped put him in

office over bitter Dixiecrat opposition.

The governor's reference to the Dixiecrat revival of the doctrine of "interposition" as "hogwash" added to the marked distaste held for the state's chief executive by Commissioner Sellers and his followers.

* * *

CORDIALLY RECEIVING the Rev. Mr. King and four other ministers in the executive suites, Gov. Folsom deplored the outbreak of violence and expressed hope that it would not be necessary for him to call out the National Guard.

"This thing is getting out of hand," he said as he dropped his 6 foot, 6 inch frame in a huge swivel chair tailored to his measure.

"How long do you think it will last?" he asked.

"Until our demands are granted," responded Rev. Mr. King, speaking with no trace of an accent usually expected of a native of Atlanta.

"What we really want to ask of you," he continued, "is protection of the state. We have no confidence in the city police affording us such protection."

THE GOVERNOR, in the midst of a stiff fight to get his program through the legislature, rubbed a large hand over his expressive face in a momentary reflection, then said:

"I'll have two highway patrolmen keep an eye on your house. I'll also get in touch with the sheriff and have him send some deputies over there."

"What we would like to have," persisted Rev. King, a theology graduate of Boston University, "is to have you issue a permit to keep a gun in my car."

"I'll see that you get plenty of protection," evaded the governor, "but you'll have to give me time to work out that gun business with the sheriff."

REV. MR. KING, whose nervous pacing, reveals he has been under a tremendous strain, thanked the governor, who hurried out to greet another delegation.

He returned to his Jackson street residence to find it flooded with light, installed by a member of his Dexter St. Baptist Church congregation, Roscoe Williams, a licensed electrician.

He greeted his lovely wife, Corretta affectionately, asked about his seven-weeks old daughter, Denise Yoland and then retired to his study for a conference with his father, the Rev. M. L. King Sr., who pastors Atlanta's huge Ebenezer Baptist Church.

Dr. King had driven all night to reach Montgomery.

CALLED WHEN a television account of the bombing came on, he reached the room just in time to hear his old adversary, Police Commissioner Sellers announce that the Central Alabama White Citizens Council had just offered a $500 reward for the capture of the unknown dynamiter.

"Now, isn't that one for the books," wryly commented the young pastor.

Commissioner Sellers just a week before had openly announced his affiliation with the Citizens Council, which professes to be dedicated to staging a "legal fight for the maintenance of segregation."

On-The-Spot Coverage

Because of a two-month boycott of Montgomery city bus lines by colored patrons who refused to be segregated,

And because there have been two bombings of the homes of alleged boycott leaders and intimidation by police:

The AFRO sent Cliff Mackay, chief editor, to Alabama for an on-the-spot coverage of "Terrorism in Alabama."

His dispatches will be found in this and subsequent editions.

CARL MURPHY

Capital Negroes Claim Bus Drivers 'Abused' Them

Post-Herald
B'ham, Ala.
Thurs. 3-22-56

BY NICHOLAS C. CHRISS
United Press Staff Writer

MONTGOMERY, March 21 — Negroes testified today that white drivers abused "all 50,000" of their race here — including the pregnant and the blind—and for that reason they stopped riding city buses.

Witness after witness testified as to mistreatment by drivers as the defense presented its case in the trial of the Rev. M. L. King, one of 90 Negroes charged with conspiring to boycott the bus line.

Six defense lawyers attempted to show by such testimony that the 15-weeks boycott actually was a spontaneous protest demonstration rather than a calculated scheme to put the transit system on the rocks financially, as the state contends. The state rested this morning.

An Alabama law of 1921 banning such a conspiracy against a business provided the basis for the prosecution in a 100-year-old courtroom where spectators, most of them defendants, broke into applause at one point of the defense testimony.

That was when witness Ella Perkins said none of the city's 50,000 Negro population was spared arrogant treatment from the city bus driver force.

A later witness, Martha Kate Walker, said that once last year she was taking her blind husband, who lost his sight in Germany in an accident after World War II, home on the bus.

As they left the bus, she said, "My husband had his left foot on the ground but his right foot still on the step" when the bus started off suddenly.

"I screamed and a white lady on the bus told the driver to wait a minute but he kept on going," the witness said. She said her husband skinned his ankle in getting clear of the bus. She waited until the driver came around again, she said, and told him about the incident but he told her he didn't know anything about it.

Mrs. Walker said she complained later to the manager of the bus company but never heard anything further from him.

An earlier witness, Pullman Porter Richard S. Jordan, testified that several years ago a bus driver brusquely ordered his pregnant wife to give up her seat to a white passenger.

"I'm a man, and I'm supposed to protect her but I just looked out the window," Jordan said bitterly.

He said the driver called him "boy," and that the common designation for their race by drivers was "boy, girl or nigger."

The defense had indicated earlier it might finish today but a number of witnesses still were to be heard near the end of the third day of the trial. Conviction under the old anti-boycott law carries six months in prison and/or $1000 fine.

Mrs. Perkins testified she stopped riding the buses Dec. 5, the day the boycott is alleged to have started but she did not give a specific reason until Circuit Judge Eugene Carter, who will give the verdict in the no-jury trial, pressed her.

Then she said it was because "we were all mistreated on the buses."

"We is 'we all'?" the judge asked.

"All of us, 50,000 Negroes in Montgomery," the woman replied.

When applause broke out Judge Carter warned that if it occurred again "I'll make you all stand and go outside, or take you to jail."

The State rested after two and one-half days of testimony designed to show that the Negroes formed an organization, collected funds and set up motor pools to compete with the public transit system and wreck it economically.

Post-Herald

The first defense witness was hefty Georgia T. Gilmore, 35.

She said she knew "quite a few other" Negroes who had stopped riding the buses before the citywide boycott began.

She said she stopped because of the treatment she received from a driver.

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"So I made up my mind I wouldn't ride the buses any more. Now I take a taxi, but if it's warm I walk home."

P. 2

Final State witnesses were Mayor W. A. Gayle and J. H. Bagley, manager of the bus company, who told of reports turned in on the case of Rosa Parks Negro seamstress whose arrest for refusing to move to a rear seat was the spark that touched off the boycott.

Gayle and Bagley said that on predominantly white bus routes 10 seats were reserved for Negroes at the rear and on routes carrying mostly Negroes 10 seats were reserved for whites at the front.

Boycott Trials

Eagle P.

MONTGOMERY, Ala.— The case of the Rev. Martin Luther King, Jr. and 90 Negroes indicted here for boycotting charges, opened Monday. Circuit Judge Eugene Carter, who is presiding, threw out the entire testimony of one Negro witness who said his life had been threatened in connection with riding the buses.

Thurs. 3-22-56

State's attorneys attempted to show that Negroes have been threatened for riding busses during the segregation boycott which started Dec. 5. However, only part of the testimony along that line was allowed.

The judge permitted two other Negroes to testify about threats they had received.

Tulsa Okla.

Defense attorneys, at the same time, brought from one prosecution witness a statement that Negro minisers he had heard speak at mass meetings during the boycott had made a point of appealing to their race to shun violence. That witness was Joe Azbell, city editor of the Montgomery Advertiser.

Other witnesses testified on the second day of Rev. King's trial that the Montgomery Improvement association was formed the day the boycott started, arranged the car pool and has paid for gasoline and other expenses. King is president of the Association.

Bus Boycotter Guilty, Long Fight in Prospect

Evening Star Fri. 3-23-56
Washington, D.C.

MONTGOMERY, Ala., Mar. 23 (AP).—Negro bus boycotters are expected to continue their mass protest despite the conviction yesterday of a top leader in the anti-segregation campaign.

Defense attorneys, meanwhile, plan to appeal the conviction of

Picture on Page A-6

the Rev. Martin Luther King, jr., all the way to the United States Supreme Court if necessary in another test of the South's segregation laws.

Mr. King himself, speaking at a mass meeting last night, promised to continue leading the protest movement "no matter how many times they convict me."

The 27-year-old Negro minister was convicted by Circuit Judge Eugene Carter yesterday and fined $500 for violating Alabama's anti-boycott law. He has played a leading role in the 17-week-old campaign against segregated seating on city buses. The fine was suspended after notice of an appeal was made.

Last night the young Babtist pastor vowed to continue fighting for "justice and equality." The Negro crowd that jammed the Holt Street Babtist Church gave him an ovation.

Mr. King, pastor of the Dexter Avenue Babtist Church, told the audience, "Freedom doesn't come on a silver platter. Some of the things we have to go through are a necessary part of our campaign. There can never be growth without growing pains."

In addition to the $500 fine which was suspended, Mr. King was also charged with court costs of approximately $500. This was converted into a jail sentence totaling about 386 days since he chose to appeal rather than pay the money.

Mr. King, together with 89 other Negro leaders still awaiting trial on similar boycott charges, had exercised his right to a non-jury trial.

The conviction was announced by Judge Carter at the end of a four-day trial. Circuit Solicitor William F. Thetford said the State had agreed to postpone the trials of other defendants pending Mr. King's appeal.

Judge Carter could have sentenced Mr. King to six months and fined him $1,000. But the jurist said he took into consideration testimony which indicated Mr. King repeatedly appealed to his people not to use violence in the bus protest.

The State sought to show that the Montgomery Improvement Association, a newly formed Negro organization, had kept the boycott alive with periodic mass rallies and had directed the operation of a car pool which transported Negroes in lieu of buses. Mr. King is president of the MIA.

Negro defense attorneys challenged the constitutionality of the State law which prohibits a conspiracy or agreement to hinder operations of a business "without just cause or legal excuse."

'Umbrella' suit filed in bus boycott

Afro-American Sat. 2-11- p.1

Baltimore, Md.

By STAFF CORRESPONDENT

MONTGOMERY, Ala. — The bus boycott which began nine weeks ago as a "passive resistance" movement, shifted Wednesday into the active area of legal attack.

In what has been described as an "umbrella suit," a petition was filed in U.S. District Court seeking a permanent injunction to halt:

(1) Enforcement of Alabama and city of Montgomery laws requiring racial segregation on buses and other public vehicles;

* * *

(2) A CONSPIRACY between city officials and the bus company to compel colored passengers to resume use of city buses;

(3) Interference by city police with volunteer drivers in car pools created to make the present boycott of buses 99 per cent effective;

(4) Threats of violence, intimidation and arrests and economic reprisals against leaders and participants in the bus boycott by city officials, who have openly acknowledged membership in the local White Citizens Council.

The suit, filed by Fred D. Gray and Charles D. Langford, attorneys, asks the convening of a three - judge court for a "speedy hearing" and the granting of "immediate relief."

* * *

NAMED AS plaintiffs were: Aurelia S. Browder, Susie McDonald, Jeanetta Reese, Claudette Colvin and Mary L. Smith, all of whom have been the targets of bus drivers and police during the past several months, and all other colored persons "similarly situated."

Cited as defendants were: The three members of the Montgomery Board of Commissioners, Mayor W. A. Gayle, Police Commissioner Clyde Sellers, and Commissioner Frank Parks; Chief of Police Goodwyn J. Rippenthal, the Montgomery City Lines, Inc., and its agents, James F. Flake and Robert Cleere.

* * *

IN ASKING a declaratory judgment to halt the enforcement of state and city segregation laws, the petitioners charge that the laws stand in conflict with the 14th Amendment to the U.S. Constitution.

They also seek to enjoin the city commissioners from carrying out their "conspiracy" to break the bus boycott as acting under "color of law to deprive colored citizens of their rights secured by the 14th Amendment."

Pointing out that colored citizens had formed car pools to relieve their transportation difficulties, the suit accused the commissioners of resorting to threats and intimidation to deprive them of the use of this private transportation.

This is being done, the suit charges, to force colored citizens to resume the use of buses on a segregated basis.

* * *

THE CITY officials, according to the complaint, not only have brought pressure on volunteer drivers; they have publicly announced over radio and television that they were members of the Central Alabama White Citizens Council.

The council, it is explained, is dedicated to the maintenance of segregation in public schools, and other public places.

* * *

THE SUIT complains that police, upon instructions of the commissioners, have stopped drivers and questioned them in detail about where they obtain their gasoline, how long they have been hauling passengers, where they work.

They have arrested and prosecuted them for minor violations of laws that are not being enforced against white persons, it charges.

Violence Flares In Bus Boycott

Defender

MONTGOMERY, Ala.—(INS)—A second explosion within a week has been set off at Montgomery where a bus-segregation row has raised tensions increasingly since last November.

p.1 Chicago Def.

Police said the blast, apparently dynamite, was touched off during the night in the yard of former NAACP leader C. D. Nixon, a Pullman porter.

Sat. 2-11-56

Nixon was not at home, and no one was hurt. The explosion damaged a fence in front of the home.

Earlier an explosion rocked the home of the Rev. Martin Luther King, Baptist minister who has led a boycott of city buses by Negroes protesting "Jim Crow" seating regulations.

Mrs. Nixon and a neighbor's child were in the home when the explosive was tossed on the front lawn Thursday. Nixon was reported to be in Chicago.

An orderly crowd of about 200 Negroes gathered while police investigated. State toxicologist Van Pruitt, jr., described the explosive as being "very mild."

Nixon, former state president of the NAACP, has been prominent in the bus boycott. He appeared in court when Mrs. Rosa Parks was charged with violating segregation laws pertaining to bus seating.

It was that case whicht ouched off the boycott.

A group of five Negroes brought suit in Federal district court asking that Montgomery city laws and Alabama state laws concerning racial segregation in public transportation be declared unconstitutional.

2nd home bombed in Alabama

Afro-American Sat. 2-11-56 p.1

Baltimore, Md.

By CLIFF MACKAY
Editor, AFRO-AMERICAN Newspapers

MONTGOMERY, Ala. — The home of the man who put the Alabama Democratic Committee on the spot last fall became the second target of a stepped-up campaign of terror in this capital of the Old Confederacy, Wednesday night.

An explosive, described by police as relatively mild, was tossed at the residence of E. D. Nixon, former State NAACP president, shortly after 9 p.m.

It was the second bombing in three days. A stick of dynamite shattered the windows of the home of the Rev. M. L. King, leader of the bus boycott, Monday night.

* * *

THE BOMBING outbreak was believed to have been spurred by the public announcement of a "get tough" policy with the bus boycotters, made Sunday by Police Commissioner Clyde C. Sellers, an acknowledged officer of the Central Alabama White Citizens Councils.

The Wednesday night bombing damaged only the white picket fence which surrounds Mr. Nixon's home. Two slats were splintered. No windows were broken.

Mr. Nixon, a Pullman porter, was away on his regular run to Chicago.

* * *

HE MADE the headlines last November when his check for $25 was returned by the Alabama Democratic Executive Committee after he sought to attend a Jackson-Jefferson Day dinner.

Michigan's Gov. G. Mennen Williams, who was scheduled to address the dinner, refused to appear after he was told about the committee's action.

Nixon had remained in the background in the bus fight, although the boycott has his support.

He is also president of the Montgomery Progressive Democratic Club.

South Eyes Negro Bus Boycott, A 70-Day Success in Montgomery

Herald Tribune New York
Mon. 2-13-56

By Robert S. Bird

MONTGOMERY, Ala., Feb. 12.—Nothing could better illustrate the temper of the Negroes of the Deep South than the boycott of city buses which Montgomery's 42,000 Negroes are carrying into the third month with almost perfect success.

Today this Herald Tribune reported visited a Negro church service to get the Negro side of the boycott story. The visit was a circumstance that roused curiosity of the police department enough to send a couple of plainsclothesmen around to "check up and see whether there was any trouble." There wasn't any.

At the beginning of the boycott seventy days ago neither Negroes nor whites expected the showdown to last three days. Today neither side sees any solution in sight, so rigidly have the lines been drawn. The longer the boycott lasts, the more jittery the whites get. And, naturally, the more satisfied the Negroes feel.

In the narrow sense, the issue is over the removal of the imaginary line which arbitrarily segregates Negro seats in the rear of all city buses. The Negroes want a flexible seating arrangement under which segregation itself would be flexible in principle. Actually, the larger issue is a deep-rooted Negro resentment against deep-rooted Southern white customs.

Throughout the South the organized Negro defiance expressed in the boycott in this birthplace of the Confederacy is viewed as gravely dangerous—dangerous to the "Southern way of life" if the whites yield, dangerous perhaps to physical life if the stalemate continues.

Detectives at Church

This reporter went to the service at the eighty-eight-year-old First Colored Baptist Church at Ripley and Columbus Streets, where the pastor is one of the leaders of the boycott. By coincidence, the two plainclothes police detectives came to the church ten minutes later. Presumably the taxi driver, who was unusually non-talkative on the ride over, had used his two-way radio after dropping off the reporter.

In order to understand the Negro side of the story, it is necessary first to realize the bewilderment expressed by the white side over Negro motivation for this boycott. Most of the white leaders simply cannot understand how the boycott ever got rolling and why it has not long ago been settled. They regard it as altogether too simple to explain the matter on the basis of the Supreme Court school integration decision and the resulting ferment at work among the Negroes.

In refusing to accept this view, they point to the fact that up to a year ago race relations in Montgomery were as harmonious as anywhere in the South if not more so. They cite as proof such good works as the $10,000,000 worth of new Negro housing built in the last five years, the pending $2,000,000 bill to finance new Negro parks and recreational facilities, admission of a Negro ballplayer to the city baseball team, and many more concrete showings of good will offered by the white community to the Montgomery Negroes in the recent past.

Pastor Gives the Answer

But the Rev. Ralph D. Abernathy, the twenty-nine-year-old pastor, gave the answer in the interview. Twelve of his deacons and other church officials sat in with us, gravely nodding their heads in acquiescence to his remarks.

Mr. Abernathy, it should be explained, is an example of the new generation of young Negro leadership in the South. He was educated in Negro colleges here and in Atlanta, served in the European theater in World War II, and is dedicated to helping his people express their aspirations.

A solidly built and soft-spoken man, he is quite willing to risk the dynamite bombs which have been thrown at the homes of two of his co-leaders since the boycott began.

"I can understand how the Southern white man has a real problem," he said with slow seriousness, sitting at his desk down in the basement of the shabby old brick church.

Explains Movement

"Never before has the Negro faced the white man as a man, demanding of him that he do something. The white man just doesn't understand this movement. He thinks we went off the buses here in Montgomery because of a few petty grievances, and that we ought to be ready now to go right back on the buses.

"He feels that outsiders—agitators—are behind this boycott. He doesn't know that this flows from the hearts of every one of the nearly 50,000 Negroes of Montgomery. If any one stepped out right now and said, 'Go back to those buses,' brother, he would be on dangerous grounds—unless conditions are improved. If I, or any of the leaders of this movement, were removed from it, I guarantee it would go right on until conditions are improved."

Getting to the heart of the misunderstanding between the Negroes and the white citizens of Montgomery, Mr. Abernathy pinpointed it this way:

"It is perfectly true that the race relations had been harmonious in Montgomery up to about a year ago. Then an incident happened on the buses, and later more incidents began to occur.

"But what they don't understand is that this peace was bought at a high price as far as the Negroes are concerned. You can always have peace if you want to pay the price. The conditions we want improved go far, far back."

Negroes' Three Points

The pastor stated these three points as the Negroes' price for settling the boycott;

"First," he said, "we want more courteous treatment from the drivers.

"Second, we want the seating arrangement in buses to be on a first come, first served basis—meaning that Negro passengers would start filling seats from the back toward the front, and white passengers would fill seats from the front toward the back.

"Third, we want Negro drivers on the buses which travel the predominately Negro routes."

Support Grows For Bus Boycott

Post & Times Herald P. 8
Mon. 2-27-56

MONTGOMERY, Ala., Feb 26 (AP)—A leader in the Negro boycott of Montgomery buses said from the pulpit today that his people would see the boycott "to the finish." Across the Nation Negroes echoed their support.

Washington D.C.

The Rev. Martin Luther King asked the members of his Baptist church not to get weary of the hardships brought about by the 12-week boycott of Montgomery city buses and told them "no goal was ever attained without sacrifice."

The 27-year-old Negro minister, president of the Montgomery Improvement Association, which has backed the boycott, said "even if the boycott ended now, the Negro in Montgomery has achieved a new dignity. But we will not stop now, we will see it to a finish."

Nearly 500 Negroes in the small Dexter Avenue Baptist Church heard King promise that "the prejudiced mind in Montgomery and America can become a kind and loving mind."

Meanwhile, in New York, the first steps were taken toward the organization of an hour-long nation-wide work stoppage in sympathy with the Montgomery Negroes.

Rep. Adam Clayton Powell Jr., Negro Democratic member of Congress and a minister, met at his Harlem church with Negro union officials to plan a March 28 "Deliverance Day" demonstration that will call for a one-hour work stoppage by both whites and Negroes across the Nation.

However, the president of the Oklahoma Chapter of the National Association for the Advancement of Colored People, said he does not favor the idea.

Jimmy Stewart of Oklahoma City said special prayers and collections were being made for the Montgomery Negroes in 50 churches around the state.

Arkansas Governor For Assignment Plan

LITTLE ROCK, Ark., Feb. 25 (AP)—Gov. Orval Faubus said today he supports those who seek to prevent "sudden and immediate" racial integration of Arkansas' public schools.

A pupil assignment plan, whereby school authorities would have the power to assign students and teachers to a particular school, "looks like the best possible plan for Arkansas," Faubus said at a press conference.

Grand Jury To Examine Bus Protest

Daily World
Tues. 2-14-56

MONTGOMERY, Ala. — (SNS) — Circuit Court Judge Eugene Carter impaneled a Bullock County Grand Jury composed of 17 white men and one Negro Monday and instructed them to determine whether or not the three-month-old bus boycott in Montgomery was legal.

Atlanta, Ga.

The protest was started after a Negro woman was jailed and fined for refusing to get up to give her seat on the bus to a white man. Since that time, all efforts of Negro leaders to effect an understanding with the City of Montgomery and the bus company have been rebuffed.

P. 1

The protest leaders, headed by Rev. M. L. King, Jr., asked that bus service be administered "fairly" and that seating be done of a "first-come, first-served" basis.

"GET TOUGH POLICY"

In return, the mayor refused and ordered a "get tough" policy with the boycotters who were either walking or riding in a car pool supplied by the protest movement.

Rev. King's home was bombed and no arrests were made.

Although Judge Carter told the jury that it was to determine the legal status of the boycott and that "No court, whether it be federal court, state court or city court, can interfere with your investigation," he also instructed them that: "The essential idea of boycotting ..... is a confederation, generally secret, of many persons whose intent is to injure another by preventing any and all persons from doing business with him through fear of incurring the displeasure, persecution and vengeance of the conspirators.

The one Negro member of the jury is E. T. Sinclair who gave his occupation as Waiter.

GRAND JURY TO STUDY BOYCOTT OF BUS LINE

Commercial Appeal

Judge Cites Code In Asking Montgomery Inquiry

Tues. 2-14-56

NEGRO WAITER ON PANEL

Memphis, Tenn.

By The Associated Press

MONTGOMERY, Ala., Feb. 13. — Circuit Judge Eugene Carter charged a grand jury Monday to determine whether Negroes who are boycotting Montgomery City Lines buses are violating the law.

One Negro, E. T. Sinclair, a waiter, was among the 18 members of the Montgomery County Grand Jury who began their work after Judge Carter concluded his instructions.

P. 27

City No Place For Hate

Declaring "the doctrine of hate has no place here," the judge told the jurors that "a person's business is property and, if lawfully conducted, is entitled to protection from unlawful interference."

Negroes have boycotted Montgomery City Lines buses since Dec. 5, the day a Negro woman, Rosa Parks, was fined $14 in City Court for refusing to move to the Negro section of a bus.

State and city laws require segregation in public transportation. Since the boycott began, however, a suit has been filed in United States District Court seeking to have those laws declared unconstitutional. No hearing has been set.

Circuit Solicitor W. F. Thetford said anyone taking part in a conspiracy to boycott the bus lines could be indicted under a state law which makes boycotting punishable by six months in jail and a $500 fine.

Code Sets Out Violation

Section 53 of Title 14 of the Alabama Code of 1940 says:

"Two or more persons who, without a just cause or legal excuse for so doing, enter into any combination, conspiracy, agreement, arrangement or understanding for the purpose of hindering, delaying or preventing any other persons, firms, corporations or associations of persons from carrying on any lawful business shall be guilty of a misdemeanor."

Even if the grand jury finds the boycott illegal, however, Solicitor Thetford said, the city or state can do nothing to compel Negroes to ride buses again. But he said the jury could indict boycott leaders if there is evidence of unlawful acts.

Judge Carter told the jurors Montgomery "has been a city that both races have had pleasure living in. I say to both black and white, let's continue to live as neighbors."

Bus Seating Offer Gets Negro Veto

Constitution
Atlanta, Ga.
Tues. 2-21-56

MONTGOMERY, Ala., Feb. 20 (AP)—On the eve of a grand jury report that may bring indictments against many, Negro leaders tonight rejected a compromise plan for ending the racial bus boycott here.

P. 32

Terms agreed to this morning by the Montgomery City Commission and the boycott-plagued bus company were turned down flatly by Negroes at a mass meeting called to consider the compromise.

GIVES VOTE

The Rev. Ralph D. Abernathy, chairman of the negotiating committee and pastor of the Negro First Baptist Church, gave the vote against accepting the proposal at 3,998 to 2.

The grand jury has been investigating the mass protest against segregation and is expected to make a final report tomorrow. Indictments are expected against some of the Negroes who have participated in the wholesale refusal to ride Montgomery City Lines buses.

SEAT OFFER

The seating arrangement offered in the compromise was similar to the plan rejected by boycott leaders in previous attempts to end the boycott.

Drawn up "within the framework of existing (segregation) laws," it called for the first 10 seats in the front of buses to be reserved for white persons and the last 10 seats for Negroes. Remaining seats in the center would be occupied from the front to the rear by whites and from the rear toward the front by Negroes.

Bus Boycott Rumored Beginning To Break Up

Post-Herald P. 1
Tues. 2-21-56

Grand Jury Nears End Of Massive Investigation Of Negro Protest Movement

Birmingham, Ala.

MONTGOMERY, Feb. 20 (AP)—Reports of a break in the 11-week-old Negro bus boycott persisted today as a grand jury neared completion of its investigation of the mass protest against segregation.

The grand jury was expected to make a final report by tomorrow, and may indict some of the Negroes who have participated in wholesale refusal to ride Montgomery City Lines buses.

Several men who have been prominently identified with efforts to settle the boycott conferred in the office of Mayor W. A. Gayle this morning, but declined to comment afterward.

They included all three members of the City Commission, representatives of the bus company and spokesmen for the Men of Montgomery, a civic organization which has volunteered to act as mediator in the lengthening dispute.

A mass meeting of Negroes was scheduled tonight at a Negro church.

Two city detectives disclosed meanwhile that they have been assigned to the circuit solicitor's office for several weeks investigating the boycott. Detectives K. W. Jones and Jack D. Shows were among the scores of witnesses interviewed by the grand jury in the past week.

But they were prohibited by law from disclosing their testimony.

The grand jury which has already indicted one boycott spokesman, Negro Atty. Fred D. Gray, may return other true bills charging violation of Alabama's rarely used anti-boycott law.

Gray was charged with unlawful practice because of a suit he filed in U. S. District Court seeking to throw out city and state laws requiring racial segregation in all public transportation. The suit was an outgrowth of the boycott.

The attorney's indictment was based on the statement of Mrs. Jeanetta Reese, one of the five Negro women whose names were signed to the court petition.

Mrs. Reese told Mayor Gayle in the presence of two newspaper reporters that she didn't know what she was signing.

Gray was charged with filing the suit in Mrs. Reese's name without her consent, an offense punishable in Alabama by a $500 fine and suspension from practice.

The boycott began Dec. 5, after a Negro woman, Mrs. Rosa Parks, was arrested and fined $14 for refusing to move to the colored section of a bus.

Since then, an estimated 75 per cent of the Negroes who normally used the buses for transportation have refused to ride them. Some have used taxicabs to get to and from work; others have depended on a highly organized car pool operating with military precision.

'Not Afraid,' Bus Boycotters Hear Leaders Declare

Constitution
Atlanta, Ga.
Tues. 2-28-56

MONTGOMERY, Ala., Feb. 27. (AP)—Negro ministers leading the racial boycott against city buses Monday night told their shouting followers that "We are no longer afraid no matter what the enemy might do.

P. 13

But they emphasized again, as they did last Thursday night, that the 12-week-old protest against segregated buses must remain a "passive resistance" campaign.

Said the Rev. Martin Luther King Jr.:

"Anything that looks like violence will defeat our purpose."

King himself was the target of violence earlier in the boycott when a dynamite blast damaged his home but caused no injuries. Since then King and 23 other Negro ministers have been indicted by a grand jury for violating Alabama's anti-boycott law.

The Rev. E. N. French, another of the indicted clergymen, told the crowd that jammed the Holt Street Bapust Church that "We are not afraid."

Negro Leaders May Bring End To Bus Boycott

Post-Herald
Wed. 2-8-56

MONTGOMERY, Feb. 7 (U.P.)—Negro leaders in a boycott of city buses have scheduled a meeting here tomorrow which could lead to an end of the 2-month-old demonstration.

The Rev. M. L. King, a Negro leader and president of the Montgomery Improvement Assn., said the matter of ending the boycott would be presented to the association tomorrow.

Birmingham, Ala.

However, he added "I really couldn't say yet whether or not we will start riding the buses. It will depend upon tomorrow's meeting and the action taken on any recommendation the board might take."

The improvement association was the principal organizer of the "protest movement," which began over seating arrangements on city buses.

King said the association's action, one way or another, would be in the form of a recommendation to Negroes at large.

He said if an end to the boycott is recommended that it would be presented to the next mass meeting of the Negroes.

The youthful minister said the position of the boycotters had been "changed" somewhat by the filing of a suit in federal court to declare state and city segregation laws unconstitutional.

He said "We are now depending on the courts to give the final answer."

Bus-Boycott Head Seized as Speeder

World-Telegram + Sun P. 10
Tues. 1-27-56

By the Associated Press

MONTGOMERY, Ala., Jan. 27.—A Negro leader in the bus boycott said yesterday the city commission's new get-tough policy was the cause of his arrest on a speeding charge.

New Orleans

The Rev. M. L. King denied going 30 miles an hour in a 25-mile zone. The Baptist minister was fingerprinted and held

in jail about 15 minutes before being released on his own recognizance pending a hearing tomorrow in police court.

Mayor W. A. Gayle announced Monday that the city commission is through "pussy-footing" around with boycott leaders. Negroes have refused to ride buses here since Dec. 5 in protest against the seating arrangement required on buses by segregation laws.

Chief of Police G. J. Ruppenthal said Mr. King's arrest had nothing to do with the bus boycott.

BUS BOYCOTT LEADER FINED FOR SPEEDING

Commercial Appeal 1-25

Montgomery Negro Minister Planning Appeal

Sun. 1-29-56

MONTGOMERY, Jan. 28.(AP) —A 27-year-old Negro minister, a leader in the eight-week-old boycott of City Lines Buses, was fined $14 in city court Saturday when convicted of speeding in a residential zone.

Mont Press

The fine was levied against Rev. Martin Luther King Jr. after a policeman testified he caught the defendant driving 35 miles an hour in a 25-mile speed zone.

Jenn.

Defense attorneys said the case would be appealed to Montgomery Circuit Court.

Negroes in Bus Boycott Face Loss of Jobs

World-Telegram & Sun P. 8

New York

By the United Press.

MONTGOMERY, Ala., Jan. 25.—City Commissioner Frank Park said he received six telephone calls today from businessmen "offering to lay off" Negro employees connected with the boycott of city buses.

He said he received "35 or 40" similar calls yesterday.

"I received a call from a businessman today who said he has a Negro whom he has employed for 29 years but would lay off if necessary to help end this boycott," Mr. Park said.

"I told him I would not suggest discharging the Negro unless he is directly connected with the boycott or is a tool of the National Assn. for the Advancement of Colored People."

Mayor W. A. Gayle announced yesterday the city had "pussyfooted around" long enough and would make no further effort to end the boycott which has left some bus routes riderless since Dec. 6.

Almost immediately, Mr. Park said, the city commission was swamped by telephone calls from local businessmen congratulating city officials and reporting plans to "lay off" Negroes taking part in the boycott.

Wed. 1-25-56

The boycott followed the arrest and $10 fine of a Negro seamstress for refusing to move to the rear of a bus.

Negroes Will Walk Until Demands Met

Commercial Appeal 1-29-56

Houston Tex.

BY CHARLES H. LOEB
NNPA Correspondent

MONTGOMERY, Ala — What happens now?

Now that the Rev Martin Luther King, Jr, titular head of the crippling boycott against this city's segregated bus lines has been found guilty of leading an illegal conspiracy, what does Negro Montgomery intend to do?

Some 2000 persons who got into the Thursday night mass meeting in Holt Street Batist Church..and an estimated 1000 who stood around outside and heard the proceedings over loud speakers say the boycott will continue.."until our demands are met." .. **They shouted it out aloud to the young minister who had "stood trial in our places" hours earlier in Montgomery Circuit Court, and who had just promised them that the "protest will continue no matter how many times they convict me."**

Earlier he had told this reporter and a battery of microphones in front of television cameras that Negroes of Montgomery believed that their cause was right, their protest legal, and that the U. S. Supreme Court would reverse the Circuit Court conviction.

King, and others prominent in the movement's leadership, told the assemblage that the same program of avoiding any show of violence would be continued.

And money from over the nation continues to flow into the "war chest" of the Montgomery Improvement Association. Outstanding among the many contributions received Thursday night was $4503.55 from a group of 38 churches in the Detroit area. Rev Jessie J McNeal of the Baptist Ministers Conference of Detroit made the presentation and introduced members.

Rev W J Davis of Philadelphia brought a check for $1000 from churches in Philadelphia, and said that the same group had sent $900 previously through the mails. Other contributions, smaller, but numerous, and each hailed with shouts of appreciation,, "Thank you Jesus," were called out to the audience. Then the little people of Montgomery, some having come to the scheduled 8 o'clock meeting as early as 5:30 p.m. in order to get a seat, marched up in single file to make their weekly "freewill offering." This was their way of "sweetening the kitty" to repay the car pool for free transportation given them during the week.

There was no unit of payment that could be detected each contributor perhaps estimating the cost of his transportation in terms of bus fare, and probably adding a little to it each week.

If there was any outstanding impression for the "outsiders" attending it was the feeling that these common people were registering a great and unaccustomed pride in being identified "with the Negro race."

Courtroom observers had seen and heard it too. As the trial ground on they sat as spectators to watch themselves on trial. Hair was well-groomed, apparel selected with an eye to crease and cleanliness, and backs were straight and heads up.

To write into the written transcript the color of the defense witnesses, each was asked while testifying "are you a member of the Negro race?"

Sun. 3-31-56

Almost without exception, the witnesses head jerked proudly up, a humorous glint lashed into the eyes, and the inevitable answer came.

"I am" There was pride in the acknowledgement..a new sense of real importance.the real strength of unity..the feeling of belonging to something worthwhile.

The old sense of apology, frustation, and a great deal of the "inferiority complex" so long ingrained, was rubbing off.

Strangely there was no exhortation to continue the boycott. It was not necessary. The people themselves had served notice on Montgomery. They had done it, not with speeches that might be twisted and used in evidence by an unfriendly court. Not in boastings of courage and bravery. Not in open defiance, but with a weapon that, since 1865, the Negro of the South has used to keep alive his "secret conspiracy" to gain full freedom.

Here it was. Right in front of the faces of white Monegomery. Not the method of communication between leaders and the people, but between the people and the leaders, Now it becomes clear why the two detectives used by the solicitors to spy on the mass meetings, to check cars of pool drivers for inflammatory literature, and to "shadow" Rev. King, had failed to find any tangible evidence to give a perplexed prosecution.

Who said let's stay off the buses? Mrs Gladys Moore, defense witness, member of the Negro race, had given the answer under oath. **50,000 Montgomery Negroes.**

They hadn't believed it, but it was true.

Rev King had testified that the people had decided they were tired of being kicked around and that the Negro ministers of the city, sensing their anger and resentment and the dangerous consequences had stepped in to literally keep the lid on the simmering pot that might, at any time, come to a boil and spill over.

"The people talk," Rev R D Abernathy confided to this reporter, and the Montgomery Improvement Association is carrying out their orders. At the mass meeting there was evidence to support this unprecedented state of affairs. The people were voting their resolution though no ballots were being cast.

Like their ancestors before them they were expressing their hopes, their tribulations, and their future course of action in the well known code of the race at the crossroads.

"Like A tree standing by the water..I shall not be moved."

Tell It To Old Grandma

Advertiser

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Tues. 2-21-56

Pravda, Izvestia And Time—All Of A Piece

P. 4-A

EDITOR, THE ADVERTISER—Speaking of the "Big Lie!" No communist organ has ever distorted the truth any more completely than *Time* magazine has done in their ludicrous attack on the reporting of the Southern press in the integration problem.

I am excluding *Pravda, Time* and *Izvestia* from my home. (Note to grand jury: This isn't to be construed as a boycott; it's just that my blood pressure goes up when I read from this type publication.) O. N. BIRD JR.

Enterprise, Ala.

Montgomery, Ala.

Political Counter-Boycott

Editor, The Advertiser:

Since the Democratic Party has banned everyone who voted for Eisenhower from participating in the coming Democratic primary as a candidate, I propose that we who voted for Mr. Eisenhower withhold our votes and support from any candidate in the primary, and let them know in no uncertain terms as to why.

I think that if this could be done as an organized effort that the Democratic Party would realize that they were losing some good Democratic support and would think twice before making any such high-handed and dictatorial oath as they did this year.

To me it is as if the Democratic Party is their (the committee's) own little clique and they can bar whomever they please. And any Democratic candidate who will offer himself for election this year will, in effect, be a party to this outrageous act. R. L. M.

Thomasville, Ala.

Arrogant Entrance

Editor, The Advertiser:

Having heard some statements from persons who were at the University of Alabama Friday before the trouble on the following Monday, and, since I have read no such facts in the newspapers, I would like to ascertain if these statements are false or true.

First, on the Friday morning mentioned, it has been said that a large number of students and workers on their way to classes and jobs were held in a traffic jam adjacent to the University campus. The traffic line increased. Horns were tooted and people bent upon getting on their way shouted to know why they were being detained. Finally, a man ran up to the front of the jam where he found a new, high-class car blocking traffic. In the car sat two or three richly dressed Negro men and a Negro woman. When the man inquired why they didn't move on, he was told by one of the Negro men that Miss Lucy was entering the University that morning and that they were waiting for a police escort to take her on the campus.

Second, when the police arrived, the traffic had continued to pile up and the stranded students and workers were dealt with by the police as if they were a mob trying to interfere with Miss Lucy's entrance to the campus.

Third, when Miss Lucy reached the building in which her classes were to assemble, she elbowed her way through the crowded corridors and upon entering the classroom arrogantly walked to the front row and took a place in the middle of it.

Jesus said: "When thou art bidden of any man to a wedding, sit not down in the highest room; lest a more honorable man than thou be bidden of him;

"And he that bade thee and him come and say to thee, give this man place; and thou begin with shame to take the lowest room. But when thou art bidden, go and sit down in the lowest room; that when he that bade thee cometh, he may say unto thee, friend, go up higher; then thou shalt have worship in the presence of them that sit at meat with thee."

"For whosoever exalteth himself shall be abased; and he that humbleth himself shall be exalted."

Clanton, Ala. J. C. PATTILLO.

Too Many Legislators Already

Editor, The Advertiser:

Are you going to vote in November for the amendment to increase the lawmaking body? I am not.

The governor was going to pay the old folks more money. Now we need more schools and more teachers and more money for teachers.

He seems to think that the more lawmakers he has, the more special sessions he has, the higher the rate of pay for the lawmakers, and the more buildings he builds, the more money he will have to do the other things with. He thinks it's like "Cracker Jack"—the more you eat the more you want. The more you spend at and around the Capitol, the more you will have to spend elsewhere. It doesn't work that way.

I'd like to vote for an amendment to reduce the present number of legislators by at least half. We have too many and they accomplish too little. Why add to the confusion and throw away more money? I'm voting against it.

Montgomery. D. H. GUY.

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Montgomery, Ala.

Proposal From A Negro Minister

EDITOR, THE ADVERTISER — What the world needs most now is prayer. The Lord says men ought to always pray and not faint.

Fri. 2-17-56

I have been praying earnestly to the Lord since Christmas morning.

I woke up Christmas morning early, feeling the presence of God all around me, but over our city a grim shadow of discontentment settled on the streets because no sound of a city bus was heard anywhere. I promised God that I would go on a 9-day fast and prayer and used for a sign of that fast two crosses, one a black cross which I am wearing around my neck, the other a white cross which I am wearing on my left sleeve.

Some may ask why am I wearing black and white crosses. The answer should be obvious: I have two brothers, a Negro and a white brother. It seems that I am not getting very far with my praying, but I am not going to quit.

The one thing I hate more than anything else is what our good mayor and commissioner said and did in adopting a get-tough policy and virtually cut out all means of reconciliation. One other is almost as bad and that is the talk of bringing a grand jury into the matter.

All the Negroes in Montgomery are walking their feet off, swallowing the gall of harsh criticism, and dodging police apprehensions. If the city of Montgomery is to keep the faith of its colored citizens, it must show patience and kindness while dealing with their problems. I think I know my people very well, and I am sure that the Negroes in Montgomery did not start out trying to disobey any of the laws of the city, but rather they feel that they have not been given justice in some of the court decisions. Now if the courts go ahead and add to the fire that is already burning, then there will be no peace in sight.

I am asking for one more conference between the city and the Negro leaders and this time I want to be invited to attend. I want us to meet this time inviting our elder brother to be present and I will assure everybody that there will be agreements reached. The reason I want to be there because I want to lead the prayer services and want everybody to come praying for peace.

We the citizens of the United States of America must at this point of our lives use much caution and discretion as to what we say and do. The law is not always the best thing for us to resort to when something goes wrong for the devil is the best lawyer in all the world. The law is his strongest weapon.

I feel that there would be more good done at Tuscaloosa if the law would turn those young Negro youths to the church instead of to the courts. They should be made to go to the church and get on their knees and pray until God has forgiven them and then go to that fine young white man and beg him for forgiveness. I believe that white boy would do that. If I knew his address I would write him to this effect.

May I appeal to my race not ever to resort to such foolish tactics at any time. We cannot beat and kick our way into good civilization. It must be done by improving ourselves and strive to make ourselves acceptable in the sight of others. If the city and Negro leaders decide to do what I am asking, I would be glad if it could be arranged on a Moday for I am only in the city on Mondays.

THE REV. ELIJAH J. BRAXTON.
[New Style Methodist Church.]
Wetumpka, Ala.

¶ *The Rev. Braxton was pastor of the St. Paul Methodist Church, Ripley at High.—Ed.*

Bucks For Buses

Advertiser P. 4-A

Editor, The Advertiser:

I wish to compliment you on the interview as published in *U.S. News & World Report.*

Montgomery, Ala.

Enclosed you will find a dollar bill. Please pass this on to the Montgomery City Bus Lines. I am starting a crusade in Georgia and South Carolina, the territory that I travel. The crusade is to be "Bucks For Bus Lines And The Protection Of The White Race." I intend to send them a buck each week to try to "whip," or at least help out on the situation over there.

If enough people in the South could hear of my plan, I'm sure the Bucks will pour in so fast that your colored preachers there will be forced to "call the dogs." When a Negro realizes that he can't hurt them any more, he will be glad to start riding.

More power to you good people in Montgomery and please get the news of this movement on the wires.

Thurs. 3 — LEE BURNSIDE.
[Harvey's Metal Weather Strip Co.]
Atlanta, Ga.

¶ *"Buck" forwarded. Other contributors should address the company direct.—Ed.*

Let The Boycott Succeed

Advertiser P. 4-A

EDITOR, THE ADVERTISER — Mrs. Livingston of Tuscaloosa suggested car owners should ride the buses one day each week in order to help the buses. Please allow me to point out that this would be a mistake and only serve to hurt the boycott. I hope the boycott succeeds and added feeling of importance. In hurting the buses he is working against his own best interests. The buses are more important to them than any one else. They are the real economic link between them and their jobs. You and I don't need them. I've been here for years and never been on one. In fact, one of the busiest and a nuisance and a traffic hazard. Would be a mistake and give to ride is undermining his own future job security and welfare. Let him find out in his own slow time.

DAVID B. HUGHES.
Montgomery.

★ Tell It ★
Advertiser
To Old Grandma

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry, please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Mon. 3-12-56

Let The Boycott Succeed

P. 4-A

EDITOR, THE ADVERTISER — Mrs. Livingston of Tuscaloosa suggested car owners should ride the bus one day each week in order to help the buses. Please allow me to point out that this would be a mistake and only serve to prolong the Negro boycott, and give him an added feeling of importance. In hurting the buses he is working against his own best interests. The buses are more important to them than any one else. They are the real economic link between them and their jobs. You and I don't need them. I've been here for years and never been on one. In fact, they are a nuisance and a traffic hazard as far as I or any other motorist is concerned. So, the Negro by refusing to ride is undermining his own future job security and welfare. Let him find that out in his own slow time.

Montgomery. DAVID B. HUGHES.

Montgomery Ala.

Entering Wedge

Editor, The Advertiser:

Is it to be understood that our U.S. Supreme Court expects us to forego all of our state and police regulations because they might abridge the privileges and immunities of some citizen? This court decision, if the current interpretation of the 14th Amendment strikes down all state and city regulations governing the sale of liquor, gambling, age of voting, intermarriage of races, divorce, regulations as to Sunday operation of business, as well as the regulation of schools. Are we ready to be stripped of our rights to say what and how we may enjoy the privileges of living?

This recent decision is only an entering wedge to break down every regulation of our police laws. Have the majority of our states, white and black, no inviolate privileges? The 14th Amendment was passed at bayonet point, and never before has been so construed. Let there be no violence, but let our legislature and Congress clarify the matter.

Birmingham, Ala. P. M. CARLISLE.

Pincher Movement

Editor, The Advertiser:

Committees on subversive activities should investigate and ascertain just how much of a hand has communism in this issue of segregation or integration through communistic front organizations—urging and advocating people to be for integration or segregation while at the same time urging other people to be against integration or segregation, so that in the end it will result in dissension, discord and eventual revolution. LEWIS KANICK.

Washington, D. C.

Telephone Nuisance

Editor, The Advertiser:

For the past few weeks I have been pestered by phone calls from different business concerns. I wish they would take my name off their calling list. I have a large house to keep clean and a family of five to cook for. I work eight hours a day at my office and I don't have time to be bothered answering the phone to hear, "Your name has been selected for this and that."

I would like to say if I want my picture made I know where to find a studio, and if I want dancing lessons I know where to find that too. If I wanted any more hospital insurance I know where to find that too. I am sick and tired of phone calls.

I want to know if there is any law to stop annoying housewives with phone calls. I am not alone, I know of others who have been pestered. My name is really Smith, too.

MRS. [INITIALS WITHHELD] SMITH

Montgomery.

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Sun. 2-19-56

This Is Y

P. 2-B

EDITOR, THE ADVERTISER — The present campaign of the YMCA to enlarge its usefulness, merits the consideration of everyone of our citizens.

Here's why I say so. As a teenager, I left a small town at the turn of the century to accept a job in Montgomery. Met another young man before coming here by the name of Tom Martin, now head of Alabama Power Company. As I window-shopped one night (and that's all on $30 a month), Tom Martin came along and invited me to go as a guest to the "Y," then located upstairs about where the Alabama National Bank stands.

Montgomery

Immediately I joined and almost lived in the gymnasium. There I became acquainted with other young fellows, several of whom are now among my best friends. One invited me to the First Baptist Church Sunday School which later became my church home. The church was located then on Madison Avenue. I feel that I could have gone in most any direction at the time; but I know that the visit to the "Y" that night, over 50 years ago, and my associations with it was an influence for good in my life.

Ala.

I recall one night that a speaker before a group of boys described the "Y" something like this: "A purifying stream flowing through our community and effecting the lives of our youth."

Later, as a member of the "Y" Board, I know it managed well on skimpy funds with administrative personnel who sacrificed on low pay because they loved it. More than 2,000 Lion's Club boy proteges, who enjoyed membership and went on camps under the supervision of "Y" during the last 25 years, had a valuable contact. So many a man today can rise up in gratitude and call the name of the Montgomery YMCA "blessed."

No one will regret helping it carry out its plans to better help our youthpower develop into the kind of citizenship which means to our nation's safety. We buy insurance and in other material ways endeavor to make secure the future of our loved ones; but without building up moral and cultural values, all might not be well.

Yes, let's all have a part in making this campaign a success.

Montgomery. W. B. De LEMOS.

At Last

Editor, The Advertiser:

I was reading today that our esteemed governor had finally taken a stand, however puny, regarding the segregation issue.

Could it be that he is waking up finally to the fact that communistic agitators from without the borders of our beloved state and our beloved South are on the threshold of destroying the civilization and harmony between the peoples that go to make up the population here?

Or could it be that he realizes he is politically doomed should he continue to take the jellyfish stand he has taken.

Birmingham W. E. BEASLEY.

Two News Stories

Editor, The Advertiser:

The incident that happened at the university when two Negro men assaulted a teen-age student was a cowardly act and certainly will not be overlooked by the students. Miss Lucy was not atacked, or assaulted even though the Northern papers and the Eastern papers said she came very near being. It seems that they know a great deal more about what happened than we do. They vastly exaggerated what actually happened, as usual. I am wondering if they will give the incident yesterday as much publicity as they did Miss Lucy. In all probability it will be entirely ignored.

Montgomery R. H. WATSON.

WCC, Friend Of The Negro

Editor, The Advertiser:

I believe the White Citizens Council is a friend of the average Negro as long as he will let it be. We want them to have their schools and churches and all rights that belong to them, as long as there is segregation.

Clayton, Ala. H. D. McDONALD.

The Evidence

Editor, The Advertiser:

In this week's *Life* magazine is a color picture of the results of integration. All who favor integration should study that picture and ask themselves if they would like to see their great-grandchildren in a similar condition. Note particularly the expression on the face of the only all-white girl in the line. That is the condition a few unenlightened old men posing as "justices" would force upon us.

Montgomery. N. Y.

'SELFISH PURPOSES'

Advertiser

Bus Boycott Group Denies Charge Of Misusing Funds

Wed. 6-13-56 P. 1

Montgomery

A flat denial that funds for transportation of Negroes who are boycotting Montgomery buses are being misappropriated was issued yesterday by the Montgomery Improvement Assn.

Ala.

The MIA, organized to coordinate the boycott when it began six months ago, issued the denial in reply to charges by the Rev. U. J. Fields, who resigned as MIA recording secretary.

Files said Monday boycott leaders have put personal interests before the protest movement and money being contributed across the country to sustain the protest is being used "for selfish purposes."

Dr. Moses W. Jones, second vice president of the MIA, issued a statement calling Fields' charges "deeply regrettable." He said they were "simply another attack designed to hinder our protest movement."

"No money received by this association has been misappropriated," the statement said. "The president, the Rev. Martin Luther King Jr., has always insisted upon honesty, that all funds received be duly acknowledged and that a bi-monthly financial statement be made to the board of directors."

King was out of town yesterday.

38b 1956 ALABAMA

SPANISH EDITORS ARE SAYING

Below is a section of a Spanish newspaper describing the University riot. The headline reads: "The University Of Alabama Rejects A Negro Student." The subhead reads: "It brings about scandals, aggressions, judicial protests and stone throwing at the professors."

TAS DE

La Universidad de Alabama rechaza a una estudiante negra

Advertiser 8-4-A

Ello provoca escándalos, agresiones, reclamaciones judiciales y pedreas a los catedráticos

Montgomery, Ala.

FOSTER DULLES, CONTRARIO AL ENVIO DE ARMAS A ISRAEL

Fri. 2-17-56

NO HAY PRISA PARA CONTESTAR LA ULTIMA NOTA DE BULGANIN

Wáshington, 8. (Crónica radiotelegráfica de corresponsal de YA y de "La Vanguardia", Angel Zúñiga.)

El proyecto de ley sobre el gas natural parece que dará mucho juego político. El senador Johnson, de la minoría demócrata, ha dicho que algún otro senador se halla en las mismas circunstancias, que lo liga.

EL OTRO ESCANDALO

De mayor proporciones sociales es el de la Universidad de Alabama, al rechazar a una estudiante de color, después de serios alborotos, dejándose influir por los desórdenes del populacho y dictando una ley antifederal. Ahora que se acerca el día de Abraham Lincoln, vemos cómo, después de cien años de conseguir su liber-

ópera, la Rusia "e móbile"

LA UNIVERSIDAD DE TUCALOSA, AMENAZADA DE DENUNCIA JUDICIAL

TUCALOSA (Alabama), 8.—El abogado de una estudiante negra ha dado un plazo de cuarenta y ocho horas a la Universidad de Tucalosa para que su cliente sea readmitida en la misma. El rector ha declarado que es necesario mantener a la muchacha fuera del centro universitario para impedir "mayores violen-

U.S. Editors Are Saying

Advertiser Montgomery, Ala. 4-A

Alabama Boycott

The Washington Evening Star

The strategy adopted by the authorities in Montgomery, Alabama, in an attempt to break a Negro boycott of a busline is almost beyond belief.

This boycott, started in protest against Montgomery's bus segregation arrangement, began on Dec. 5. It has been extremely successful, with nearly 42,000 Negroes finding other means of getting to and from their destinations. As a result, 115 Negro leaders now have been indicted under an antiunion law, adopted in 1921, which makes it a misdemeanor to conspire or agree "to interfere with or hinder business."

It is hard to believe that this is happening in 1956, and we suppose that the indictments, if the Negroes should be convicted, will ultimately be thrown out by the courts. Meanwhile, however, the spectacle remains — the spectacle of white people, who are staunchly opposed to integrated schools, attempting to compel Negroes to patronize segregated buses. And this in the face of the fact that the Negroes, surprisingly enough, are willing to accept a modified system of bus segregation—a first-come, first-served plan under which whites would start seating from the front and Negroes from the rear.

The Montgomery grand jurors, speaking through the indictment, said this: "It is the feeling of this grand jury that if we continue on our present course of race relations, violence is inevitable. The leaders of both races are urged to take a long and thoughtful look into the future." This is a remarkable expression to come from a grand jury which seems to think that Negroes can be compelled to patronize segregated buses. And it is even more remarkable, perhaps, for what it implies, but does not explicitly state.

The implication is, or seems to be, that reason and sense of fair play are being destroyed in Montgomery by rising racial feeling. If this is correct, it is indeed time for the leaders of both races, and, in this instance, especially for the leaders of the white race, to take a long and thoughtful look into the future.

Mon. 2-27-56

Frustration And Folly

The Washington Post

The municipal authorities of Montgomery, Ala., chose Washington's birthday—they might even more appropriately have chosen Lincoln's birthday—to ease their sense of frustration with a monumental display of folly. Their sense of frustration is easy to understand. Negroes in Montgomery have

BUS BOYCOTT- MONTGOMERY, ALA.

refused over the past 11 weeks to ride in buses where they were humiliated by segregation and by frequent discourtesy on the part of bus drivers. The effect of their refusal has been serious from the point of view of the bus line's economic status—and serious also from the point of view of a white community determined to perpetuate a pattern of race relations which gradually is being swept aside by the logic of justice and the force of economic change.

"Distrust, dislike and hatred are being taught in a community which for more than a generation has enjoyed exemplary race relations," declared a grand jury which indicted the leaders of what it called an illegal "boycott" of the bus line. That the prevailing pattern of race relations should have seemed "exemplary" to some white people of Montgomery is readily understandable. But these white people would have to be singularly obtuse to believe that the colored members of the community also consider it "exemplary." In point of fact, of course, Negroes submitted to it perforce; and now that they are economically able to do so they are protesting against it.

The frustrating thing about this Negro protest from the white point of view in Montgomery is that it is impeccably lawful, orderly, dignified—and effective. It strikes at an important pocketbook nerve of the community. In an effort to stop it, a grand jury has indicted 115 persons for violating an old state law against organized, illegal boycotting. Included in this number are 10 respected ministers of the gospel and a great many persons guilty of nothing more than driving their neighbors to work in a car pool. The boycott, if it is one, is unlikely to be broken by such tactics.

Negroes, like white persons, have an indubitable right to travel as they please—afoot or by bicycle or by car or by bus. There is really no way to force them to patronize a bus line; and there appears to be no way, at least in Montgomery, to operate a bus line profitably without their patronage. Coercion in this situation can produce only "distrust, dislike and hatred" at home while making Montgomery look ludicrous if not worse abroad. The inescapable road to "exemplary race relations" seems to lie in according Negroes the equitable, courteous treatment they now have the strength as well as the right to demand.

Effect stayed until appeal

News Tues. 6-5-56
B'ham, Ala. P. 1

MONTGOMERY, Ala., June 5—Segregation on Montgomery buses was ruled unconstitutional today in a split decision by a Federal Court panel of judges.

The ruling, filed in Federal Court here this morning, is not effective immediately. Parties were given two weeks to submit to the court in writing their views on the form of judgment to be entered and on whether such a judgment should be stayed pending appeal to the U. S. Supreme Court.

Since no injunction, as requested by Negroes who filed the suit in Federal Court, was issued today, it couldn't be determined immediately whether the court's formal order will apply only to the city of Montgomery or whether it will go beyond that.

The three-judge panel was convened May 11 to hear a request for an injunction against the laws that brought on Montgomery's bus boycott by Negroes. The suit also asked a declaratory judgment holding the statutes unconstitutional.

Majority opinion was handed down by Judge Richard T. Rives of the U. S. Circuit Court of Appeals in New Orleans and Judge Frank M. Johnson of the U. S. District Court in Montgomery.

The third judge, Seybourn H. Lynne of the U. S. District Court in Birmingham, dissented.

THE MAJORITY opinion declared that Montgomery bus segregation ordinances "violate the due process and equal protection of the law clauses of the 14th Amendment of the Constitution of the United States.

The two judges also said that the "separate but equal" doctrine set forth in U. S. Supreme Court's 1896 ruling in the intrastate transportation case of Plessy V. Ferguson could no longer be applied in similar cases.

The judges cited as a reason the recent South Carolina bus segregation case which they said overthrew the separate but equal doctrine.

Referring to the South Carolina case, which the U. S. Supreme Court sent back to the lower courts, the two judges said "there is now no rational basis upon which the separate but equal doctrine can be validly applied to carrier transportation within the City of Montgomery and its police jurisdiction."

They said the separate but equal concept had been "repudiated" in other recent decisions involving segregation in public education, in the use of Louisville, Ky., city parks, Baltimore recreational centers and golf courses in Atlanta.

"Even a statute can be repealed by implication," the judges said. "A judicial decision, which is simply evidence of the law and not the law itself, may be so impaired by later decisions as no longer to furnish any reliable evidence."

JUDGE LYNNE, in dissenting, declared:

"Only a profound, philosophical disagreement with the ultimate conclusion of the majority that the separate but equal doctrine can no longer be safely followed as a correct statement of the law' would prompt this, my first dissent."

Judge Lynne said that the separate but equal doctrine set forth in the Plessy vs. Ferguson transportation case was still in effect.

"Because I would dismiss the action on the authority of Plessy vs. Ferguson . . . I respectfully dissent," Judge Lynne said.

"While any student of history knows that under our system of government vindication of the constitutional rights of the individual is not, and ought not to be, entrusted to the Congress, its reticence to intrude upon the internal affairs of the several states should caution us against doing so where the path of duty is not plainly marked and when we must hold a clear precedent of the Supreme Court outmoded," he said.

News P. 13

FOUR MONTGOMERY Negro women in May asked the panel of judges to outlaw Montgomery bus segregation laws whose enforcement was ordered by Alabama Circuit Judge Walter B. Jones.

Judge Jones had said that when the U. S. Supreme Court on April 23 sent the South Carolina bus segregation case back to the lower courts that it did not at the time rule on the constitutionality of bus segregation.

He said that city and state laws still stood and ordered the Montgomery City Lines to enforce segregation on buses in Montgomery.

The bus company had abandoned enforcement after the Supreme Court's action in April in the South Carolina case. No actual integration on Montgomery buses was reported, however.

Lindbergh sees no change here

Birmingham City Commissioner R. E. Lindbergh said he has not seen a copy of the court' ruling but declared, "We don't contemplate any changes being made in the situation in Birmingham."

Lindbergh said the court ruling was given in the middle district of Alabama. Birmingham is in the northern district.

Commissioner J. T. Waggoner echoed Lindbergh, saying, "We don't contemplate any changes now or later."

Mayor James W. Morgan was not available for comment. He is on vacation in Florida.

THE SUIT RULED on today was an outgrowth of the Montgomery bus boycott begun Dec. 5. Only a few of the city's estimated 50,000 Negroes have been riding city buses since then.

Named as defendants in the suit were the Montgomery City Lines, two of its drivers, James F. Blake and Robert Cleere; members of the Montgomery Board of Commissioners W. A. Clark, Clyde Sellers and Frank Parks; Montgomery Chief of Police Goodwyn J. Ruppenthal, and C. C. Owen, Jimmy Hitchock and Sibyl Pool as member of the Alabama Public Service Commission.

The suit was brought by Aurelia S. Browden, Susie McDonald and two minors, Claudette Colvin and Mary Louise Smith, who were represented by Q. P. Colvin and Frank Smith, as "next friend."

IN ITS RULING today the two judges denied Atty. Gen. John Patterson's motion that the Alabama Public Service Commission be dismissed from the suit. ASPC President C. C. Owen had testified that APSC should not be a party in the suit because it had no authority to regulate the Montgomery City Lines which, he said, operated entirely within the Montgomery city limits.

The panel ruled that a 1945 Alabama law imposed on APSC the duty of administering and enforcing its race segregation requirements and that APSC was therefore a proper party in the case.

The two-majority judges also denied a request made by the defendants that the panel "for reason of comity" decline to exercise jurisdiction in the case until the state courts ruled on the construction and validity of the statutes and ordinances in question.

"That doctrine," the judges said, "has no application where the plaintiffs complain that they are being deprived of constitutional civil rights, for the protection of which federal courts have a responsibility as heavy as that which rests on the state courts."

JUDGES RIVES and Johnson concluded their opinion in these words:

"The ultimate question is whether the statues and ordinances requiring the segregation of the white and colored races on the common carrier motor buses in the City of Montgomery and its police jurisdiction are unconstitutional and invalid. Unless prohibited by the Constitution of the United States, the power to require such segregation is reserved to the states or to the people.—See 10th Amendment.

"In their private affairs, in the conduct of their private businesses, it is clear that the people themselves have the liberty to select their own associates and the persons with whom they will do business, unimpaired by the 14th Amendment. The Civil Rights Cases, 109 U. S. 3. Indeed, we think that such liberty is guaranteed by the due process clause of that amendment.

"There is, however, a difference, a constitutional difference, between voluntary adherence to custom and the perpetuation and enforcement of that custom by law. Shelley vs. Kraemer, 334 U. S. 1, 13. The 14th Amendnments provides that 'No state shall . . . deprive any person of life, liberty or property, without due process of law; nor deny any persons within its jurisdiction the equal protection of the law.'

"Those provisions do not interfere with the police power of states so long as the state laws operate alike upon all persons and property similarly situated. Barbier vs. Connolly, 113 U. S. 27, 31, 32. That amedment 'merely requires that all persons subjected to such legislation shall be treated alike, under like circumstances and conditions, both in the privileges conferred and in the liabilities imposed.' Marchant vs Penn. Railroad, 153 U. S. 380, 390.

"We cannot in good conscience perform our duty as judges by blindly following the precedent of Plessy vs. Ferguson, supra, when our study leaves us in complete agreement with the Fourth Circuit's opinon in Flemming vs. South Caroline Electric and Gas Co., 224 F. 2d 752, appeal dismissed April, 1956,—U. S.—, that the separate but equal doctrine can no longer be safely followed as a correct statement of the law. In fact, we think that Plessy vs. Ferguson has been impliedly, though not explicitly, overruled, and that under later decisions, there is now no rational basis upon which the separate but equal doctrine can be validly applied to public carrier transportation within the City of Montgomery and its police jurisdiction. The application of that doctrine cannot be justified as a proper execution of the state police power.

"We hold that the statutes and ordinances requiring segregation of the white and colored races on motor buses of a common carrier of passengers of the City of Montgomery and its police jurisdiction violate the due process and equal protection of the law clauses of the 14th Amendment to the Constitution of the United States. This holding does not, however, become effective until the entry of formal judgment. The parties are requested to submit to the Court in writing within two weeks from the date of this opinion their views as to the form of judgment to be entered and as to whether such judgment should be stayed pending appeal to the Supreme Court of the United States."

THE PROLONGED Montgomery bus boycott, focusing worldwide attention on a city whose population of 125,000 is made up of some 50,000 Negroes, was the first wholesale use of economic force by either race since the Supreme Court's school integration decision two years ago.

Since the boycott began last Dec. 5 in protest against the arrest of a Negro seamstress who refused to move to the colored section of a bus, the Negro passenger load has been only af raction of normal.

hWere buses once carried 30,000 to ~~40,000 Negro~~ riders daily, the compan ysays only 300 to 400 are riding now.

Instead, the boycotters rely on a smooth-functioning car pool which takes them to and from work without charge. Operated by the newly-organized Montgomery Improvement Assn., the motor pool uses scores of privately owned cars and 14 new model station wagons purchased in the name of Negro churches.

THE SUIT challenging constitutionality of the city and state segregation laws was filed in federal court Feb. 1, the same day a bomb exploded outside the home of a boycott leader, E. D. Nixon, and on the day the City Commission adopted a "get tough" policy toward the boycotting Negroes.

A Leader Jailed

Worth

What will the Montgomery, Alabama public officials do nex to try to force Negro citizens to purchase second-class citizenship? In Recorders Court there January 28 the Reverend Martin Luther King, Jr., pastor of fashionable Dexter Avenue Baptist Church was fined $14 on charges of alleged "speeding" January 26.

This distinguished minister was taken to jail, frisked, finger printed, and etc., for a minor traffic violation. Usually the most ordinary person is merely given a "ticket" in such cases. But this was not so with the Reverend Mr. King. Somebody wanted him in jail because he is tabbed "the boycott leader," it seems.

For nine weeks a segment of the Montgomery population has stopped riding the buses, over alleged mistreatment. The bus company has a franchise which gives it a monoply. It is protected from competition by the city. A customer who is not satisfied with the services either rides or does not ride. Tues. 1-31-56

Complaints by the suffering group were presented both to the bus company and to the city officials. Both turned down the recommendations for relief. Both claims that the law, custom and tradition stood in the way of the asked-for improvement. P. 6

City officials appealed to the former bus riders to return to the buses. A proclamation was issued urging the "white" people to use the buses more. Then the city officials reportedly joined the law-defying White Citizens Council. An intemperate appeal was issued to white people not to transport their Negro help in order to force them to ride the buses. Birmingham Ala.

Can you imagine city officials openly and boastfully connecting up with a hate group which seeks to control though, regulate the personal lives of citizens, deprive a racial segment as a whole from the enjoyment of the benefits, privileges, responsibilities, and guarantees of the United States Constitution? Can you imagine in this day and time a crude attempt to persecute a man simply because he disagrees with another.

Since their joining the WCC, the Montgomery city officials have announced that they will hold no more conferences with the representatives of the alleged mistreated group.

But let us suggest that the aggrieved group and the city officials come together and sponsor a friendly legal suit designed to test the constitionality of the city's and the state's bus segregation laws. In time, we belive, such laws will be legally challenged any way.

Our Opinions

Defender P. 9

A New Hero Emerges In The South

Sat. 2-25-56

Elsewhere in this issue, appears a story of the new leadership that is emerging in the South today.

It is written from the observations made by our Defender Publications correspondent, Ethel L. Payne, during her recent trip to Alabama, focal point now of the resistance movement against the tyranny of white supremacy. Chicago, Ill.

A seasoned reporter who has literally made the world her beat, Miss Payne has brought back from behind the "color curtain" some heartening news in the battle that is raging for the second emancipation of the black man. It is a fitting tribute to the courageous Negro clergymen.

We urge you all to read it.

In the strife-torn South, history is being written today. One writer has said that the issue is whether black man and the white man can live side by side peacefully and he expresses grave doubt whether integration will ever be acceptable to the white man.

We believe it is much more fundamental. That is the basic rights of all men whether they are black, white, brown, yellow or green to live in freedom from want and tyranny and the dignity which is their divine right.

Under the old false theory of separate but equal, this has been impossible to attain because there is no such thing as separate and equal.

These are bitter and trying days in which courage and leadership are needed more than ever. We are thankful that a great deal of the necessary spiritual and moral guidance as well as practical leadership is being provided by Negro clergymen who dare to raise their heads and speak the truth. No amount of intimidation; not even threats of bodily harm to them and their loved ones has been able to stop them.

In this "midnight of the mind" as the Rev. M. L. King, leader of the resistance movement in Montgomery, has described it, our brothers and sisters behind the "color curtain" need all of the support, morally and financially, that can be mustered.

We cannot let them fail for lack of concern on our part. This is the least we in the comparative safety of the North can do.

We have long felt that the church is the best institution to give effective leadership. This newspaper proudly salutes the Negro clergymen for making the truth to go marching on.

Montgomery Bus Lines Abandons Sunday Service

Call Kansas City Mo.

Fri. 3-23-56

MONTGOMERY, Ala. — (ANP) —The Negro boycott which has crippled bus operations here for 14 weeks, forced the Montgomery City Commission to announce last week that Sunday service on all but two of the 14 bus routes would be discontinued. P. 4

Mayor W. A. Gayle, who joined the local pro-segregation Citizens Council in protest because of the boycott, said Sunday revenue on the 12 routes had not been enough to warrant continued operation.

Bus service on week days won't be affected by the Sunday curtailment. Only the bus routes to Maxwell AFB and Gunter AFB will continue to operate on Sunday.

Gayle said he had received a money order for $55 from a group of 53 Atlanta, Ga., citizens and a check from Atlanta for the $1 to be turned over to the bus company.

An unsigned letter accompanying the money order said the Atlanta group is working to promote additional support "of your cause" in the belief "the struggle in Montgomery . . . will act as a predecessor of future segregation issues in the south."

Since the boycott began last Dec. 5, the bus company has dropped several predominantly Negro lines entirely, has reduced the number of buses on others, and has had the fare increased from 10 cents to 15 cents.

Despite the fare increase, the company's revenues are still off by at least $100,000 in three months. This is a reduction at a rate of close to $500,000 a year.

It is believed, moreover, that the $100,000 figure is decidedly low—that the reduction so far is probably larger.

And it isn't the bus company alone that has lost. The reduction of service has forced the company to lay off 37 employees (32 drivers and five shop workers). These men averaged about $80 a week (a 52-hour week at $1.55 per hour). If they have been idle 12 weeks, they have lost some $35,000 already. They are losing $140,000 to $150,000 a year.

Meanwhile, the boycott doesn't seem to be hurting Negro citizens one bit. They are either walking or using a highly-organized car pool to get to and from destinations.

While they bitterly oppose the boycott, literally thousands of Montgomery housewives are driving their maids, cooks and even houseboys to and from work.

In another development last week, an amendment was filed in U. S. district court to an anti-segregation suit, adding three additional defendants and removing the name of one Negro woman originally listed as a party to the action.

Atty. Fred Gray, acting for the Negro boycotters, changed the suit to add the names of the three members of the Alabama Public Service Commission to the list of defendants that already included Mayor W. A. Gayle and the other two members of the City Commission.

The name of Mrs. Jeanetta Reese, who earlier denied giving Gray permission to use her name in the suit, was stricken from the list of plaintiffs.

Gray was indicted for unlawful practice on the basis of the woman's statement. But the case was dismissed in circuit court when the state admitted it did not have jurisdiction.

'We Decided To Go To Jail Together,' Says Montgomery Bus Protest Leader

Call, Kansas City, Mo.
Phil, 3-23-56

CLEVELAND. — "Perhaps you've heard that Negroes will not stick together. Well, if you hear it again remember Montgomery, Ala."

This was the admonition given here last week by one of the 24 ministers indicted in Montgomery in February for their participation in a mass Negro protest against discrimination in Montgomery city buses. A total of nearly 100 Negroes were indicted.

Addressing a crowd of 2,100 persons at a prayer-protest rally, sponsored by the Cleveland NAACP, the Rev. L. Roy Bennett recounted that "we decided to go to jail together instead of one by one."

A total of $3,301.64 was donated by the audience to aid the Montgomery group in its fight against segregation and to help in the legal defense of those arrested there.

Mr. Bennett, a Methodist minister in Montgomery, related:

"Our story started in April, 1955, when a young girl refused to give up her seat on a bus, thereby violating city and state law, was jailed and fined. She had moved across an imaginary line set up by the bus driver.

Woman Refused To Give Up Seat

"Then, last December, a woman who had sat in the same bus seat for years refused to give it up to a white man. That was the straw that broke the camel's back. She was arrested, and that night there was the biggest and most spontaneous mass meeting ever seen at our church.

"We had to do something to stop the brutality of police and the drivers. We set Dec. 5 as the day for our protest, in which no Negro would ride on a bus...We, the six or seven thousand Negroes gathered at our Dexter Avenue church that night, set up three things to accomplish:

"First, to request more courtesy to our people from the bus lines; secondly, to seek a seating arrangement on the basis of first come, first served, and, thirdly, to request the employment of Negroes as bus drivers of the predominantly Negro lines.

"Dec. 23 was the last of the meetings we had with city officials. They refused any compromise on our first two points. On the third they said union rules would take a little time for any integration of Negro drivers into the union.

Call 2-4

Negroes Have Walked And Walked

"Since then Negroes in Montgomery have walked and walked and walked...In a sense it is a spiritual movement and a passive movement. While we are walking, the bus line has lost $3,500 a day. Imagine, $3,500 a day for 91 days. We're going to fight until we can sit down where we darn please."

The call for funds at the meeting was led by the Rev. Angus C. Hull Jr., of the Cleveland Baptist association, who also served as moderator.

Phil, 3-23-56

Other persons participating in the program included Dr. James E. Levy, president of the Cleveland NAACP; Charles P. Lucas, former executive secretary of the Cleveland NAACP; the Rev. A. Henson Jarmon, NAACP committee member and church pastor; Ralph Rudd and Jack G. Day of the Civil Liberties union, and Arnold Walker of the Urban League.

Test Validity Of Boycott Law

Call, Kansas City, Mo.

MONTGOMERY, Ala. — (NS) — A three-man board of federal judges will hear a case brought by five Montgomery Negro women which attacks the constitutionality of city and state laws requiring racial segregation in public transportation.

Phil, 3-23-56

Named to the board yesterday were U. S. Circuit Court of Appeals Judge Richard T. Rives and District Judge Frank M. Johnson Jr., both of Montgomery, and District Judge Seybourn H. Lynne of Birmingham, Ala.

No date was set for the hearing.

Attorneys representing the five women also are representing the 90 Negro leaders indicted in the mass bus boycott at Montgomery.

Boycott Rolls On After Conviction

Post-Herald, P. 1
Sat. 3-24-56

Negroes Still Spurn Montgomery Buses

Birm., Ala.

MONTGOMERY, March 23 (AP) —Negroes still refused to ride segregated city buses today despite the conviction of one of their leaders in the first of Montgomery's boycott trials.

A spokesman for Montgomer City Lines Inc., said, however, "there might have been a few more" patronizing the busline than there have been in recent days and weeks.

The Rev. Martin Luther King Jr., pastor of the Dexter Avenue Baptist Church, was fined $500 yesterday after a four-day trial on charges of conspiring to boycott the buses.

His sentence was suspended and trials of 89 other defendants also indicted under Alabama's anti-boycott law were postponed after King filed notice of appeal. He has said he will fight to the U. S. Supreme Court if necessary.

The protest began last Dec. 5 after a Negro woman, Mrs. Rosa Parks, was arrested for refusing to move to another seat on a bus on orders from the driver. City and state laws require segregation in all public transportation.

Mrs. Parks was in the audience last night when King told a Negro mass meeting the boycott will continue with renewed determination.

Bus Segregation Suit Challenged

Times-Picayune, New Orleans, La.

MONTGOMERY, Ala., March 27 (AP)—Attorney General John Patterson filed a motion in United States district court Tuesday seeking to dismiss a segregation suit against members of the Alabama public service commission.

Wed. 3-28-56

The suit challenges constitutionality of the state law and city ordinance in Montgomery requiring separate facilities for white and Negro races in public transportation. It was an outgrowth of the racial boycott still continuing in Montgomery against segregated city buses.

Patterson, as Alabama's chief legal officer, asked for dismissal of the complaint that the segregation laws should first be tested in state courts instead of before a three-judge federal panel which has been named to hear the suit.

The attorney general contended that the petition filed by four Negro women fails to show that the public service commission has jurisdiction over Montgomery city lines buses. The bus company is under the city commission's jurisdiction.

No date has been set for a hearing on the complaint.

Missing The Boat

Defender P. 9

We've been wondering what's going to be accomplished by the boycott trial in Montgomery. Sat. 3-31-56

In the first place the regimental indictments and the subsequent trial of Rev. Martin L. King, head of the Montgomery Improvement Association, seems to us a waste of time and money.

Though Rev. King's trial has dragged on a week, we assume that those of the other 90 defendants can be disposed of more quickly. But at one a day, it will take three months to exhaust the list of persons indicted.

Chicago, Ill.

But none of this is getting any closer to a solution of the basic problem. For even as Rev. King was on trial, buses were still being boycotted.

Should Rev. King be convicted, it will have no bearing on the boycott. Further, his conviction will prove nothing since it is a certainty that it will be appealed to higher courts up to the U. S. Supreme court in Washington.

More time and money wasted, and still no end to the boycott.

The demands of the MIA are certainly reasonable. Courteous or, at the least, civil treatment is due any human being, and during the trial it was brought out by a bus official that the first come, first served basis of seating is no violation of any jim crow statute.

The determination of the white man in some areas of the South to pile humiliation upon humiliation on the Negro can be the factor that completely destroys his nice little jim crow society.

The issue of intra-state jim crow would not have arisen at this time, had the bus and city officials been willing to give the Negro citizens the modicum of respect they ask. They had not attacked the jim crow system, they simply wanted to modify it.

The late Lucius Harper had a saying: "It is better to be thought a fool than to open your mouth and confirm it."

The southern white man has certainly been opening his mouth wide.

Negro Clerics Promised Aid

Advertiser P. 1
Montgomery, Ala.

NEW YORK, March 18 (AP)—The Fellowship of Reconciliation said today that more than 200 white and Negro clergymen have expressed willingness to go to Montgomer, Ala., and take the pulpits of 25 Negro clerics facing bus boycott charges. 3-19-56

Ninety-three Negros, including the clergymen, go on trial tomorrow in Montgomery as leaders in the 16-week-old boycott.

The fellowship group, in a statement, said more than 400 ministers throughout the nation responded to an appeal for support of the nonviolent resistance campaign against segregation on Montgomery's buses.

It said more than 200 of these volunteered to fill the pulpits of any clerics who may be jailed.

The fellowship describes itself as a voluntary, nondenominational Protestant organization founded in 1915 by clergymen seeking settlement of international and racial conflicts by peaceful means. The group claims a membership of 15,000 in this country, with affiliated units throughout the world.

On, On, On It Goes

Defender Sat. 2-25-56 P. 3

Strikers, City At Impasse In Montgomery Bus Boycott

Chicago, Ill.

By ETHEL L. PAYNE

MONTGOMERY — One of the steering committee members in the Alabama bus boycott is E. D. Nixon, a tall, gaunt man who has had his home bombed, but who shows absolutely no fear.

A Pullman Porter who runs to Chicago, Nixon gained some fame when he protested over the exclusion of Negro Democrats from a scheduled $100 a plate dinner in Montgomery.

As a result of his protest, Gov. G. Mennen Williams of Michigan who had been scheduled to speak, cancelled his engagement. Nixon now has his home guarded 24 hours while he is away on his runs because his wife is alone.

The house has powerful flood lights turned on at night and a watch dog gives warning as soon as anyone approaches the front walk. Nixon is one of the leading spirits in the organization.

When Cong. Adam Clayton Powell came to Montgomery on a speaking engagement, Nixon accompanied him to the Executive Mansion to visit with Gov. Folsom, an unprecedented thing in the South.

Folsom is reported to have warned city police to lay off harrassing owners of private cars being used in the pool.

WANT JITNEY FRANCHISE

J. E. Pierce, a professor of the State Teachers college, who is on the transportation committee, authored a plan to seek a franchise for a jitney service, but no action has been taken on this.

Atty. Fred D. Gray, the lawyer for the Montgomery Improvement Association. has filed a suit in court asking for an injunction to stop police and city officials from interfering with the car pool arrangement and petitioning for a change in the state laws on travel.

Thus, it is the first test of intra-state segregation laws since the Interstate Commerce Commission ruled out separation by race in inter-state travel and waiting room facilities.

Gray is 25, a graduate of Alabama State and Western Reserve U. law school and is a member of the Ohio and Alabama bars. An ordained minister of the Church of Christ, Gray was reclassified from 4-D to 1-A, the day after he filed the suit.

Mrs. Rosa Parks, the little lady who started it all, is a member of St. Paul AME church. Asked why she made her act of defiance she said, very firmly, "There just comes a time when your cup runs over and you just can't take anymore. Besides, God's in this plan. Wrong can't go on forever."

3-POINT PLAN

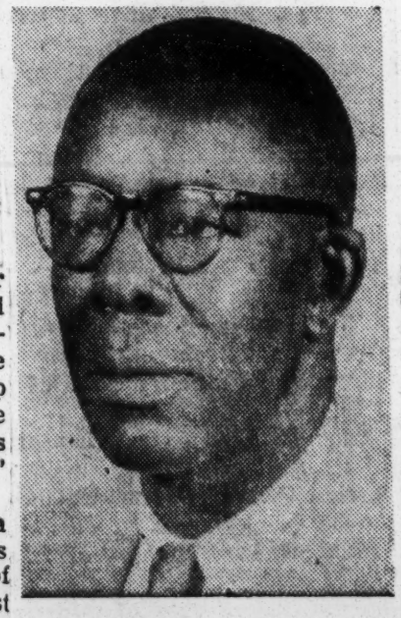
The association has outlined a three-point plan of settlement. This includes courtesy on the part of the drivers, service on a first come first-serve basis with no reserved seats for either race and to employ Negro bus drivers in predominantly Negro areas.

This does not mean the end of segregation, but it calls for Negroes filling up the bus, starting from the rear and working towards the front; the whites to start from the front and work towards the back. When the bus would fill up from either direction, the rest would have to stand.

The NAACP has disclaimed any approval of this modified plan of segregation, but it is lending overall support to the boycott.

Bus company officials have of-

Meanwhile, as city officials were seeking ways of forcing an end to the boycott, many Negroes now say they will never ride the buses again, even if the strike is settled.



E. D. NIXON, an oficial of the Montgomery Improvement Association whose house was bombed in the present boycott. Nixon, a Pullman Porter, has long been outspoken in the fight for civil rights. He protested the exclusion of Negroes from the $100 a plate dinner given by local Democrats. As a result, Gov. G. Mennen Williams of Michigan canceled his scheduled speaking appearance in Montgomery.

White riders are angered because the company has doubled the fare since the boycott and they are bearing the burden of the increased cost. Transfers, once free, now cost a dime.

NO ONE YIELDS

So far, the company has not yielded on any of the points. Neither have the boycotters. The company, National City Lines, is a Chicago corporation.

Its representatives have been in and out of Montgomery, but despite Rev. King's invitation to them to meet and discuss the situation with association leaders, they have instead bowed to local custom and done all their negotiations with city officials. As a result, an impasse has been reached.

Some weeks ago, Rev. King wrote letters of appeal to some prominent Chicago Negro leaders, asking them to try and contact heads of the company to try and work out some time for a meeting, the purpose of which was to see if the policy could not be relaxed. As yet, the group has not acted.

HOUSE BOMBED

Recently, the minister's house was bombed. Luckily, his wife and young baby who were alone at the time were unharmed, but almost before the explosion was over, crowds of citizens gathered.

If there had been any plans at all of ending the strike, such incidents as this strengthened the will to resist.

When Mayor W. A. Gayle came to investigate the incident he found the house surrounded by Negroes singing, "Amazing Grace, How Sweet the Sound." When they came to the refrain, "I once was lost, but now I'm found," they rolled out the words over and over again.

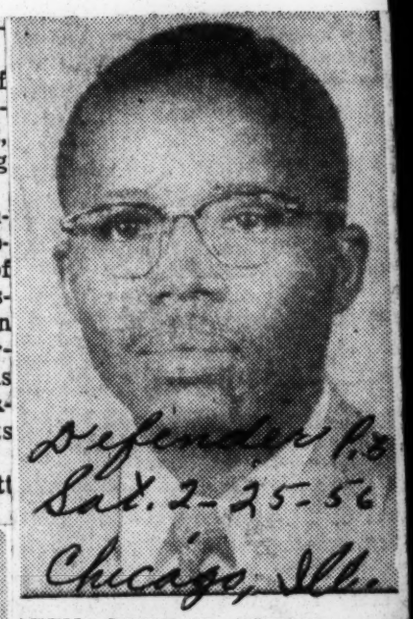
The mayor left hastily. He showed his feelings about the boycott when he openly joined the White Citizens' Council to show that he meant to deal firmly with the leaders of the strike.

The day after the bombing of Rev. King's house, Rev. Ralph Abernathy, a co-leader of the boycott, got a telephone call threatening his life.

The grand jury which is now investigating the boycott has subpoenaed a number of members of the Montgomery Improvement Association in an effort to question them and pin the blame on certain key leaders. When this is done, a spokesman said he expects one, maybe four indictments to come.

But it looks as if the boycott can go on and on and on.

MRS. ROSA PARKS, Montgomery seamstress who started the bus boycott which has attracted world wide attention. The strike began after Mrs. Parks protested about giving up her seat to a white rider. She was arrested and fined.



Defender P.3 Sat. 2-25-56 Chicago, Ill.

ATTY. FRED D. GRAY — He filed the suit on behalf of the Montgomery Improvement Association which becomes the first legal test of intra-state laws on segregation in travel since the Interstate Commerce Commission ruled out segregation on interstate carriers and waiting room facilities. Gray is a native of Montgomery.

Defender Chicago, Ill Sat. 2-25-56 P.3

CAR POOL IN OPERATION at Montgomery during the bus boycott. Using private automobiles and marked locations, association officials have worked out a highly efficient transportation system to ferry people back and forth from their jobs.

Negroes Tell Of Bus Treatment At Trial

Daily World Thurs. 3-22-56 P.1

Atlanta, Ga.

BY ROBERT H. DENLEY

MONTGOMERY, Ala. — (INS) — Bitter, long-standing grievances over their treatment on Montgomery buses spilled forth from Negro witnesses Wednesday as the defense of one of their ministers, Rev. M. L. King, Jr., opened in Circuit Court.

As the prosecution rested its case against the 27 year old Baptist Negro minister accused of leading a bus boycott, the defense tried but failed to get an immediate verdice in favor of the defendant.

Rev. King is the first of 90 Negroes, including 24 ministers, to go on trial in connection with the boycott that began on December 5.

All of the defense witnesses told of mistreatment or discourtesy on Montgomery buses and some said they stopped riding before December 5.

QUIT DEC 5

However, one witness—Mrs. Gladys Moore — said she quit December 5 and since then had gone to work by Taxi and returned home by car pool operated by an organization of which the Rev. King is president.

Circuit Judge Eugene W. Carter who is hearing the case without a jury, asked the witness.

"Why did you stop riding the buses on December 5 ?

She replied:

"Well, nobody asked me to stop riding .....

The Judge cut off that answer and repeatedly asked Mrs. Moore why she happened to mention December 5 as the day to quit riding buses.. At one point she said:

"I stopped because we had been treated so bad through the years, we all decided to stop riding."

50,000 NEGROES

Judge Carter asked Mrs. Moore whom she meant by "ALL." the witness answered: "All of us—All 50,000 of Montgomery's Negroes."

The courtroom's predominantly Negro audience burst into applause. Judge Carter sternly warned that if there was recurrence of the demonstration he would send someone to jail for contempt.

"I kiow you have feelings," the Judge said, "But the courtroom is not the place to vent them."

The answer that finally satisfied Judge Carter as to why Mrs. Moore stopped riding buses on December 5 was:

"That was the day they had the trial for Mrs. Rosa Parks."

Montgomery's 16 week bus boycott apparently was triggered by Mrs. Parks' arrest after she refused to move from one seat to another when ordered to do so by the bus driver.

HANDBILLS USED

Although no testimony in this trial has shown it, handbills reportedly were circulated among the Negro population setting December 5 as the date for a boycott.

Richard S. Jordan, who also is un-

Judges Named To Air Attack On Race Laws

Advertiser Montgomery, Ala. 3-17-56

U.S. Circuit Court of Appeals Judge Richard T. Rives of Montgomery and U.S. District Judge Seybourn H. Lynne of Birmingham have been named members of a three-judge court to hear a case attacking the constitutionality of local and state laws requiring racial segregation on public transportation.

Judge Joseph C. Hutcheson Jr., presiding judge of the U.S. Circuit Court of Appeals, Fifth Circuit, recently designated the two federal jurists to rule on the case along with U.S. District Judge Frank M. Johnson Jr. of Montgomery.

Times, 3-24-56

AUTOMATIC MEMBER

Judge Johnson is automatically a member of the three-judge court because the suit was filed in the district where he presides.

Five Montgomery Negro women filed a federal suit here Feb. 1 asking that Montgomery city ordinances and Alabama state statutes requiring racial segregation on public conveyances be declared unconstitutional.

The suit, entered by Negro attorneys Fred B. Gray and Charles Langford, claimed that local and state transportation segregation laws violated rights guaranteed the Negroes under the 14th amendment to the U.S. Constitution.

No date has been set for hearing the case.

Montgomery City Commission members, Mayor W. A. Gayle, Frank Parks, and Clyde Sellers, along with Police Chief G. J. Rupenthal, Montgomery City Lines Bus Inc. and two bus drivers were named as defendants in the original suit.

Some 20 days after the Negroes filed suit, attorneys for the city and the bus company filed answers denying most of the Negroes' allegations and asking dismissals of the suit. On March 8, Gray and Langford filed an amended complaint in U.S. District Court here dropping the name of Jeaneatta Reese, as one of the plaintiffs and adding the three members of the Alabama Public Service Commission as defendants.

Attorneys for the city, bus company and new defendants C. C. Owens, Jimmie Hitchcock, and Sibyl Pool of the Alabama P. S. C. have until March 30 to file an answer to the amended complaint.

Negro Clerics Promised Aid

Advertiser Montgomery, Ala. 3-19-56

NEW YORK, March 18 (AP)—The Fellowship of Reconciliation said today that more than 200 white and Negro clergymen have expressed willingness to go to Montgomer, Ala., and take the pulpits of 25 Negro clerics facing bus boycott charges.

Ninety-three Negros, including the clergymen, go on trial tomorrow in Montgomery as leaders in the 16-week-old boycott.

The fellowship group, in a statement, said more than 400 ministers throughout the nation responded to an appeal for support of the nonviolent resistance campaign against segregation on Montgomery's buses.

It said more than 200 of these volunteered to fill the pulpits of any clerics who may be jailed.

The fellowship describes itself as a voluntary, nondenominational Protestant organization founded in 1915 by clergymen seeking settlement of international and racial conflicts by peaceful means. The group claims a membership of 15,000 in this country, with affiliated units throughout the world.

38b 1956

ALABAMA

Tell It To Old Grandma

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry, please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Advertiser

Negroes Are Not Asking Race Mixing On Buses

EDITOR, THE ADVERTISTR — Your editorial, Jan. 11, "Two Questions Arise," was perfectly devastating. More power to you. Fri. 2-13-56

But what I want to know, Why all this fuss about intergration in the schools? I am talking about Alabama. Who wants it? Certainly the white people do not want it. No doubt there is a considerable number who would not object to it but no one would say that they would ever make any trouble about it. And we are told by our state superintendent of education, who is in a position to have a good judgment of the situation, that 95% of the colored people do not want it.

The demands of the boycott in Montgomery sustains his judgment, since they are not asking for integration on the buses but only for a fair deal. P. & A

And yet our legislators are going up the hill and down again trying to find some measure that will destroy our public school system. Surely the few persons among that 5% who may make trouble here or there in our centers of population can be handled without the awful tragedy of destroying our system of education. Surely those who advocate such measures have never studied the history of public education in the United States to learn the long hard struggle to get this precious agency established for the preservation of our democracy.

We are just plain scared and when people get frightened they do many irrational things like the man who, when his house caught fire, rushed up stairs, threw the looking glass out of the window and carried the feather bed down stairs. Montgomery, Ala.

Let us get down to brass tacks! What the colored people really want are at least four rights to which all citizens are entitled.

¶ They want justice in the courts.

¶ They want health, sanitation which would reduce the mortality among both white and colored.

¶ Of course they want education but they would be satisfied if their schools were as good as the schools for whites.

¶ They want equal economic opportunity.

Enlightened self interest should give these rights to them.

WALTER D. AGNEW.

Greensboro, Ala.

¶Dr. Agnew retired after a long term as president of Huntingdon College. He is a Methodist minister.—ED.

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Rebellion Is Not Good Citizenship

Editor, The Advertiser:

In my travels to other cities in the United States I have always boasted of the amicable relation between the white and colored people of Montgomery. I feel that these same conditions would have continued to exist, if those Northern agitators of the NAACP had not sent speakers down here to influence the colored population against the whites. I am heartily in favor of segregation, being a "born and bred Southerner." But the Montgomery Negroes who wish to vote, claiming they are good citizens (when they advise defiance of segregation laws), are urging rebellion against the laws of Alabama and Montgomery. Whether the Negroes consider the law unjust and unfair, it is still the law of Montgomery and Alabama until repealed.

Secondly the Negro preachers on Sunday instead of preaching the word of God, and the brotherhood of man, harp on this theme of segregation and at every meeting take up collections to keep the movement alive. Their emissaries threaten the Negroes with bodily harm if they ride the buses. There are only a certain small number of Negroes who have cars in Montgomery. Thousands of Negro men and women, who are dependent upon their jobs for their very livelihood, have to walk to their work, arriving tired and despondent and dreading the long walk home in the cold or rain. This affects also many thousands of poor white people who cannot afford a car, and with the removal of certain buses are forced to take taxis to their work, an expense many cannot afford.

The preachers tell the deluded people, "You are sinning against God; You are sinning against the future of your children, if you do not obey the mandates of the NAACP." As long as we have to live in the same city, and depend one upon the other, at least we could have pleasant and amicable relations.

MRS. W. K. A.

Montgomery.

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Negroes, Look Around You

Editor, The Advertiser:

The white people of Montgomery are typical of the other white people of America, slow to anger and slow to make up their minds. But once they do they have always come out victorious.

The bus fare has already been raised 50%. Should you continue the bus boycott six months the loss would be repaid in 18 months and you will keep on paying and paying as long as you live. So what have you gained?

Where is your appreciation, your sense of duty? Look around your home. Who furnished the "know how" to build your homes and furnish them? Who furnished the "know how" to prepare your foods and medicines, give you electricity, make your clothes, design and build your cars and every other convenience you so richly enjoy, that goes with civilization. Now what have you done for yourself?

You are indebted to the white people of Montgomery for life itself. As the white doctor brought most of you into the world. The white man paid about 95 per cent for your education, furnished you jobs and a place to live, etc. Now suppose the white people of Montgomery would not hire you any longer or give you a place to live where would you go or do?

HILL LINDSAY

Georgiana, Ala.

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Ball Is Right

Editor, The Advertiser:

The most constructive advice given in any letter to you is contained in the one from Fred Ball in Monday's paper. Why is the law he mentioned not resorted to?

If the leaders of this boycott were rounded up and made to feel the punishment resulting from breaking this law, there seems to be no reason why normal condition would not return to Montgomery.

How pathetic that preachers of both races should be involved in leading people into such a state of affairs as now exists in our state capital? The trouble all began because a law was violated. It is inconceivable to contemplate the chaos resulting from the violation of many of our laws with reactions as those that followed the one violated by Rosa Parks.

MRS. GLENNIE E. TORBERT

Opelika, Ala.

Ministers Asked To Back Plan Of Negroes In Montgomery

Daily World

Wed. 1-18-56

J. E. Jordan, local leader, made an able talk to the Atlanta Baptist Ministers Union Tuesday in session at Wheat St. Baptist Church. Atlanta, Ga.

Mr. Jordan briefly urged the ministers to join the fight Negroes are presently conducting in Montgomery protesting mistreatment of Negroes on busses of that city, stating that Rev. M. L. King, Jr., a Georgia n[illegible] doing a good job lea[illegible]it.

He said he w[illegible] s poor" as he is to give [illegible]se if others will also [illegible] he was willing to c[illegible]tee from Atlanta in [illegible] to Montgomery to present the money in order to let the Negroes in Alabama know that Georgia Negroes are with them in this fight.

Mr. Jordan also warned the ministers that we should show an interest in the Negroes' plight in Mississippi, Alabama, South and North Carolina, and Louisiana.

He said he was urging ministers and laymen to raise money at once to help the hard pressed Negroes in Montgomery and send the same to Montgomery at once. P.3

Mr. Jordan said Negroes all over the South are beginning to feel the pinch, especially in small towns if he holds his head up. We must do like the Jews—cooperate with our people everywhere in the South.

After the talk by Mr. Jordan several of the ministers praised the movement and pledged their individual support. The Union will act on the matter next week, public relations director, Rev. Taschereau Arnold stated.

Times P. 13 New York City, N. Y. Thurs. 1-12-56

Associated Press Wirephoto

SUPPORTS FIGHT ON BIAS: The Rev. Robert S. Gra[illegible] [illegible]tor of a Lutheran church in Montgomery, Ala., and an active backer of Negroes [illegible]t of segregated bus lines there. Mr. Graetz is shown talking with one of his paris[illegible] all of whom are Negroes.

Bus Boycott Still On

MONTGOMERY, Ala. — The bus boycott continues!

These four words sum up the situation, here, where the colored citizens of Montgomery have refused to ride the city's buses since Oct. 4.

The Rev. M. L. King, spokesman for the Montgomery Improvement Association, told the AFRO, Saturday, that "It looks like the city officials and the operators of the buslines are trying to find a way to save face.

"After eight weeks, I believe that they are beginning to get the idea that we do not intend to ride a bus until our demands are met." About 95 per cent tof the colored residents refuse to ride the buses.

THE CITY officials last week, postponed three times a hearing on the renewal of the Montgomery Bus Lines franchise that expires at the end of March.

"I don't know what the significance is," the Rev. Mr. King said. "It appears that the company is seeking to renew the franchise to prove that we couldn't drive them out of the community.

"We aren't interested in putting them out of business, we want them to comply with our demands."

THE DEMANDS include (1) More courtesy toward passengers by drivers; (2) A first-come-first-served seating policy; and (3) the hiring of colored bus drivers.

While cities such as Baltimore and Washington were in the midst of the season's worst snow storm, the citizens of Montgomery, who would rather walk than ride a bus, enjoyed spring-like weather.

The temperature was in the 70's.

Avid interest in maintaining the demonstration continues. Thursday, because of the large attendance at the weekly meetings, five churches in different sections of town held meetings. Each was well attended. The overall total was estimated at 5,000.

The meetings were held at Peoples Baptist, the Oak Street AME Zion, the King Hill Baptist, the Greater Washington Park Baptist and North Montgomery Baptist Churches.

The demonstration, which began its ninth week Sunday, stemmed from the arrest of Miss Rosa Parks, a seamstress, on Dec. 1 for refusing to get up to give a white person her seat on the bus.

She was later fined $14 for violating the state's segregation laws.

Mayor W. A. Gale appointed a special citizens committee in early December to negotiate the demonstration, however, the committee hasn't met in two weeks.

The colored members of the committee objected to the president of the Montgomery White Citizens Council on the panel.

Desegregation: Economic Weapons

(From The Christian Science Monitor)

The Negroes of Montgomery, Alabama, have started something which will not be stopped by the conviction of the Rev. Martin Luther King, Jr., on the charge of organizing an illegal boycott. The bus boycott is not halted. Trials of 89 other defendants were suspended pending appeal of the King case, and that may take several years to reach a final adjudication.

It is difficult to see how that process can do anything but hurt the segregationists' cause. For even eventual upholding of this conviction — which is by no means certain — would not kill the idea of nonviolent use of economic power. Meanwhile at every step there would probably be a continuance of bad publicity for the methods adopted to enforce white supremacy. Also, unhappily, there may be a spreading use and abuse of boycotts, damaging to both races and to the South as a whole.

The Montgomery boycott developed as a protest by most of the city's 50,000 Negroes against discrimination on the busses. In the King trial there was abundant testimony intended to show justification — which might be a defense under the law. It left little doubt that treatment of the Negroes on busses fulfilled but half of the "separate but equal" standard.

Southerners honestly convinced that the two races will do better if kept separate — at least in certain associations — will find their case damaged by the ugly evidence of insult and humiliation in this record. Senator Eastland recently declared segregation was not based on any sense of racial superiority. But as practiced it is often hard to disengage from manifestations of "white supremacy" which are not pretty even when as unconscious as the discrimination practiced in the North.

Negroes have by no means been the only ones to employ economic weapons in the segregation struggle. Whites months ago began firing or denying credit to Negroes who signed petitions for desegregated schools. Whites have set in motion some of the most harmful rumor-bred boycotts of business firms accused — usually with no truth — of aiding the NAACP. Whites, indeed, appear to have suffered most, being also on the receiving end of boycotts by Negroes for supporting the White Citizens Councils.

It is clear that the economic weapons are dangerous ones, and southern leaders are deeply concerned by the harm they are doing. One remedy is to expose the false reports which start many of them. But a more fundamental answer is also being sought in steps to cultivate moderation and positive improvements in race relations. Leaders in Montgomery would be well advised to follow this course.

So far the Negroes there have had all the best of it — especially in national and world opinion. They have asked for a rule which obtains on busses in other southern cities like Memphis. This still aims at segregation, but with a first-come-first-served rule. Whites are seated in front, Negroes in the back, but either race may overflow its own area if there are seats elsewhere. Whites at present are in the poor position of trying to compel Negroes to ride busses. Also to stand even though there may be empty seats.

Moreover, some of the Negro leaders appear to understand that the spirit in which economic weapons are used is vital. They have emphasized calmness and nonviolence. Mr. King pleaded on one occasion, "We must use the weapon of love. We must have compassion and understanding for those who hate us." Economic power, if exercised in that spirit, will not be easily stopped.

'My Feet Are Tired But My Soul Is Resting'

Herald Tr. 6-4

By JAY JENKINS
Special To The Herald

MONTGOMERY, Ala. — "My feet are tired, but my soul is resting." So spoke a Negro woman. She was talking about the boycott of city buses by members of her race which is entering its thirteenth week here.

Miami Fla.

Her statement sums up a change which has gradually come over the boycott. At first, it was a passive protest with economic overtone. It has become virtually a spiritual crusade.

Sun. 3-4-56

A reporter stood on Montgomery St. Thursday and watched the big yellow-and cream colored buses roll past for an hour without seeing a single Negro in any of them.

Negro leaders say the boycott is 95 per cent effective and that the bus firm's loss of business is averaging $3,200 per day.

It all began last Dec. 1 when Mrs. Rosa Louise Parks, 43-year-old Negro seamstress, climbed aboard a Montgomery City Lines bus to go home.

The rear of the bus was filled with Negroes and she sat down beside a Negro man in the third seat from the front. Two Negro men sat in the third seat across the aisle.

Two stops later, white passengers had filled up the front seats and were having to stand up. The driver told Mrs. Parks and the three men they would have to leave their seats.

All three men obeyed. Mrs. Parks, in what she insists was a spontaneous impulse, refused to move. The driver called police and she stayed in jail briefly until her $100 bond was posted.

Under the city code, Mrs. Parks was a lawbreaker. The code says Negroes and whites must sit separately, and that bus drivers have police powers to enforce the code.

One exception concerns Negro maids who are accompanying white children. The maids can sit with the children.

City officials don't deny Mrs. Parks' assertion that her action was spontaneous and unplanned, but they point out the quick and expert planning followed the incident.

The next day, on Dec. 2, leaflets appeared in Negro sections protesting her arrest. That Friday night the first of a series of mass meetings were held, and the Negroes formed the Montgomery Improvement Assn.

As president, the group elected a young Baptist preacher, the Rev. Martin Luther King Jr.

Negroes began walking in Montgomery.

Even after the boycott was under way and the association began spelling out the Negroes' terms for ending it, there was no demand for an end to segregation on the buses.

The terms included a request that bus drivers be instructed to treat the Negroes with more courtesy and that Negro drivers be employed for bus routes in areas of heavy Negro population.

The third key request did not question the segregation policy. It merely asked that passengers be seated in the the bus. Negroes would be seated from the rear, whites from the front.

Meeting after meeting between Negroes and the bus company, a wholly-owned subsidiary of National Bus Lines of Chicago, as well as city and business leaders has failed to make progress.

Meanwhile, Montgomery's Negroes — who comprise more than one-third of the city's 125,000 population —had to find some way to ride.

Negro taxicabs began charging Negroes 10 cents — the cost of a bus ticket — but the city ruled the cabbies had to charge full fare.

So car pools were set up, with regular stops in various parts of the city. To avoid classification as taxis, the cars carry their passengers free. The passengers, in turn, contribute to the churches.

And the churches, whose ministers have been the leader of the boycott, relay funds for gas and oil to the car pool.

The whites reacted by convening a grand jury which indicted 89 Negroes, including 26 ministers, on charges they violated the state's anti-boycott law.

This law contains penalties, including fines up to $1, and imprisonment for up to six months. The Negroes will be tried later this month.

Negroes here are confident that ultimately they will be cleared of the charge. They are banking on a key phrase in the law which bans boycotts "without a just cause or legal excuse."

It is a just cause and it is legally excusable to boycott a bus company when you are forced to give up your seats to whites, they believe.

Montgomery seems peaceful enough now. Since the bargaining sessions failed, city officials have momentarily turned to other things. Negro ministers from the pulpit have told their congregations violence must be avoided.

The strong religious flavor of this boycott grew out of the fact that Negro ministers organized it. Last Sunday, the Negro ministers urged their followers in sermons to pray for God's guidance in the controversy.

The Rev. Mr. King, association president, asked for a special collection of a dollar per person, the funds to go into the boycott kitty, at the Sunday services in his church.

Both the Rev. Mr. King and Mrs. Parks, whose arrest touched off the boycott, are members of the National Association for the Advancement of Colored People.

But the Negro ministers have gone to great lengths to stress that the boycott is a local protest. For example, they opposed a proposed nationwide one-hour work stoppage, advanced by Rep. Adam Clayton Powell, New York Democrat, as a gesture of support.

A newsman, who has been close to the boycott since it began, said that interest—and tensions — seems to ebb and flow. At first, the boycott was lost in the pre-Christmas rush.

Interest mounted again to a peak, capped by the mass arrests. Then it began ebbing.

The future is uncertain. This boycott could be settled peacably. Its economic impact is limited largely to one company — the bus firm.

Should the boycott here, a sort of test-tube for the South, spread to other areas in Alabama, violence is not only possible but likely.

Car Used in Boycott Victim of Ala. Bus Conflict Stranded Here

Black Dispatch p. 1 Thurs. 3-8-56
Okla. City, Okla.

A 27-year-old veteran of World War II and the Korean war, who told of having fled from Montgomery, Ala., last December after the automobile which he had used to help effect a boycott of the city's bus lines became involved in an accident, was stranded this week in Oklahoma City.

Willie Coleman Brown, who has been a guest at the Northeast Fourth Street YMCA through the personal assistance of Jimmie Stewart, local president of the National Association for the Advancement of Colored People arrived in the city Monday, having hitch-hiked from Phoenix, Ariz.

Brown said he left his home last December 20, shortly after his car was involved in an accident with one driven by a white man in Montgomery. Brown, who said he went to California where "things are pretty rough for a fellow who hasn't got a trade or profession," indicated that he was afraid of being jailed in Montgomery.

Thurs. 3-8-56

The Alabaman said he had been attending adult classes, finishing his high school education on the GI bill, when the boycott started.

"We veterans got out of school at 1 p.m., and we were able to give the biggest support to the car pool," he declared. "Naturally, the police didn't like it, and they were always trying to run us in."

Brown said he had purchased his 1955 Plymouth automobile in New York last July 12, and had driven the car to Montgomery with the original New York license plates. According to the veteran, he had been arrested twice prior to the accident in December, on charges of driving while intoxicated. The second time his driver's license was revoked, he stated.

Okla. City, Okla.

"When I got in that last accident, I knew it wouldn't help me much to stick around. I had paid about $1,500 on my car, but I just got out of it and kept going. They're still making cars."

Brown said he rammed the rear of a white man's car, when the driver ahead of him stopped suddenly. "I saw the woman in the car acting like she was unconscious, and I just knew they'd really stick me when they found out I'd been helping out in the boycott," he said.

Brown said he would really like to go back to Montgomery, "because that's where all of my friends are and it's home." Moreover, he wants to complete the twelfth grade so that he can go on to business college and take a course in bookkeeping and accounting. He said he was slated to have received his high school diploma in March.

Wednesday he was not sure of what he would do. But he had hopes of getting sufficient funds or transportation to reach the town in South Carolina, where his wife, Gladys, is a school teacher.

BUSINESS SUFFERS BY RACIAL DISPUTE

Times p. 22

Montgomery Merchants Who Deal With Negroes and Whites Are Hard Hit

Times 2-28-56

By WAYNE PHILLIPS
Special to The New York Times.

MONTGOMERY, Ala., Feb. 27 —Caught in the middle of the struggle between white man and Negro in Alabama is the business man who must deal in peace with both.

New York

This is true of the Montgomery City Lines, operators of the buses boycotted since Dec. 5 by Negroes. It is true of the retail store owner. And it is true also of a whole roster of makers of consumer goods who have been accused of taking sides in the race struggle.

N.Y.

Among the latter are the makers of Philip Morris Cigarettes, Ford products, Philco radio and television, Falstaf Beer, Coca Cola, Colonial bread, Holsum bread and International Harvester.

Caught in the Middle

But whatever the origin, they travel like wildfire, passed on by word of mouth. Before them the business man is helpless, compelled to either stand mute or give offense to one side or the other. And while he waits for the storm to pass his business often suffers.

The Montgomery City Lines, a subsidiary of National City Lines in Chicago, does business in a city where both local ordinance and state law compels it to maintain racial segregation. Its drivers are given the power to determine how this shall be done, and to police their decisions.

It was in the process of carrying out those laws—even granting unfairness and poor judgment by a driver—that the spark was lit that touched off the current bus boycott. As a result the company has lost almost 65 per cent of its riders, been forced to increase its fares from 10 to 15 cents, curtail its schedules, and has been operating at a loss.

A side effect of the boycott has been the impact on the city's retailers, some of whom had derived considerable business from prize locations at key bus stops. The Liggett's Rexall Drug Store, for example, occupies a corner on Court Square where thirty-five buses pass during the morning and evening rush hours.

Corner Loses Value

Before the boycott that corner would have been crowded with hundreds of Negroes going to and from work, or stopping off to change buses. Since the boycott this traffic is negligible on the corner, and sales have declined.

The Negroes have denied that their refusal to ride the city

buses is an "economical reprisal." The White Citizens Councils, organized to defend segregation, deny also that they recommend such policies. But despite the denials economic reprisal and threats of it are a key part in the race conflict here.

In Tuskegee, Ala., for example, the Feb. 7 issue of the Tuskegee Civic Association News, a Negro publication, had an article urging Negroes to work to get white members of the voting registration board who would facilitate their voting. And it included this sentence:

"Any local business man who sells you goods and services, or who in any wise benefits from your money, and who is not sympathetic to your becoming a registered voter, is not interested in your total welfare, and by his acts or lack of them is not deserving of your patronage."

Editors' Personal View'

Dr. Charles S. Gomillion, dean of students at Tuskegee Institute and president of the association, denied that this was an appeal for a boycott—which would be illegal in Alabama. It was, he said, just the personal view of the publication's editor.

Among the Negroes of Montgomery, already inflamed by the bus conflict, there travelled like wildfire in recent weeks the rumor that the local Coca Cola Bottling Company had contributed $25,000 to the White Citizens Councils.

The rumor so affected the business of the soft drink company that its manager, Charles P. Britewell, told the leaders of the Montgomery Negro community that they could announce not only that no such contribution had been made, but that he was personally opposed to the councils.

A statement such as that made by Mr. Britewell could backfire, however—by touching off a reaction among the strong supporters of the White Citizens Councils. Their power has been shown by what has happened in this recent region recently to the sales of Philip Morris cigarettes.

Report of Gift Denied

Philip Morris, Inc., was said to have made a financial contribution to the National Association for the Advancement of Colored People—an organization that is anathema to the segregation-supporting Southerner.

The company and the N. A. A. C. P. deny that any such contribution was made.

However, at the cigarette counter in Montgomery's chief hotel one package of Philip Morris has been sold in the last twenty-four hours. And the manager of the Liggett's Drug Store mentioned earlier estimates his sales of that brand are off 20 per cent.

The report was spread through a St. Louis publication called White Sentinel. This publication, which is circulated here through the Central Alabama White Citizens Councils, is strongly pro-white and anti-Negro.

Another product that traces sales resistance to the same publication is the Falstaf Brewing Corporation after publication that it had donated to the N. A. A. C. P. The company declared this was not true, and that the donation was by one of the Negro salesmen.

NEGROES MEET AGAIN TO DISCUSS BUS ISSUE

Commercial Appeal 2-17

Attorney's Trial On Illegal Practice Set Friday

Tues. 2-28-56

ACCUSED IN FILING SUIT

Memphis, Tenn.

By The Associated Press

MONTGOMERY, Feb. 27. — Bus-boycotting Montgomery Negroes were called to another mass meeting Monday night while the first of their leaders awaited trial on a grand jury indictment.

Monday night's rally was scheduled at the Holt Street Baptist Church, where the first mass meeting was held at the outset of the bus segregation protest last December. The pastor, Rev. A. W. Wilson, is one of 24 Negro ministers indicted for boycotting.

Periodic Mass Meetings

There was no announcement on the subject of the meeting Monday night. Negroes have had periodic mass get-togethers since the boycott started 12 weeks ago Monday.

Meanwhile, the trial of Negro attorney Fred D. Gray, one of the legal spokesmen for the boycott who is under indictment for unlawful practice, was set for Friday in Circuit Court.

Gray is charged with filing an antisegregation suit in United States District Court without consent of one of the five Negro plaintiffs. The suit was an outgrowth of the Negroes' refusal to ride segregated Montgomery city lines buses.

The same grand jury that declared the boycott illegal and indicted 100 Negroes for violating Alabama's Anti-Boycotting Law made the accusation against the 25-year-old Gray 10 days ago.

His indictment was based on a statement by Jeanetta Reese that she signed the antisegregation complaint without knowing what it was. She made that statement to Mayor W. A. Gayle in the presence of two newspaper reporters, and later testified before the grand jury.

Claims She Knew

Gray said at the time that she did know what she was signing.

The attorney was indicted under a state law that prohibits a lawyer from representing a client without permission. Maximum penalty is a $500 fine and suspension from practice.

Trials of the other Negroes indicted for boycotting will start March 19.

The bus boycott began Dec. 5 after a Negro woman, Rosa Parks, was arrested for refusing to obey a bus driver's order to move to the Negro section of the bus.

She was fined $14 in City Court, appealed it to Circuit Court, was sentenced there to 14 days in jail, and has appealed that to the state Supreme Court.

Chicago Firm Owns Boycotted JC Buses

Afro-American Baltimore, Md.

Sat. 3-17-56

CHICAGO — The National City Lines, which operates the jim crow bus lines in Montgomery, Ala., which colored citizens of that city are boycotting, is a nationwide transit trust controlled by northern financial interests.

Thus the northern directors of this company share responsibility with the White Citizens Councils for the arrest and prosecution of the leaders of the bus boycott in Montgomery and the wave of terror against citizens supporting the boycott.

The giant trust, with headquarters at 616 S. Michigan Ave., is a holding company with more than 40 wholly owned subsidiary transit systems in cities from coast to coast across the nation.

* * *

THE COMPANY also has large investments in a number of other transit lines and many of its directors also serve on the boards of ot ransit systems and banks an ndustries.

Following an interview with representatives of the National City Lines at their Chicago office, Willoughby Abner, president of the Chicago NAACP branch, said:

'Colored citizens and liberal whites from coast to coast are asking the directors of National City Lines some pointed questions, for these directors could do much to bring about an honorable and acceptable settlement in Montgomery.

* * *

ACCOMPANYING MR. ABNER were the Rev. A. Lincoln James, pastor of Greater Bethesda Baptist Church, and Charles Hayes, director of District 1, United Packinghouse Workers, AF of L-CIO. Both are members of the executive committee of the Chicago N.A.A.C.P.

Representing National City Lines at the conference were K. E. Tottem, manager, and B. W. Franklin, vice president.

The NAACP delegation pointed out the growing concern of colored and liberal whites citizens about the situation in Montgomery. Company officials promised to have a statement on the position of National City Lines on the situation available within a few days.

Officers and directors of National City Lines and their home cities are:

* * *

C. ROY FITZGERALD, president-director; F. G. Beamsley, vice president-director; W. R. Fitzgerald, vice president-general manager-director; E. V. Anderson, vice president-director; L. B. Ryan, treasurer, all of Chicago;

G. L. Walker, secretary; R. H. Farrell, general attorney; S. G. Stewart, comptroller; C. G. Peebles, assistant secretary; S. S. Haraburda, assistant treasurer; R. M. Powell, assistant treasurer, also all of Chicago;

* * *

R. D. CALHOUN, St. Louis, director; C. C. Houghton, Los Angeles, director; L. M. Marks, NYC, director; R. S. Moore, Oakland, Calif., director; Douglas M. Pratt, Baltimore, director;

C. F. Reaves, W. T. Rossell and F. A. Willard, all of NYC, directors, and J. L. Wilson, St. Louis, director.

Wholly owned subsidiaries (local transit systems) of National City Lines are located in the following cities:

ALABAMA—Mobile City Lines and Montgomery City Lines.

CALIFORNIA — Glendale City Lines, Long Beach City Lines, Long Beach Motor Bus Co., Pasadena City Lines, Sacramento City Lines and Stockton City Lines.

FLORIDA — Tampa Transit Lines.

ILLINOIS — Aurora City Lines, Aurora-Elgin Bus Lines, Elgin City Lines, Bloomington — Normal City Lines, Campaign-Urbana City Lines;

Decatur City Lines, Danville City Lines, East St. Louis City City Lines.

INDIANA — Terre Haute City Lines.

IOWA — Burlington City Lines, Cedar Rapids City Lines, Davenport City Lines, and Sioux City Lines.

MICHIGAN — Jackson City Lines, Kalamazoo City Lines, Pontiac City Lines and Saginaw City Lines.

MISSISSIPPI — Jackson City Lines.

NEBRASKA — Lincoln City Lines.

OHIO — Canton City Lines and Portsmouth City Lines.

OKLAHOMA — Tulsa City Lines.

TEXAS — Beaumont City Lines, El Paso City Lines, Wichita City Lines and El Paso and Juarez Traction Company.

UTAH — Salt Lake City Lines.

WASHINGTON — Spokane City Lines.

Alabama Negroes protest arrests with "total walking days" -- won't even ride in cars

Tribune. Los Angeles, Calif. Fri. 3-9-56 p. 1

(SPECIAL TO THE TRIBUNE)

MONTGOMERY, Ala. — Undismayed by the arrest of 89 leaders on 115 grand jury indictments (some of them were indicted twice) the 50,000 Negroes of this city are planning a series of "total walking days" before Mar. 28 when the trials of the 89 get underway.

One of the "total walking days", which are to protest the arrests, has already been held.

It followed the mass arrests, and was preceded by careful instructions from the pulpits of the Negro community, as to procedure, decorum, and the spiritual significance of the boycott, which was three months old last Sunday.

Leaders asked the Negroes not to congregate in any particular place; not to go to the courthouse where some of them were still surrendering under the indictments; not to demonstrate in any way except by not riding, neither in car pools nor in Negro taxi cabs.

Negroes from all walks of life, garaged their cars and walked.

At a protest meeting which followed the arrests, the Rev. Martin Luther King, Jr., leader of the boycott, schooled some 5000 Negroes who filled his First Baptist church from unfinished basement to balcony, and overflowed onto the sidewalks, in the techniques of "non-violent passive resistence", as follows:

"The word, boycott, does not completely describe this movement. That word is a little too small. This is a protest depending on moral and spiritual forces."

He urged Negroes to ap[illegible] any ordeal "armed with the [illegible]er of love.

"If we are arrested eve[illegible] if we are exploited everyday; if we are trampled on — let nobody pull you so low as to hate them", he said to a chorus of 'amens'.

Throughout the boycott, which is in its 95th day today, the 28-year-old Rev. King, a second-generation minister, has refused to refer to the feeling between the Negroes and whites as "tension".

This is not "tension between [illegible] **a** [illegible] **d in-** [illegible] **shall,** [illegible] **r Negroes, but a victory for justice and fair play, a victory for democracy."**

HAS "FAITH IN MAN"

Sunday after his arrest, the Rev. King, free on $300 bail, preached on "Faith in Man." He described the Christian faith as "man's ability to rise above his own evil nature, his heredity and environment.

"There is something deep down in our Christian faith that says man, however low, can be lifted. No man can so mistreat me that I will not believe there is hope in human nature. . . . If you just keep on loving a man, you will get down to the God in him."

At each opportunity, the Rev. King tells the boycotters: "Don't get weary. Don't lose faith in me. My faith in man is, at bottom, a faith in good. Believe that the most prejudiced mind in Montgomery can become a living mind — a mind of good will. . . . Don't get mad at man. Man, for all his prejudices, is still young. Give him a chance."

Tribune

Montgomery's Negro leaders have to be careful what they say in public, attacking segregation, which is the law. p. 2

The Rev. King, nor any of his associates, made no public reference, therefore, to another Alabama segregation fight — the attempt of Autherine Lucy to get into the University of Alabama.

However, the young minister was obviously referring to the reports that Miss Lucy's aged parents are against her stand, when he said:

"Thank God, there are some people who can rise above the old and broken down thoughts of their parents.

"You hear 'my parents don't agree with me . . . my community doesn't agree with me' but thank God there are people who can rise above superstition and fear."

REJECTED COMPROMISE

The Rev. King, who is president of the Montgomery Improvement ass'n., who are the boycotters, and the Rev. Ralph Abernathy, chairman of the negotiating committee, last week rejected a "compromise agreement" offered by the bus line, which did not include consideration of their demands for employment of Negro drivers.

The boycott ostensibly is not a demonstration against segregation itself — a suit is in court testing the segregation issue — but demands better seating arrangements, Negro drivers and courtesy from the white drivers.

Although whites of the town, as if under coaching, refuse to discuss the boycott outside their circles — and on the "total walking day" preserved an embarrassed silence, the Negroes are bouyant and humorous about the situation.

The Rev. A. W. Wilson referred to himself in his sermon as "your indicted preacher."

When he heard he was indicted, the Rev. Wilson hunted up a deputy, drove him to the jail. There, he was disappointed when told the charge had been dropped against him because he had testified before the grand jury.

Another Negro said he asked the authorities to indict him because "I wanted to be numbered with the right, but they wouldn't charge me."

The MIA operates a fleet of 300 cars which transport Negroes from 46 pick up stations. To avoid being arrested for operating jitneys, no one is charged for transportation. The pools are financed by donations which have even come from out of the country.

The Rev. King has said that donors have his word that "no one will exploit this movement for gain. We all know that the Till case was exploited. . . . We need money, but we're not going to do anything and everything to get it. No one is going to get fat on this, and no one is going to get any handouts."

According to the Rev. Wilson, the boycott has had a "wholesome effect on the entire community. I believe the Negro population has been brought closer together than ever before."

New boycott, inspired by Montgomery, breaks Currie's

Tribune p. 1 Los Angeles Calif.

Re-inspired to act by the example of bus boycotters in Montgomery, Ala., Los Angeles Negroes knuckled down to a boycott of the Currie Ice Cream Co., and in less than two weeks its 30-year-old lilywhite hiring policy was ended Wednesday with a promise to "hire Negroes in all of the stores that are located in Negro communities."

Beginning Monday morning with the store at 27th and Western, Negroes will soon work at three of the Currie locations, including 3656 S. Crenshaw and 5269 S. Figueroa, Adolphus B. Clay, the one-man 'neighborhood FEP committee' who initiated the boycott after a Tribune story 'broke' the company's policy to the community, said this week.

Tri. 3-9-56

Two more Currie Ice Cream stores in the Negro community are not operated by Currie's, Clay disclosed. One, at 6740 S. Compton, is leased to a Negro, and is staffed by Negroes. The other franchise, over which the company has no control, is at Jefferson and Hoover.

Reflecting the influence even here in faraway California of the deeply spiritual boycott in Montgomery, Ala., by Negroes who are walking to work rather than ride jim crow buses, pickets whom Clay posted outside the store at 2656 S. Western, less than 10 days ago were welcomed by a community which some six months earlier had merely eyed them before walking around them and into the store.

Business was hard hit by the boycott at the ice cream parlor all last weekend and this week, until the pickets were called off by Clay after the three-hour conference with company representatives.

The company had 10 representatives at the conference, Clay said.

Earlier criticized in the community for showing an inclination to play a lone hand in the negotiations, Clay said only a "man nam[illegible] Smith" and a local newsman, Abie Robinson, accompanied him.

Negotiations were conducted with A. W. Compton, vice president of Currie's, Floyd Chatman, general manager, two lawyers, and other officials, including Bill Green, personnel manager, who had told the Tribune that the company would not hire Negroes until 100 percent of its trade was Negro.

Tribune

Under the terms of a written agreement which the local man received, Currie's will interview five Negro women, to be supplied by Clay through the Los Angeles Urban League, hiring at least one of them by Tuesday. p. 2

Whoever gets the jobs will not have too much, details of the agreement revealed. Although the firm has a union contract, it pays its waitresses but 94 cents an hour, gives the women less than 40 hours per week.

Clay said the first offer made him would have netted a Negro woman but $14.50 per week. He ended up getting the company's promise of a 27-hour week at $30, he stated.

A Western avenue barber who launched the boycott because he was affronted by the sight of Negroes spending their money where they couldn't work, Clay officially represented the Pacific States Association of Elks Civil Liberties in the campaign.

Boycott Costing Them $3,500 Day

Defender p. 5 Sat. 3-10-56

Chicago, Ill.

The boycott of city buses by Negroes in Montgomery, Ala., over segregated seating, has focused attention on a nation-wide transit corporation, owners of Jim Crow buses from coast-to-coast.

The corporation is the National City Lines. It is directed by northern financial interests, gains much of its revenue from Negro passengers in at least 16 states.

With headquarters in Chicago, America's transportation center where every train, bus, truck and plane must sometimes go and from which they must sometimes depart, the National City Lines has become a giant operation in southern states.

There also are more than 40 subsidiary city transit systems wholly owned by the organization.

DIVIDENDS PAID

According to figures made available in 1954, the National City Lines serves approximately 4,250,000 persons. Two years ago it paid a dividend of $1.60 a share. At that time shares had a par value of $1 and the dividend was paid on 1,412,063 outstanding shares of an authorized two million shares.

About two weeks ago, officers of the Chicago NAACP, headed by its president, Willoughby Abner, local labor power, obtained an audience with several officials of the corporation, and sought to convince them to help alleviate conditions in Montgomery.

LOSE $3,500 A DAY

Since the boycott started almost 100 days ago, the Montgomery bus line has been losing an estimated $3,500 a day.

Representing the National City Lines at the conference with the NAACP were B. W. Franklin, vice-president, and K. E. Totten, manager.

The contention of the officials of the bus corporation was that they were only running the bus lines in Montgomery in accordance with the laws and customs of Alabama.

The directors of the corporation are prominent businessmen, many who have large holdings in other businesses, including beer companies and transit authorities. They include:

Laurence M. Marks of New York's Wall Street, an investment broker who heads his own financial house and is a leading member and former governor of the New York Stock Exchange.

BLUE BLOODER

Marks also is a trustee of the quarter billion dollar Brooklyn Savings Bank, director of the Shamrock Oil and Gas company of Amarillo, Texas and has membership in such exclusive Blue Blood groups as the Piping Rock, Union, Links, Sleepy Hollow and Wall Street clubs.

C. Frank Reaves, another director, is a board member of the Baltimore and Philadelphia transit companies and sits on the boards of Northwest Airlines and the huge Bohack grocery chain.

Frank Willard is a partner of the financial house of Reynolds and Co., at 120 Broadway.

Another "big" director of the National City Lines is D. H. Pratt, president of the Philadelphia Transit company, and director of the Baltimore Transit co.

On the West Coast, where National City Lines operates buses in more than a dozen California cities, director E. C. Houghton can be found in offices of the Los Angeles Transit Lines, in which National City Lines has a controlling interest. He is president of the company.

Houghton and R. Stewart Moore, another National City Lines director, may also be found at offices of the Key System Transit Lines, which connects San Francisco with Berkeley, Oakland and other East Bay cities.

SUPPORTING MONEY

A large portion of money supporting the Montgomery bus line comes from St. Louis, Mo., where the giant transit trust collects fares from both sides of the Mississippi River in St. Louis and East St. Louis, Ill.

Two of the NCL directors live in St. Louis and both are directors of the St. Louis Public Service company. They are David R. Calhoun and John L. Wilson.

Calhoun, president of the St. Louis Public Service co., is connected with about 18 various companies including the Pullman and Budweiser brewing companies.

Wilson is a director of the same brewery—Anheuser-Busch — that produces some eight million barrels of beer annually, and the First National Bank of St. Louis.

E. Roy Fitzgerald of Chicago, president of National City Lines, is board chairman of the St. Louis Public Service company, and holds directorships on boards of the Los Angeles, Baltimore and Key System transit companies and the Railway Equipment company.

Other NCL directors are F. G. Beamsley of Chicago, director of four other transit companies; E. V. Anderson, Chicago, director of two transit companies; R. A. Farrell, general attorney for the NCL in Chicago; J. M. Fitzgerald of Chicago and W. T. Rossell of New York.

States in which National City Lines operate buses or has large investments are: Alabama, California, Florida, Illinois, Indiana, Iowa, Michigan, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, Texas, Utah and Washington.

Montgomery Calling Detroit

Advertiser p. 4-A

THhe editor and his colleagues have scarcely been able to get their work done in recent weeks because of the dozens of northern newspapermen working out of *The Advertiser* on the race issue story. We have, as was our part, cheerfully assisted them in every fashion. There have been some swell people among them.

Ala. 3-10-56

Whether we like it or not, the Alabama race story is a big story and it is proper that the nation's press should tell the tale, which the better papers are doing with more skill and honesty than was the case formerly.

Nevertheless, the editor has been subject to occasional vexations with his visitors and the other day we pitched into a Detroit reporter.

Montgomery, Ala.

"This Alabama story is a good one by any standard of news," we remarked, "but why in hell don't the yankee papers spend part of their time revealing their own race problems?"

An amiable and able man, this Detroit reporter laughed good naturedly at this testy outburst and agreed that yankee papers think race news is news only if it occurs under a magnolia tree.

With a disarming frankness, this reporter confirmed that race conflict in Detroit is a grievous problem and that the three Detroit dailies and the radio had "some kind of agreement" to muffle race conflict news in order not to add fuel to the flame.

★

AT THAT point we arrived at the inflamed conclusion that it was dingy newspaper practice if there existed a conspiracy of silence in Detroit alongside an energetic effort to chronicle the Alabama story.

The reporter did not claim to know the terms of the agreement, but understood it was made five or six years ago. It was not simply a matter of not identifying Negroes as such in the news—many northern papers adhere to that journalistically indefensible practice—but went to the point of covenanted subordination if not masking of race incident stories.

★

THE editor decided to see what some long distance phone calls would reveal of this alleged covenant of silence. We must acknowledge that our long distance investigation did not substantiate what we had heard. But the interviews were interesting and there evidently is more of a tale to tell than we were able to gather.

★

FIRST, you must remember the blazing race riots in Detroit in the summer of 1943. A Negro shot a white man and results were described thus by *Newsweek* magazine (July 5, 1943):

> When the shooting, the stoning, the knifing and the bludgeoning, the arson and the looting had ended after 24 hours, 35 were dead, some 700 injured, 1,300 under arrest, and a million dollars' worth of property damaged. War production dropped 40%.

★

IN RECENT years the friction has occurred because of white resentment as Detroit's 300,000 Negroes commenced to move into white residential areas.

Our first call was to Louis J. Kramp, chief of the Associated Press Bureau in Detroit, who talked like an able and forceful newspaperman. He asked his news editor, Charles Kane (or Cain), to come in on the conference phone as he had been in Detroit only three years.

We popped the question of whether there was some sort of conspiracy of silence on the part of Detroit papers and radio to muffle, subordinate or mask race tension and strife stories.

The answer was that presumably there was "some sort of understanding," an agreement to "play down the Negro angle." Its history, scope and provisions they did not know.

These AP executives did say that what the independent Associated Press and the Detroit papers put out on race incidents were sometimes "different."

How far this went beyond the use of "Negro" in identification was not precisely established, we find in examining our notes.

★

NEXT we phoned John H. Laub, director of Detroit's Commission on Community Relations (15 members, eight citizens and six municipal executives appointed by the mayor; established in May, 1953).

From this interview we derived some amusement. The Hon. Laub, in charge of stifling race conflict, was plainly frightened by the questions of a Confederate agent. He kept asking the editor to give his name again. To the most harmless questions about Detroit race relations, he responded with gross, clumsy evasiveness. Sometimes he waited so long to answer that it seemed the operator had cut him off.

"How disturbed are race relations in Detroit, Mr. Laud?"

"In general, I think race relations are basically sound, though we do have problems."

"What problems, Mr. Laud?"

"The problem areas are in housing and public accommodations."

"Public accommodations — you mean trolleys, buses?"

Bus Boycott Is Settling Down to a Finish Fight

Herald Tribune Fri. 3-9-56

By Robert S. Bird

MONTGOMERY, Ala., Mar 8.—Four items in the news here today helped to show how the gulf between the whites and Negroes is steadily, though calmly, widening in the Negro but boycott now in its fourth month.

1. Mayor W. A. Gayle revealed that he has received $56 in contributions from fifty-three citizens of Atlanta, for the Montgomery City Bus Lines, Inc., and that he "welcomes" further contributions for the company—to be sent to it directly.

2. The bus company announced that starting next week, Sunday service will be discontinued on all but two of the company's remaining fourteen routes. This is on top of an estimated 33 per cent curtailment of service and a 50 per cent fare rise put into effect earlier in the boycott.

3. The company announced that it is renewing for ten years its franchise, which expired today after twenty years.

4. The Negro boycott leaders announced that they are about to increase their car pool fleets from the present 200 cars to 300 cars, and are opening permanent offices with a paid secretarial staff.

Freely interpreted, these developments mean that neither side is yielding an inch to the other and that the fight is to the finish. And that segregationists in other states are demonstrating, in a small way with dollars, that they are counting on the Montgomery whites still to hold the line against the Negroes.

The question is, where does the boycott go from here?

In a formal sens,e it goes into the state courts on March 19 when the indicted boycott leaders will go on trial for allegedly breaking a 1921 state law, making it a crime for them to carry on such a boycott. But it seems almost certain that even if convictions, fines and jail sentences resulted, that would not deter this boycott movement.

A more dangerous possibility for the community is that the boycott may be heading into a more complicated boycott snarl; one which neither side wants because it could hurt each to almost an incalculable extent.

The businessmen of this community are feeling more and more creepy over the way cross boycotts are springing out from hydra-headed rumor. This has been going on for some time, and is getting worse. As fast as one "spook" boycott is nailed, two more appear.

What happens is that somebody starts a rumor that a certain firm has, for example, contributed to the National Association for the Advancement of Colored People. This would be a firm which enjoys a share of Negro patronage. Immediately after the report is circulated, the target company finds itself boycotted by white customers.

Works Other Way, Too

Or, the rumor starts among the Negroes that a white company has associated itself with the whites' Citizens Councils. Then the Negroes begin boycotting the company.

In most cases, the affected businesses are afraid to meet the rumor with public denial, because they feel that may give it further currency. But to try to absorb it in silence is costly too.

The Citizens Councils headquarters here is kept quite busy answering telephone calls and letters from persons who have heard various rumors and want to "co-operate" if the rumors are true. State Sen. Samuel Engelhardt, executive secretary of the statewide organization of Citizens Councils, told this correespondent today that his organization has no means of investigating the truth of these reports. He says the Citizens Councils in consequence can only "go straight down the middle, taking no part either for or against the boycotts.

Fear Major Reprisals

These "spook" boycotts, troublesome as they are, are not the big danger, however. The bigger peril that looms is the possibility that one side or the other may be lured or shoved into concerted reprisals on a major scale. It is generally agreed, on both sides, that if the Negroes withdrew their purchasing power from the merchants of downtown Montgomery, these businesses would be in a bad way fast. Up to now the stores have suffered only in a limited way from the bus boycott, for the Negroes still get downtown by their car pool.

The stores report no diminishing of business from the higher priced Negro trade, through some falling off in the volume of lower priced goods and some curtailment of instalment buying. But a real boycott of the stores could be extremely serious for almost all the shops.

Grave Danger for Negroes

Also, it would create a grave danger for the Negroes. It is generally agreed that if the Negroes boycotted the city stores, the whites would instantly retaliate with widespread job dismissals of Negro employees. Most of them depend on white employment for their income. Even worse, the whites own most of the Negro residential quarters. Montgomery's 50,000 Negroes occupy an extensive area inside the city.

This Negro residential area ranges from the slums of Chicken Shack Row and Gold Bug Alley to the fine two-story brick homes on landscaped grounds in what is called the Sugar Hill section. In between are miles of middle class Negro frame homes—neat but not expensive. It is estimated that more than 80 per cent of the Negro dwellings are owned by whites.

Both Sides Frightened

The effect of employment retaliation against the Negroes on rental and mortgage payments to the whites can only be imagined. This is why the enlargement of this bus boycott to a general economic boycott is a bugaboo that frightens both sides. And yet, as each side entrenches itself further, the possibility becomes the greater.

Meanwhile, the bus company stands in the middle. Jack Crenshaw, attorney and spokesman for the Chicago-owned company, tells a sorry tale. In the more than three months of the boycott, he says, the company has lost in the neighborhood of "around $100,000 on gross revenues, not taking into consideration the fare increase." The fare rise was from ten to fifteen cents, but since the buses are virtually empty these days, the added revenue cannot have substantially offset the losses.

Few Negroes on Buses

Although he will not give traffic figures, the general estimate is that about 75 per cent of bus passenger traffic was Negro. Today less than 2 per cent of the Negroes are riding the buses, and they are mostly either very old or handicapped people.

Now that spring has come in with caressing climate — except for occasional tornado warnings —the Negroes are walking to and from their in-town employment with downright pleasure. For those who have any great distance to travel, the car poll is now well organized.

In the beginning, more than 325 cars were volunteered in what turned out to be a somewhat exaggerated outburst of enthusiasm. Gradually over the weeks some drivers found themselves unable to carry on with this volunteer work, or unwilling to put up with police harrassment, and others with old model cars found their cars unable to carry on.

The pool was down to about 200 cars at the beginning of this week. But a reasonably efficient dispatching service had been devised and these 200 cars were doing the work of the larger number at the start of the boycott.

The new effort to bring the number of cars up to 300, together with a smoother functioning dispatching system, should place the Negroes' substitute trasportation system on a solid basis.

As it is almost any Negro can get to any place he wants in the city by walking a short distance to any one of the forty-five pick-up points, most of them on church premises. Several parking lots downtown are the pick-up points for home-going people from the shopping sections to the outlying areas. And anybody who is stranded at any point anywhere in the city can get special service by calling the dispatcher in the little frame building which is boycott headquaters in the Negro section.

Show New Fearlessness

To appreciate all this organizational success, it is necessary to consider this all-omportant fact: The Negroes of Montgomery are demonstrating a new fearlessness of the whites in this boycott.

J. E. Pierce, a Negro political science professor at the Negro Alabama State College here, who is one of the indicted leaders, said to this correspondent: "The Negroes of Montgomery grew up overnight. The day before the boycott they were like children, cowed by the white man. The next day they were a mature people, asking for what is their right. There are enugh of the good things in this country for all of us, and the Negroes of Montgomery are no longer afraid to as for their share."

The tension here has subsided as the boycott has grown prolonged. Whether it will flare again nobody knows. The atmosphere seems to suggest now that both sides are revising their apraisal of the other—and digging in for a long showdown.

Justice Blind in Alabama, Bus Boycott Trial Proves

Call 3-4 Kansas City, Mo. Tues. 3-6-56

By CHARLES H. TORB
NNPA Correspondent

MONTGOMERY, Ala. — Motion denied!

Here, in terse legal language, was Alabama's answer to the Rev. Martin Luther King and, through him, 50,000 Montgomery Negroes on whether the Negroes of Alabama have the right, under statutes to petition, assemble, and peacefully protest their grievances.

It was a justice that was indeed blind. Blind both to the spirit and to the letter of constitutional law. In fining the militant young Montgomery minister $500, and hearing the expected defense notice of appeal, Judge Eugene Carter, with the air of a good southern gentlemen dispensing charity to his faithful retainers, approved a mutual agreement between state and defense lawyers that the 89 other defendants arrested with Rev. King remain free on their original bails until such time as the remedies in appeal sought in the King case have been exhausted.

No Farcial Trial

Contrary to expectations, this trial was no farcial performance—no arrogant show of Dixie justice at its worst. It was not dispensed by a tobacco-chewing backwoods judge addressing his petitioners of color as "boy," or Rufus, or Mandy. It was prosecuted by able solicitors; the best the city of Montgomery and the Montgomery City Bus Lines could obtain.

They knew well the law under which they had elected to try as conspirators Rev. King and those associated with him in operating the activities of the Montgomery Improvement association under whose leadership the Negro in Montgomery has shown the world an almost unbelievable miracle of Negro cohesion and determination.

The old statute they had dug up in their effort to "put an end to this foolishness" had been tailored to their specifications by another generation of Alabamans who at the time were rather desperate about the increase in union memberships. Its original target was against white workers. Now, in Alabama's great hour of need it was lying there, rusty, unused never repealed, to be used against this unprecedented show of Negro solidarity.

Outcome No Surprise

Among the brilliant staff of Negro lawyers who conducted the defense, there was never any doubt about the outcome, though each of the eight scrupulous refrained from such predictions.

Charles Langford, Arthur Shores, Fred D. Gray, Robert Carter, Orzell Billingsley, Peter Hall, Dr. C. Eubanks Tucker and Edmund Ragan, huddled together over the counsel table, exchanging notes, ferreting out witnesses from the tips handed them by Montgomery

eaders, were not simply trying a simple misdeameanor in a small-town Circuit Court.

They knew what they were doing and they knew that they, or a hundred different of their counterparts have to be doing the same thing all over the stubborn Southland and before the fine-sounding pronouncements of the United States Supreme Court can have real meaning for the Negro in Montgomery who must either walk or ride the city buses and hear, over and over again, "to the rear, you n-----s."

Judge Eugene Carter knew that they were not really trying the case before his court. They were trying it before the Supreme Court of the United States, and to their everlasting credit legal experts who watched their thoroughness, nodded their approval of their efforts.

Objection, overruled. Objection, overruled. Until one lost count after it became apparant that the ratio would run something 20 overruled to 1 sustained.

But the counsel for Rev. King and his associates well knew that some nine million of Negroes in 17 states of the South were really the clients, their real clients.

So, they refused to be ruffled by the special inflection State Prosecutor Thettford gave to his precise "Nigra" when referring to colored people. The two other solicitors found it quite easy to pronounce the acceptable Negro.

Judge Carter was a "Nigra" pronouncer, too, as he sat calm, detached, radiating keen enjoyment of his role, there upon the bench holding the ramparts for the anti-desegregationists — holding the fort for the Folsoms, Eastlands, Longs and leaders of the reluctant South . . . buying time for crumbling confederacy that feels its birth pains again but is afraid to conceive.

As Expensive As Possible

Appeals are long, drawn-out affairs, and costly, too. So, the South, Alabama, Montgomery, Judge Carter are making it as expensive as possible and as long delayed as trick laws, manifestos, Citizens Councils, economic squeezes, and police state justice can make it.

The result is inevitable, but Alabama bought time at Montgomery, but they have done little to ease the plight of northern investors who have their money sunk into the Montgomery City Lines.

Will Negroes now board the buses

Some 70 Negroes right outside the courthouse, minutes from the finale, told this reporter "No." Some added, "Never."

They waited outside to cheer, to hug, and to kiss the little leader they have come to trust and adore, and to crowd around him and his attractive and loyal wife with cries, "Hail the King." "Don't worry, we're still walking."

And the city of Montgomery, too, is paying a dear price for this show of Dixie legal strongarm. It has been pretty expensive, this putting "those Negroes in their places."

Thousands Lost

Montgomery City lines has lost more than $300,000 in revenue they once collected from Negroes who no longer use their buses.

Before the boycott, (as one Negro witness, Mrs. Georgia Gilmore, declared on the witness stand) bus officials couldn't tell the white money from the Negro money.

Now they can.

The white money is far from enough to support the operation. Negroes' testimony revealed during the trial, are 70 percent of the company's customers.

Pardon. Ex-customers.

The city of Montgomery loses, too. Its interest was a lush two percent of the gross income, but that's only money.

Far more important, though, is that observers with eyes to see and ears to hear concede that it has forever lost its power to divide, disrupt, intimidate, and consequently to exploit its Negro citizens.

BIG CROWD PRESENT.—Part of the big crowd which was present at the Montgomery, Ala., courthouse when the Rev. Martin Luther King Jr., pastor of the Dexter Avenue Baptist church, was found guilty of conspiracy in connection with the four-month-old bus boycott in Montgomery. Throughout the trial, the people of Montgomery filled the courtroom of Judge Eugene Carter and overflowed into the corridors. The courtroom itself holds only 250 spectators. Hundreds failed to get in but they remained on the outside to give the Rev. Mr. King their moral support.

2 Negro Bus Riders Tell Of Boycotters' Threats

Constitution Wed. 3-21-56

Atlanta, Ga

MONTGOMERY, Ala., March 20 (AP)—State's attorneys sought to show today that Negroes have been threatened for riding buses during the segregation boycott in Montgomery, but only part of the testimony along that line was allowed.

Circuit Judge Eugene Carter, presiding at the trial of Rev. Martin Luther King Jr., one of 90 Negroes indicted on boycotting charges, threw out the entire testimony of one Negro witness who said his life had been threatened.

But the judge permitted two other Negroes to testify about threats they said they received.

At the same time, defense attorneys brought from one prosecution witness a statement that Negro ministers he had heard speak at mass meetings during the boycott had made a point of appealing to their race to shun violence. That witness was Joe Azbell, city editor of the Montgomery Advertiser.

The hearing recessed until 9 a.m. tomorrow. The state indicated it may finish presenting its case then.

Azbell told the court that a decision was made at a mass meeting the night of Dec. 5 to continue the bus boycott which originally had been scheduled for that one day.

He quoted King as telling the mass meeting that the Negro race wouldn't "retreat one inch in our campaign to win our democratic rights."

Wed. 3-21-56

The state in two days of testimony has attempted to link King to what the prosecution calls a conspiracy to boycott the racially segregated Montgomery City Lines buses.

Atlanta, Ga.

Despite defense objections, prosecution also got into the record testimony today from seven bus drivers about incidents of violence against the bus line early in the boycott. Five buses were fired on in Negro sections of Montgomery and two others were struck by bricks or similar missiles.

Earlier, a Negro leader told how a smooth-running motor pool provides transportation for the boycotting Negroes.

Other witnesses testified that the Montgomery Improvement Assn., which was formed the day the boycott started, arranged the pool and has paid for gasoline and other expenses.

King is president of the improvement association, and the state is trying to link him to what it calls a "conspiracy" to hinder operation of the segregated Montgomery City Lines, Inc., a privately operated company which has a franchise for city bus service.

The indictments against King and 89 other defendants awaiting trial charge violation of a state law which prohibits any conspiracy or other agreement, "without cause or legal excuse," to impede the operations of a lawful business.

At one point in the proceedings, Judge Carter, who will decide King's fate in the absence of a jury, said he thought the state had already established "a prima facie case of conspiracy." But he did not say the prosecution had succeeded in linking King to it.

Rufus Lewis, chairman of the association's transportation committee, told the court how the committee inaugurated the car pool soon after the Negroes stopped riding city buses in protest against segregated seating facilities.

Lewis said the committee arranged to pay volunteer drivers $4 a day for use of their cars and bought gasoline for some. He said 200 Negro autoists volunteered to get other Negroes to and from work.

Although he would not concede that the purpose of the pool was to "keep Negroes from" patronizing the bus company, the witness did say its function is to provide transportation for those "who want rides in preference to riding the buses."

He said the committee worked out a detailed list of "dispatch" stations to get Negroes to work in the morning and "pickup" stations to get them home at night.

Are Gandhi's Principles At Work in Montgomery?

P. 6 Courier Sat. 3-10-56

By HAROLD L. KEITH
(Courier Staff Writer)

Pittsburgh, Pa.

Two of the highest principles to which mankind subscribes have been introduced into the Montgomery (Ala.) boycott and thus bring to mind the little brown man of India who showed the world during the turbulent first half of the twentieth century that "love" and "truth" are formidable weapons against evil.

Mohandas Karamchad Gandhi, who was known to his intimates as "Bapu" and to the rest of the world as "Mahatma," often answered questioners that truth is "my sole objective" in explaining his tireless battles on behalf of oppressed India.

The preachers of Montgomery, Ala., have brought into play the same set of values that the late Mr. Gandhi used.

Mr. Gandhi, a disciple of the principle of "non-violence" or "ahimsa" was led along this path by his intensive readings into the New Testament of the Bible and the Bhagavad Gita, the Holy Book of Hinduism.

He once stated, "When I read in the Sermon on the Mount such passages as 'Resist not him that is evil, but whosoever smiteth thee on thy cheek, turn to him the other also' . . . I was simply overjoyed."

Gandhi felt that non-violence was impossible without a living faith in God. A non-violent man can do nothing save by the power and grace of God.

"Without it, he won't have the courage to die without anger, without fear, and without retaliation."

The principle which Gandhi stressed to motivate the Indian nation's non-violent campaign for independence from British rule was that of satyagraha or "insistence on truth."

SATYAGRAHA STEMS from the Sanskrit language of ancient India. Brokn down it stands for "truth" through "satya" and "insistence" through "agraha."

The weapon used by Gandhi was that of "hartal" which means literally, "stoppage of business" or "boycott." Gandhi felt that the way to reach truth is through love. He said that evil must be opposed but not by making the evildoer suffer. In his words, one must influence the evildoer to change his ways by undergoing suffering oneself . . . even if need be, unto death.

According to the Vedic scriptures of the Hindu faith, truth (dharma) is equivalent to ritual correctness and propriety, not conformity.

WHILE IN South Africa, protesting against the status of indentured laborers in 1893, Gandhi developed his non-violent techniques.

The ministers of Montgomery, Ala., may or may not have been inspired by this little brown man . . . who was slain by a bullet fired by a Mahasabha extremist, but they are most certainly adhering to his principles.

Likewise, Montgomery's 42,000 Negroes have showed a willingness to suffer by walking to work for truth.

BOYCOTT LAWYER FINED

Commercial Appeal Sat. 8-4-56 322

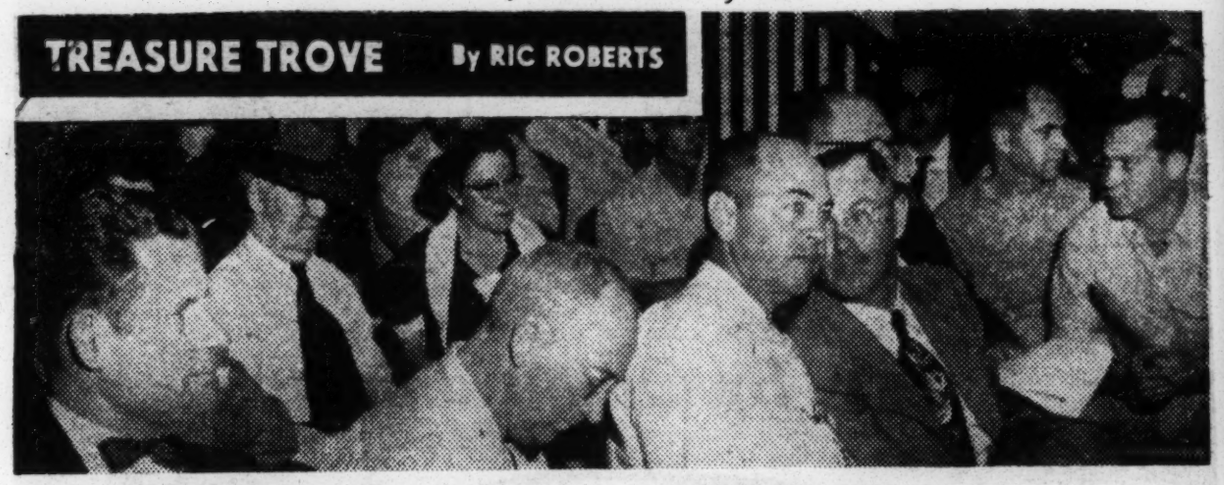
Negro In Bus Case Is Found Guilty Of DWI

MONTGOMERY, Ala., Aug. 3. —(UP)— A Negro attorney active in the bus boycott court suits here was found guilty Friday of drunken driving and fined $100 in Recorder's Court.

Attorney Charles D. Langford received the fine after Judge John B. Scott took the case under advisement Thursday.

Attorney Fred Gray, another figure active in the boycott fight, was Langford's legal representative. Gray appeared before the judge to hear the brief decision and then immediately filed a motion for appeal.

TREASURE TROVE By RIC ROBERTS



DIXIE WHITES OFTEN HATE LIKE A PEOPLE HOBNOBBING WITH DOOM

THE SHADOWS OF CHRIST, GANDHI

Courier P. 2 Sat. 3-10-56

Has History Overtaken Us?

Pittsburgh, Pa.

THOSE among us who are constrained to believe the "American Dilemma" will not be resolved short of twenty years more, in the least, may find it strange and absolutely incredible if, as appears, the hand of destiny, at Montgomery, is beckoning our generation, both colored and white, to shoulder the Cross which each of the last two generations, in turn, held at arm's length. European philosopher-historians long have diagnosed the infectious social wound which restrains American democracy and, upon mature deliberation, decided it must prove fatal (as it almost did in the States' Rights War 1861-1865) unless sterilized, at long last, by the elixir of Christianity.

GANDHI
. . . the lion quit

Henry Thomas Buckle and Arnold J. Toynbee, in their monumental works of history, have constantly predicted that the Negro's answer to disinheritance, in America, would be invincible only if indoctrinated with Protestant ethic. Born without a positive intellectual tradition, we have been unable to correctly interpret such postulations.

Dr. Buckle, in 1841, said our proper religious function was to find new concepts for Christianity. In 1941, Dr. Toynbee, another Englishman, was more direct, saying: "If the miracle (of kindling the ashes of Caucasian Christianity) were indeed to be performed by an American Negro church, that would be the most dynamic response to the challenge of social penalization that had yet been made by man."

At Montgomery, Alabama, history threatens to overtake us, in this generation, here and now, under the initiating sponsorship of the Rev. Martin L. King and the First Baptist Church . . . shepherding 40,000 forlorn souls.

A gentle, non-violent protest, as launched by the Rev. Mr. King and his ministerial contemporaries, finds its highest expression in the Christian religion. It is an invincible method for seceding from illegal, administrative jim crow as affects the Montgomery bus system. Prayer and God are wonderful allies for humankind . . . and both seem to comprise basic foundation for the Montgomery boycott.

Here, of a sudden, the precepts of Jesus Christ and Mohandas Gandhi loom level with our world . . . forcing pause upon Dixie whites who are working with demonic determination, to preserve, in the South, the very type of civilization they are denouncing in the world at large. We should remember that Gandhi, alone among mortals, twisted the tail of the British Lion with simple, religious ethic . . . a feat which Philip's Spanish Armada, Bonaparte's uncanny legions, Hindenberg's furor titanicus and Hitler's wehrmacht,

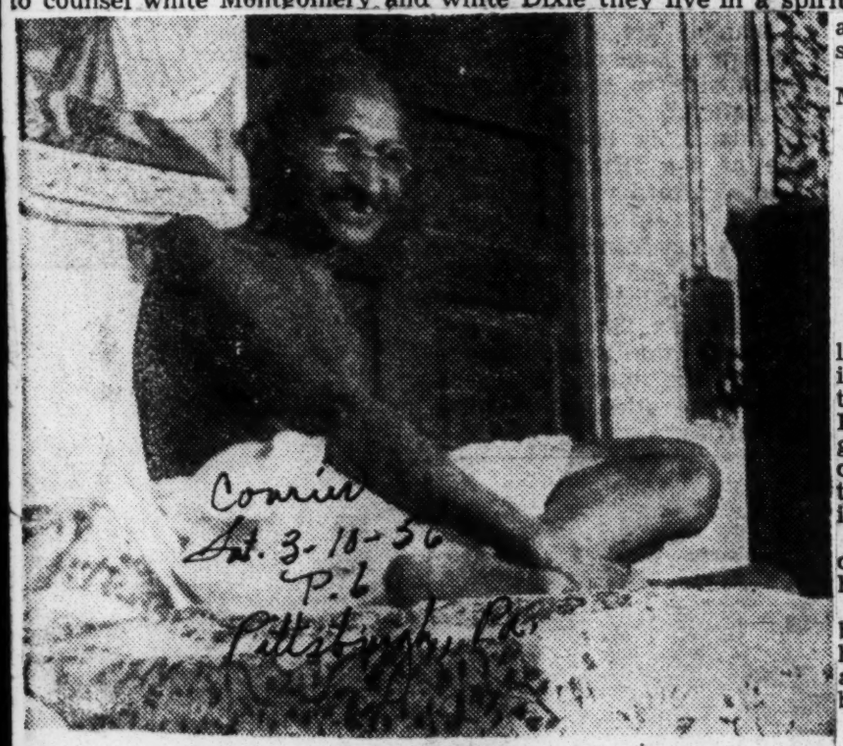
in turn, found impossible. Terrifying power lurks in the Christian-inspired philosophy of gentleness!

The Montgomery spark, kindled when a tired, humble woman was forced to vacate her seat in favor of white Montgomery school children, may eventually power spiritual light for the whole American nation.

The unexpected turn of events has driven official Montgomery into legal quicksands. The whole truth resides in a Pittsburgh Post-Gazette editorial, February 25, to wit: "There is absolutely no excuse for the arrests of Montgomery Negroes whose only offense is to advise their followers not to patronize a public bus line that discriminates against them."

Before white Montgomery agrees to surrender nineteenth century barbarism, in exchange for twentieth century humanitarianism, violence may be perpetrated. The British jailed Gandhi, at Poona, India, as recently as 1944; but the gleam which first flamed in his eyes, from the moment of the Amritsar massacre, in 1919, did not dim until twenty-eight years later, in August, 1947, India was freed by a Britain which no longer could endure its own conscience.

The Montgomery movement, at once religious, political and economic, is beautifully ploughed up soil; leaving administrative white Montgomery to search its soul and, eventually, to counsel white Montgomery and white Dixie they live in a spiritual vacuum.



THE LATE MOHANDAS KARAMCHAD GANDHI
. . . after the Sermon on the Mount, joy

Courier Sat. 3-18-56 P.6 Pittsburgh Pa.

Pastor voted out, 40-0—

Congregation ousts bus boycott figure

MONTGOMERY, Ala., June 18—(AP)—Dissention within a Negro church congregation resulted last night in the ouster of the minister who had played a controversial part in Montgomery's Negro bus boycott.

By a 40-0 vote with a number of abstentions, the congregation of the Bell Street Baptist Church decided to remove the Rev. U. J. Fields.

The 25-year-old minister was not available for comment.

Mon. 6-18-56

ADELL ROBINSON, chairman of the board of deacons, said the vote was "the only thing we could do to satisfy the membership." He said dissatisfaction in the congregation that had existed for "quite a while" might have been brought to a head last Monday when Fields criticized boycott leaders.

THE PASTOR told reporters then that funds of the Montgomery Improvement Assn., coordinating agency for the boycott, were being misappropriated and its leaders subordinating the anti-segregation protest to personal interests.

Both charges were denied by MIA officials.

Another congregation leader, who refused to be identified, said the "false charges" were the direct cause of the ouster. He said Fields told the congregation just before it voted that he had been misquoted in details of his charges but stood by the substance.

The preacher had been in public trouble with his parishoners in mid-March when a group tried to turn him out of his pulpit. Fields said at the time a small group disapproved of his boycott activities. Until his resignation last Monday he was recording secretary of the MIA.

The church leader said the congregation dropped by about half after the March dissention.

Two fire engines and an ambulance were called to Fields' home Thursday night on a false alarm that police said might have been intended to harass him.

Negroes in Miami reject boycott idea

MIAMI, Fla., June 18—(AP)—Negroes have rejected the idea of a boycott to force integration on Miami's buses.

Instead, said leaders of the National Assn. for the Advancement of Colored people, they will file suit in federal court challenging the constitutionality of Miami's bus segregation laws.

A RESOLUTION condemning bus boycotts as "untenable" was adopted at a mass meeting of about 400 Negroes, including NAACP leaders, yesterday.

The resolution said bus segregation is outdated, that Miami Transit Co. should employ Negro drivers on predominantly Negro lines, and that legal action should be started to end bus segregation.

G. E. Graves Jr., attorney representing the NAACP, said he will file the suit "very soon."

E. L. DAVIS, Graves' law partner, said the fight is not with the bus company but "it is with the people who pass and refuse to revoke segregation laws."

Davis added:

"We intend to fight the laws and the best approach is through federal court."

Bus-Boycott Parties Sued By Detectives

MONTGOMERY, July 20 (AP)—Two city detectives whose squad car was involved in a wreck with a station wagon used to carry bus boycotting Montgomery Negroes filed suit today for $1000 damages each.

Named defendants were Alberta James, who was driving the station wagon at the time of the accident on a downtown street May 23, the Hutchinson Street Baptist Church which owns the wagon, and the Montgomery Improvement Assn. which operates the car pool transportation system the Negroes have adopted to replace segregated city buses.

Detectives Jack Shows and K. W. Jones claimed "severe personal injuries."

Bus boycott lawyer accused of drunk driving

MONTGOMERY, Ala., July 18—(AP)—Charles D. Langford Negro attorney active in Montgomery's long bus boycott, was arrested by city police this morning on a charge of driving while intoxicated.

Asst. Police Chief Marvin Stanley said a report by Arresting Officers A. E. Bland and C. R. Ross related they stopped Langford shortly after 2 a.m. because of what they called improper driving. He was taken to jail then on the drunk driving charge.

Langford was released on $200 bond and a hearing in Traffic Court set for July 26.

SUPREME COURT GETS ALABAMA BUS ISSUE

Appeal

Overturn Of Integration Decision Is Requested

Tue. 8-24-56

CITY, STATE HEADS ACT

Highest Court Asked To Upset Alabama Bus Segregation

Constitution Atlanta, Ga. Fri. 8-24-56

WASHINGTON, Aug. 23 (UP)—The Supreme Court was asked today to overturn a decision that outlawed racial segregation on the city buses of Montgomery, Ala.

A boycott of the bus system by Montgomery Negroes has been in effect for many months. They won a decision in a special three-judge federal court last June 5 that state and city laws requiring separate seating of the races are unconstitutional.

The lower court ordered both the Montgomery Board of Commissioners and the Alabama Public Service Commission to stop enforcing the laws.

Today's appeals were filed by Walter J. Knabe, Montgomery attorney on behalf of the board and by State Attorney General John Patterson for the commission.

Patterson argued that the state commission has never sought to enforce segregation on Montgomery city lines because the state motor carrier law does not apply to vehicles operating wholly within city limits.

He said the lower court itself recognized this fact but said involvement of the state commission in the case "would be harmless . . . even if erroneous."

"We most emphatically disagree," Patterson said.

He contended that the commission has a right to be free of such court orders and the costs of appealing them.

Knabe argued that the federal court had no jurisdiction in the situation.

WASHINGTON, Aug. 23.—City and state authorities Thursday brought the celebrated Montgomery, Ala., bus segregation dispute to the Supreme Court.

Attorneys asked the court to overturn the decision of a special three-judge Federal court last June 5 which struck down state and city statutes requiring separate seating of whites and Negroes.

The appeals were filed by Walter J. Knabe of Montgomery on behalf of the city Board of Commissioners and by state Atty. Gen. John Patterson for the Alabama Public Service Commission.

Convenes Oct. 1

The court, now in recess, convenes for the 1956-57 term on Oct. 1. But it will not act in the case until the other parties to the lawsuit, a group of Negro riders, have a chance to answer the appeals.

The lower court ordered both the city board and the state commission to cease enforcing the segregation laws.

Mr. Patterson argued that the state commission has never sought to enforce segregation on Montgomery city lines because the state motor carrier law does not apply to vehicles operating wholly within city limits.

He said the lower court itself recognized this fact but said involvement of the state commission in the case "would be harmless . . . even if erroneous."

"We most emphatically disagree," Mr. Patterson said.

He contended that the commission has a right to be free of such court orders and the costs of appealing them.

Mr. Knabe argued that the Federal court had no jurisdiction in the situation. But he said even if it did, it should have held off until the constitutionality of the laws were tested in state courts.

Mr. Knabe said the bus facilities were unquestionably equal for both races. He challenged the complaint that enforced separation is a violation of the "equal protection of the laws" guaranteed in the 14th Amendment.

"The intangible factors which the Supreme Court considered most relevant in the school segregation cases are not present with equal force in this bus case," Mr. Knabe said.

Lawsuits Failed

"Moreover, certainly in so mundane a field as public transportation if a state provides equal physical facilities and equality in other tangible factors, it should be left to its own devices so far as police power and legislation are concerned."

The case started when attorneys filed a complaint against the city and state on behalf of Negro riders and asked for establishment of the special three-judge court.

Negroes have been boycotting the Montgomery buses for many months. Lawsuits against ringleaders have failed to stop the movement.

Letters From Readers

Views on Alabama Case

World-Telegram + Sun P. 26

Political Implications Seen In Cases of Racial Tension.

By Allan C. Brownfeld. Fri. 3-9-56

The boycott in Montgomery of the segregated bus facilities, outbreaks of violence on the campus of the University of Alabama, refusal by the University of Mississippi to permit guest speakers to discuss the issue of segregation, the killing of an NAACP leader in Georgia, the murder of 14-year-old Emmett Till in Mississippi, all go to show that one of the major issues in the 1956 Presidential campaign will be that of civil rights.

The only conclusion to be drawn is that the Negro vote is moving in the direction of the party which answers the call of civil rights and liberties with action—not words.

Brooklyn.

New York, N. Y.

By Arthur E. Wynn.

I wonder whether Presidential aspirant Adlai Stevenson thinks he can fool all the people all the time?

One day he urged our President to summon a meeting of Southern Negro and white leaders in a national effort to allay racial tensions. Later I assume he was afraid of losing the electoral votes of the solid Democratic South, for he said the North should put its own house in order before casting a stone at Alabama.

Forest Hills.

Federal Government Urged To Prevent Mockery of Laws.

By Adolph Arm.

What has occurred in Alabama is a blot on our American ideals. We have lost prestige all over the world and Communists have had a harvest for their propaganda mill.

Our federal government should take a strong stand, otherwise a mockery is made of our national laws and the Supreme Court.

Manhattan.

Northerners Urged to Lend Encouragement to Boycotters.

By Rev. Ralph Lord Roy, Edward White and Rev. Robert Lee,
Union Theological Seminary.

While the Negroes of Montgomery battle in a magnificent way for decency and justice, there is at least one little move that thousands in the North can make. We can send letters of encouragement to the boycott leaders, c/o the Rev. Ralph D. Abernathy, 309 South Jackson St., Montgomery, Ala.

Manhattan.

Meddlesome Minds Rebuked.

By Sam R. Fisher.

The Negroes were freed in 1865. These people could have emigrated from the South had they wanted to. Meddlesome minds had best concern themselves with their own local problems.

Houston, Tex.

'Is It Democratic to Force Integration on Country?'

By M. R. Blake.

With reference to the commotion at the University of Alabama, have people forgotten what happened when the prohibition law was passed? That, too, was unpopular all over the country. Why should we Northerners get so fussed up now?

I'm good and tired of the people who are so noble about being democratic. The colored people want to be integrated and the white people don't want to be. Is it democratic to force integration?

Manhattan.

Northern Student Hurt By Adverse Publicity.

By Robert Topas.

A Northerner from Forest Hills, I am defending a Southern school. I am a senior in the School of Commerce and Business Administration at the University of Alabama, a university that I am extremely proud to be a member of.

The tremendous amount of adverse publicity concerning the Autherine Lucy case hurts me as well as the rest of the student body.

Tuscaloosa, Ala.

Urges All U.S. Walk to Work In Step With Montgomery Negroes.

By Donald B. Allen

I have been tremendously impressed by the simple dignity of the Montgomery Negroes in resisting discrimination by simply walking to work. Their unwillingness to resort to violence and their resort to prayer is an example for all of us.

I suggest that one day be selected next month when everyone in America agrees to walk to work. This would show the world that the overwhelming majority of us are in step with the Montgomery Negroes.

Baldwin, L. I.

Reader Asks Whether Coed Seeks to Create Racial Split.

By Margaret H. Lyon.

Your articles regarding the tragic racial disturbances in Alabama have been read with interest, but you may be able to tell the public why this 26-year-old colored woman (a little old for college) attempted to enter the University of Alabama in the face of many other colleges offering scholarships. Does this not clearly show that it is not education she seeks, but that her one object is to create racial disturbances?

Another point is the complete injustice of a blanket law covering all states on an issue as serious as this. Laws regarding liquor, which is in no way as paramount as the race question, are left to each state.

Manhattan.

Conviction Desired

Reactions to Trial Of Rev. King Vary

Courier P. 1 (part) Sat. 3-31-56

By EVELYN CUNNINGHAM

MONTGOMERY, Ala.—Nobody—but nobody—was opinionless following the boycott conviction of the Rev. Martin Luther King Jr. Many weren't saying what they thought but, for the most part, there was wide and free discussion of the trial.

Pittsburgh, Pa.

Later that evening, at a mass meeting in the Holt Street Baptist Church, Dr. King declared that "Maybe the idea of freedom in the Southland will be born right here in the cradle of the Confederacy."

Sat. 3-31-56

He told the hymn-singing audience that "freedom doesn't come on a silver platter. Some of the things we have to go through are a necessary part of our campaign. There can never be growth without growing pains."

State Solicitor **William Thetford had no comment after the trial. "We don't do much commention around here," he said with a wide smile.**

Dr. Lawrence Riddick of Atlanta University said, "If I said what I think they'd hold me for contempt of court."

R. H. Shores, a contractor and builder of Montgomery and father of Defense Attorney Arthur D. Shores, felt that despite the verdict, defense attorneys did a "wonderful" job in the manner in which they handled the case.

The Rev. Ralph O. Abernathy, second man in the protest and pastor of First Baptist Church, said "I expected something like this. It will only strenghten our cause, give our people the added determination to fight it through to the Supreme Court. In the beginning we were confident we were conducting our protest within the confines of the law and we are still of that opinion."

Congressman Charles Diggs of Detroit, Mich., observed, "This again makes it abundantly clear that there is one kind of justice for whites and one kind for Negroes in the South."

Frances Rutledge: "I'm kinda hot now, so I ain't gonna never get on no bus as long as I stay black."

Mrs. Cleonia Taylor: "I've never been so disgusted in my life."

Miss Peggy Taylor: "I'm mad."

Thomas Jenkins: "It's no more than I expected. I've been working around this place (the court house) for the last twenty-five years. And I can just about tell what they'll do in court."

John Graham: "I prayed all night for a conviction. This way, it's better for us. If they'd let him go, we'd'a lost in the long run."

W. L. Wilkins: "I think it's rotten."

Mrs. Mentha Johnson: "We're still happy, still in the protest and we're still going to be Christian about it."

L. J. Burton: "One of the worst things I ever heard in my whole life."

Unidentified Lady: "All I can say is the buses are gonna dry rot now."

"Supporting boycott" of LATL promised Alabama

Los Angeles, Calif.

A "supporting boycott" of Los Angeles Transit Lines will be urged "within a few weeks" if demands of the Montgomery bus boycotters are not met, Manuel D. Talley, action director of the National Consumers Mobilization, announced today.

Talley, who went to federal prison as a conscientious objector during World War II, announced that his organization has written a letter to the Rev. Martin Luther King, leader of the Montgomery boycott, advising him that "You may count on us for a withdrawal of patronage from the Los Angeles affiliate of National City Lines if your just demands are not set soon.

"If you can walk, we can walk," Talley said he told the Alabama leader.

National City Lines, which owns the Montgomery company outright, owns 59 percent of the stock in Los Angeles Transit Lines.

During World War II, E. C. Houghton, president of LATL, headed the Montgomery company.

Last week, in Chicago, where the branch Naacp did the research which disclosed part or whole ownership by National City Lines of bus and trolley systems of 40 cities in 17 states, a one-day boycott was proposed by a provisional committee, to demonstrate sympathy for the Montgomery boycotters and to help achieve their anti-discrimination goals.

In addition to LATL, Natonal City Lines owns, or owns an interest in, the public transportation systems of more than 10 California cities.

In addition to Talley's announcement, action against National City Lines was taken on the local front by a delegation of citizens waiting on Houghton and urging through him that the giant trust "immediately hire" Negro drivers in Montgomery and "take a positive stand against jim crow seating."

Taking part in the meeting were Sidney Moore, field organizer, Local 347, AFL-CIO Building Service Union; the Rev. George Cofield, pastor, Mt. Corinth Baptist church; the Rev. V. J. Waldron, pastor, Evangelical United Brethren church; Mrs. Willie Thomas and James Burford, Florence FEP committee; Herschel Chubb, Building Service Union.

While admitting that the Montgomery situation is causing National City Lines, of which he is a director, "grave concern", Houghton blamed the union refusal to admit Negroes for the company's failure to hire them, and Alabama segregation laws for jim crow seating.

National City Lines is presently being sued by the Naacp, along with the Montgomery City Council to outlaw the segregation.

Patronage of the Montgomery buses has fallen off to the point where the NCL may give up its franchise there, Houghton was reported as stating.

In a letter to the Rev. Waldron, referring to the leaflet he co-sponsored; "A Call to Action to Support the Courageous People of Montgomery . . . ", Stephen O'Donnell, director of public relations for LATL, sought to turn protest against National City Lines away from the local company and to Chicago where the head office is located.

O'Donnell marshalled interracial experiences of LATL to demonstrate "our attitude here" even though the local company's "attitude" was not questioned.

He recalled that 10 years ago, after employing minorities "for many years" as track workers and in company shops and stores, "we decided to employ Negroes . . . as operators.

"As of Mar. 4, the company employs 161 Negro operators out of a total of 1421."

O'Donnell noted that "Negro operators have won their share of awards given for the measurable aspects of performance, such as safe driving . . . courtesy. . . ."

LATL is "grateful", O'Donnell added, "that we do not have to contend with the problems facing Montgomery. . . . "

While commending the local community for 'admirable restraint in the methods selected . . . expressing support for . . . Montgomery," the trolley executive added:

"But I hardly think it would help the Montgomery Negro community to achieve its objective, in fact, I believe it would further handicap them, to draw Los Angeles Transit Lines into this controversy in any way."

Editorial

Courier 4-11

March Twenty-eighth: Cash Wednesday

Pittsburgh, Pa.

Sat. 3-24-56

Ash Wednesday came this year on Feb. 15; Cash Wednesday comes on March 28, a day of universal prayer for the success of the unprecedented bus boycott by the heroic Negroes of Montgomery, Ala., and a day when every American Negro should give one hour's pay in support of that boycott.

A decisive battle of pride and principle is being fought out on the plains of southern Alabama, with courageous and determined Negroes seeking full citizenship status on one side and the supporters of vicious tradition on the other.

On Dec. 5, 1955, the freedom-loving Negro citizens of Montgomery, first capital of the erstwhile Confederacy, rose in indignation over the persecution of Mrs. Rosa Parks, a colored woman of finest character and culture, who refused to give up her seat to a white man in a local bus, and was arrested and fined for her courage.

Montgomery Negroes who honor their womanhood and are sick and tired of being pushed around as second-class citizens, revolted against this vicious tradition, which began immediately after the territory was stolen from the Alabama Indians of the Creek Confederacy and became a Negro slave state in 1819.

Montgomery Negroes refused after Dec. 5, 1955, to ride the city buses which, because of state jim-crow laws, are symbols of all the insults, discriminations and persecution to which they have been subjected for generations.

This historic demonstration has cost the 50,000 colored citizens of Montgomery, Ala., much effort, time and money, but they have never faltered one instant, and the costly bus boycott goes on to the admiration of the entire world.

On March 28, the Negroes of the United States and their white friends will repair to their houses of worship and pray to God for the success of this dramatic demonstration of manliness in Montgomery, and for the souls of white folk who blindly insist on perpetuating the hateful customs deriving from chattel slavery.

But along with that great **spiritual demonstration** (which will certainly be without parallel in American history) it is necessary for every Negro who is proud of his people and hates the trappings of slavery which smother them, to give **material** evidence of his interest and sincerity.

An economic battle must be fought with economic ammunition: that is to say, coin of the Republic, dollars and cents, so that the fight may be pressed to a successful conclusion; and the call is for every American Negro on March 28 to send one-hour's pay to the Montgomery Improvement Association, c/o Rev. M. L. King Jr., Dexter Avenue Baptist Church, Montgomery, Ala.

That money will be used by the association to bankroll the militant opposition to insulting jim crowism in Montgomery and everywhere in the South, and thus speed the day when American Negroes everywhere will finally be free.

Today our people are 96 per cent employed, with a larger working force percentage-wise than whites, they are getting the highest wages in their history, and they have no excuse for failing to help.

Make out your checks or U. S. money orders for one hour's pay and mail it **NOW**—then pray to God on March 28 for a truly free America!

2500 Orleanians Turn Out To Give Aid To Montgomery Case

Weekly Star Orleans La.

Sat. 3-24-56

By Cleveland Williams

A throng of more than 2500 Orleanians crowded Union Bethel Methodist church last Sunday singing, praying and raising a financial offering in excess of $3000 in a mass sympathetic demonstration to assist the bus boycotting ministers and citizens of Montgomery, Ala., in their struggle for justice and fair play.

The large gathering, many lined in the street because of the lack of standing room, were told that "the time is out for segregation of any kind" in a passionate plea by the Rev. A. L. Davis, Jr., president of the N. O. Interdenominational Ministerial Alliance, the principal speaker. The rally was sponsored by the Alliance.

The Rev. Dr. Davis pointed out that today, as in the early phases of our American history, "where there is unity there is strength." This is demonstrated in Montgomery where more than 100 days Negroes on the "grass root leader level" have used the non-violent democratic way to illustrate their demand for ending "Jim-Crow" in public transportation, he explained.

"It is Montgomery today," Dr. Davis observed, "but it could be any place else tomorrow, even here in New Orleans. Negroes here have been tired for years of sitting behind screens and standing up when there are numerous vacant seats elsewhere on the bus. What are we going to do about it in New Orleans?"

Amid repeated applause, the smooth-toned speaker continued:

"The citizens' council of New Orleans, inspired by Leander Perez, is asking for 50,000 whites to join hands in fighting integration, and today I am issuing the call to 100,000 Negroes in this vicinity to rise up and let Perez and his followers realize that the time is out for segregation and all that this evil monster stands for, and in keeping with the United States Supreme Court decision, we will fight to run it from the land."

"How will we fight?" he asked.

"We are going to fight on our knees," he cried, "and with the dollar bill." (A chorus of "Amens" and applause greeted the popular religious leader.)

Reading from a recently published white citizens' council pamphlet on "Segregation or Disintegration" calling for organization or destruction, the Rev. Mr. Davis called for "Integration and Organization" through legal means for all American citizens.

"Religion must meet the crisis of our day," he emphasized. "With work afoot to destroy the NAACP in Louisiana, the Church must unite its strength and continue the fight for freedom. If we in the United States are to be the leading nation of this world, all of its citizens must be full Americans in every sense of the word . . . and not on a part-time basis. The passage way to this has been opened by the nine Supreme Court judges, and we, as Negroes, must go forward."

He labeled the organizers of the citizens' council today as the same leadership of yesteryears who told black Americans to be law-abiding citizens while they use all sorts of trickery to flaunt and defy every effort Negro citizens attempt to follow the letter of the U. S. Constitution and Supreme Court.

Praising the progress made by the NAACP in the South, Rev. Davis said: "If our country is to maintain leadership of democracy in this world, then we must be Americans free from segregation," noting that Negroes here will never forget the progress made by the Louisiana NAACP chapter.

Sat. 3-24-56

Rev. Davis concluded by asking that churches take leadership and fight through prayer and dollars.

The final appeal was laid by the Rev. Morris Burrell. The response was heartwarming with women setting the pace, followed by professional leaders, ministers, a host of young people and many others in the endless parade which lasted for more than an hour.

Tears filled the eyes of many as an elderly paralytic making a vainless effort to open her purse was rescued by a man nearby. Asked how much did she want to put into the collection, she smiled: "Take what you want . . . all if necessary."

The Rev. P. W. Raphael, president, First District Baptist association, was master of ceremonies. Others participating on the program were the Rev. W. W. Creecy, president, Liberty Missionary Baptist and Education association; the Rev. T. N. Washington, pastor, Second Baptist church, and the Rev. R. D. Sherard, Beecher Memorial Congregational.

(In Cleveland, Ohio, last week citizens of all races and creeds rallied to the cause, raising $7,000 for the Alabama bus boycotters.)

Locally, the total Sunday represented an incomplete report. It is believed that the actual amount will be disclosed during a special meeting Thursday of the Alliance, according to the Rev. Davis. The group will meet at the YMCA.

During the meeting Sunday, newsmen observed many persons unable to gain admittance into the jammed church sending contributions in relays from the sidewalk, marking one of the few times in city history that Orleanians have responded in such an organized manner.

Observers felt that the same sense of wanting to do something should be carried over into a mass drive to get more Negro citizens registered so that ballot-wise the Negro can put officials in office who will uphold the laws of the land.

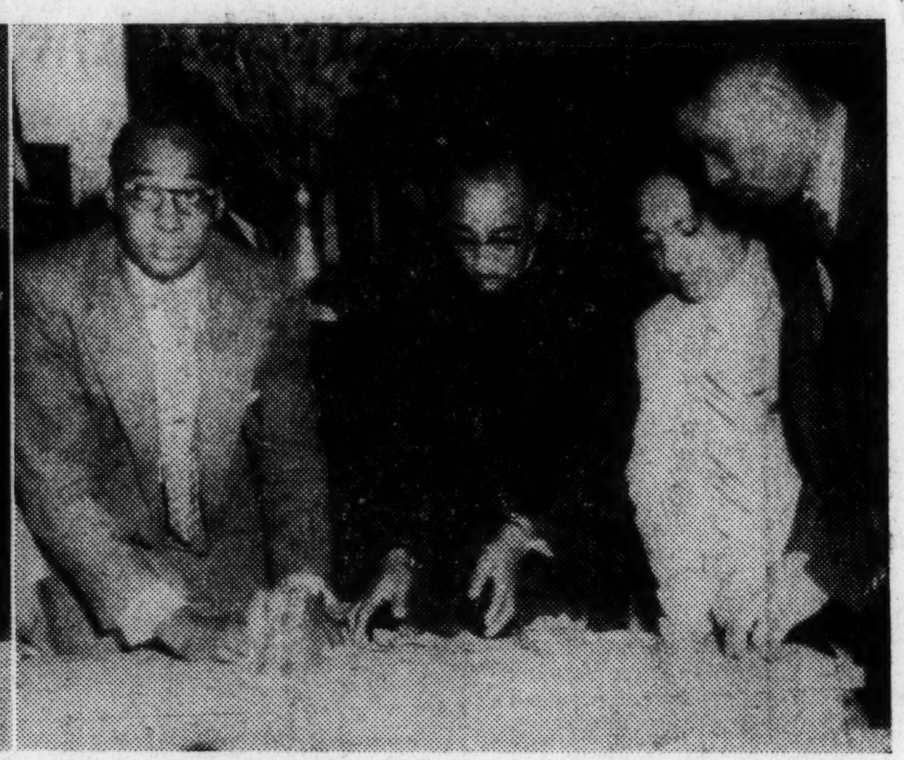
Music was furnished by the Union Bethel choir.

N. O. Ministers Rally Orleanians

Weekly Star Orleans La. 3-24-56

Scores of "Freedom starved" local citizens filled Union Bethel church to capacity last Sunday in an afternoon of prayer and financial offering to prove to the world that they are interested in the welfare of the Negro citizens of Montgomery, Ala., who are presently locked in the common struggle for complete freedom. The program was sponsored by the New Orleans Interdenominational Ministerial Alliance headed by Rev. A. L. Davis, Jr., seated right in the first scene after completing his stirring appeal, and seated next to him is the Rev. Scott Chinn. The second picture gives a cross-section view of the huge, attentive gathering. The third photo catches the orderly fashion in which persons filed to the collection tables, leaving contri-

In Struggle For Complete Freedom



butions. In the background of the same scene are (left to right) the Reverends Morris Burrell, Thomas Washington and P. W. Raphael. In the final scene are leaders tabulating the downpour of contributions. It took more than an hour for the collection process to be completed. Pictured are an unidentified minister, Rev. G. N. Collins, Marcus Neustadter, and the Rev. Sloan. Speakers during the session agreed that no form of violence should be employed in this "all out" effort to combat the evils of segregation. The Rev. Davis significantly pointed out that in "Louisiana $100,000 has been appropriated by the state legislature, tax monies of yours and mine, to tell us that we, Negroes, are second-class citizens. We face a crisis and the quality of our strength is now being tested."—(Staffer Jim Hall Photos.)

Set Deadline To End Ala. Bus Bias

Defender 6-30-56

MONTGOMERY, Ala. — A three judge court issued an injuction last week ordering an end to bus jim crow in Montgomery and the state of Alabama by June 29.

The injunction was handed down by the same federal jurists who on June 5 invalidated the state and city bus segregation laws.

Effective date of the injunction was withheld 10 days, however, to allow for an appeal. If no appeal is forthcoming then the injunction will go into effect automatically.

STUDY APPEAL

Officials said they would have to study the situation before deciding whether to appeal the case directly to the U. S. Supreme Court.

Negro attorneys who won the legal battle that came during Montgomery's half-year-old Negro bus boycott in protest to the laws also said they were uncertain of their move.

The judges said a notice of appeal during the 10-day period would keep the injunction's suspension in effect until a new suspension order can be written to last until the appeal is decided.

If no appeal is made by June 29, the injunction will automatically go into effect.

The order says:

City and state authorities are permanently enjoined and restrained from enforcing . . . statutes or ordinances requiring the segregation of white and Negro passengers in the operation of public motor bus transportation facilities in the city of Montgomery."

Judge Richard T. Rives of the U. S. Fifth Circuit Court of Appeals in New Orleans said an appeal would be a preferred case when the Supreme Court reconvenes in October because of the suspended injunction.

DELAY SEEN

Rives said if an appeal takes the case to the high court "a decision will probably not be made before early next year at the earliest."

If the decision is appealed, Rives said, Negro attorneys could then ask the Supreme Court to set aside the suspension until the case is decided.

The Rev. Martin Luther King Jr., president of the Montgomery Improvement Assn. that coordinates the boycott, said the "prevailing opinion" among members is that most of the city's 50,000 Negroes would continue to shun city buses "until some definite action is taken" to end bus segregation.

dolph, President of Sleeping Car Porters.

RIP U. S. CHAMBER

The Negro and white delegates heard Dr. T. R. M. Howard, N. A. A. C. P. board member from Mound Bayou, Miss., who appeared as a convention speaker.

Dr. Howard blasted a recent statement by Boyd Campbell, head of the U. S. Chamber of Commerce, who declared that NAACP has been responsible for stirring up trouble among Negroes in the South on the issue of desegregation. The union officials commended the work of the NAACP and urged its support by the labor movement.

Defendants in the complaint challenging validity of Montgomery city and Alabama state laws are Montgomery City Lines, which operates the city's only bus service; the City Commission, whose three members all belong to the White Citizens Council; the chief of police; two bus drivers, and the members of the Alabama Public Service Commission.

Five Negroes originally filed the suit, but the name of Mrs. Jeaneatta Reese was stricken from the complaint after she told Mayor W. A. Gayle in the presence of newspaper men that she did not know what she was signing.

The court in a 2-1 opinion ruled on the segregation issue June 5 but didn't put the order into effect. Instead, they gave the attorneys two weeks to submit written recommendations on what form it should take.

How much time after tomorrow it will take to get the order prepared wasn't known. U. S. District Judge Frank M. Johnson Jr. said there is no way to tell.

Perhaps the most significant question still unanswered is whether the panel will order city and state authorities to stop enforcing bus segregation laws in Montgomery immediately, or whether they will grant a stay of execution pending an appeal to the Supreme Court.

If they put an injunction into effect at once against continued enforcement of the laws, it will mean segregation as far as the panel is concerned must end then and there.

If they grant a stay, the order will have no effect until the Supreme Court reviews it.

But whichever course the panel takes, that action can be appealed to the Supreme Court without waiting for the merits of the case to be presented on appeal.

The city or state can ask the higher court to order a stay pending the appeal, for example. Or, if the three-judge panel grants a stay and delays its actual integration order, the Negroes who are contesting the laws can ask the Supreme Court to set it aside.

Alabama Bus Bias Laws Face Court Test Today

Herald Tribune P. 3

Fri. 5-11-56

MONTGOMERY, Ala., May 10 (AP).—Bitterly contested city and state bus segregation laws, upheld only yesterday in a state court, face another, perhaps more significant test, in Federal Court tomorrow.

A three-judge panel, whose decision can be appealed directly to the United States Supreme Court, has been convened to hear a suit by four Negroes challenging the racial barriers responsible for a mass boycott of city buses in Montgomery.

Injunction Sought

Th esuit, filed as an outgrowth of the boycott, now in its sixth month, seeks an injunction to stop city and state officials from enforcing the anti-race mixing laws, and a declaratory judgment holding the statutes unconstitutional.

Since some judicial officers, including Circuit Judge Walter B. Jones in Montgomery and the Public Service Commission in South Carolina, contend the April 23 ruling of the Supreme Court did not decide the segregation issue, the trial here may produce the first clear-cut finding by the Supreme Court.

The action of the three-judge panel can be reviewed directly by the Supreme Court, while the South Carolina case involved in the April 23 decision goes back to a lower court for trial.

Negro attorney Fred Gray, who filed the suit in court, was indicted by a Montgomery County grand jury on a charge of unlawful practice on the strength of Mrs. Reese's statement, but the charge was dropped at the request of the state.

Arrests Cited

The suit points out that two of the complaining Negroes, Claudette Colvin and Mary Louise Smith, were arrested for violating the city segregation laws. It also cites the arrest of a Negro seamstress, Mrs. Rosa Parks, which touched off the long bus boycott last Dec. 5, although Mrs. Parks is not one of the plaintiffs.

Negroes by the thousands have refused to ride the buses since the day Mrs. Parks was fined $14.

Howard Assails Sen. Eas

Defender 6-

CINCINNATI, Ohio — President Eisenhower was called upon to intervene in the six-month old Montgomery Bus Boycott to guarantee that city officials obey the recent federal District Court ruling outlawing racial segregation in city buses.

Chicago Ill.

The call to President Eisenhower was made by the 800 delegates attending the International Convention of the United Packinghouse Workers of America, AFL-CIO.

6-30-56

By convention action the 150,000-member union voted strong support for the AFL-CIO's recently launched $2 million fund to fight discrimination in the South. The "crusade for freedom project" is headed up by AFL-CIO President George Meany and AFL-CIO Vice-President A. Philip Ran-

bus boycotters "until victory is won."

Huger has just returned from a visit to Louisiana, Alabama, Georgia and Tennessee where he talked with Alpha members who are engaged in the racial struggle in the South.

He talked with Rev. M. L. King, a member of the fraternity, and one of the leaders of the Montgomery bus boycott; in Birmingham he discussed the Autherine Lucy case with another Alpha member—Atty. Arthur Shores, Miss Lucy's lawyer.

Speaking of the "supreme sacrifice Shores is making," Huger said:

"His life must be guarded, his family must be guarded; he can't even have a telephone in his home in this land of ours where the Constitution states all men are created equal."

Huger talked with members of the fraternity in each state he visited. One of the persons was Dr. Arthur D. Gray, president of Talladega College in Alabama.

Recently a cross was burned at the home of the minister who is pastor of a white church where Gray had been invited to speak.

In a letter to all members of Alpha Phi Alpha Fraternity, Huger said:

"We (the fraternity) have a challenge to continue in our efforts to make total integration a reality. No longer can we be satisfied to let the brother in Mississippi, Alabama, Georgia or South Carolina fight his battle alone, for his battle is our battle."

Alpha Official Urges Weekly

Weekly 8-5

It's Attorneys' Move In Segregation Case

Post-Herald P. 1

Tues. 6-19-56

MONTGOMERY, June 18 (AP)—Opposing lawyers have until tomorrow to tell a three-judge federal panel what they think the next step should be in a decision outlawing bus segregation in Montgomery.

Birm. Ala.

After that the panel which has ruled city and state bus segregation laws unconstitutional will write a formal order carrying out that decision.

Contributions To Bias Fight

Sat. 3-17-56

Chcago (ANP). — James E. Huger, general secretary of Alpha Phi Alpha Fraternity this week urged all members of the organization to "give at least one hour's pay each week" to aid Alabama

BEFORE 3-JUDGE COURT

Hearing Scheduled May 11 On Anti-Segregation Case

A federal suit attacking the consitutionality of local and state laws requiring racial segregation on buses has been set for hearing on May 11.

Federal Judge Frank M. Johnson Jr. informed attorneys that evidence in the case will be heard by a three-judge court.

Johnson, a member of the three-judge panel, said evidence will be heard before any motions to dismiss the suit. They are expected to be filed by the defendants.

Defendants named by four Negro women who brought the action on Feb. 1 include members of the Montgomery City Commission, the Alabama Public Service Commission, Police Chief G. J. Ruppenthal, Montgomery City Lines Inc., and two bus drivers.

The Negro women charged that current city and state laws requiring racial segregation on public transportation violated rights guaranteed them under the 14th Amendment to the U.S. Constitution.

Members of the court, in addition to U.S. District Judge Johnson, of Montgomery, will be U.S. Circuit Court of Appeals Judge Richard T. Rives of Montgomery and U.S. District Judge Seybourn H. Lynne of Birmingham.

The federal suit is the second of its type filed by Negroes in the South seeking to declare unconstitutional existing transportation segregation alws.

LEADER OF BOYCOTT DRAWS FINE OF $500

Negro Pastor Planning Swift Appeal— Trials For 89 Others Delayed

By The Associated Press

MONTGOMERY, Ala., March 22.—The first of the Negro bus boycott leaders, Rev. Martin Luther King Jr., was convicted after a four-day trial Thursday.

Defense attorneys immediately began an appeal that may lead ultimately to the United States Supreme Court.

Rev. King, 27-year-old pastor of Dexter Avenue Baptist Church in Montgomery, was fined $500 for violation of Alabama's seldom-used anti-boycott law for his part in the 17-week-old boycott against segregated city buses.

The fine was suspended, however, after Negro defense lawyers served notice of appeal. They have said they will take the appeal to the United States Supreme Court if the state appellate courts uphold the conviction.

$500 In Court Costs

Court reconvened a short while later and King also was charged with court costs of about $500 in addition to the fine.

Under a formality of court procedure, however, the fine and costs were converted into a jail sentence since he chose to appeal rather than pay the money. He was sentenced to a total of 386 days.

But the sentence was suspended when the defendant posted an appeal bond of $1,000.

As he left the Courthouse, the minister was cheered by waiting Negroes with shouts of "Behold the King" and "Long Live the King."

Circuit Judge Eugene Carter, presiding over the trial in the absence of a jury, could have fined King $1,000 and added a six-month jail sentence under the state law.

Other Trials Delayed

But he said he decided on a lesser penalty because it was shown in testimony the minister used his influence throughout the mass bus protest to urge his people to refrain from violence.

Circuit Solicitor William F. Thetford announced immediately after the verdict was read the state had agreed to postpone the trials of 89 other boycott defendants pending King's appeal. The 90 Negroes were indicted by a Grand Jury Feb. 21.

In a statement to newsmen following his conviction, King said the verdict "will not increase or diminish in any way my interest in the protest."

"We will continue with the protest in the same spirit," he continued, "with non-violence, passive resistance, and using the weapon of love."

There was no demonstration in the courtroom, but Negro spectators crowded around King outside as he left the Courthouse.

The minister expressed confidence to reporters Federal courts will throw out his conviction and hold the Alabama law unconstitutional.

Defense attorneys Fred D. Gray of Montgomery and Arthur Shores of Birmingham insisted in their closing arguments the state had failed to prove King committed any unlawful acts and that Negroes had a justifiable reason for refusing to patronize the bus company.

Nearly two score Negro witnesses had testified of repeated acts of mistreatment in the past decade at the hands of white bus drivers, and defense lawyers argued the boycott was the culmination of those experiences.

Gray contended the young pastor had done nothing whatever to prevent the bus company from carrying on a normal business.

Shores, on the other hand, argued the Negroes had a just cause for refusing to ride the buses and that whatever King did "he has done perfectly within his own rights as guaranteed within the Constitution."

In their pre-trial arguments and repeatedly during the four-day hearing, the Negro lawyers injected the question of Federal Constitutional rights in the trial, admittedly with a view to taking their case into Federal Court if necessary.

Mr. Thetford, in his final argument, insisted the state had proved its case and that King had been clearly identified as "the leader" of the continuing bus protest.

He described the defendant as one of a "selfish little group of men seeking power and influence among their race and seizing this opportunity."

King, testifying in his own behalf earlier Thursday, denied commission of any unlawful act and said he had never urged other Negroes even to refrain from riding the buses.

He emphasized also he had carefully steered clear of violence during the boycott, that he admonished Negroes to follow a policy of non-violence and passive resistance to opp[illegible]

Montgomery boycott Labor's fight, says union leader

CLEVELAND — Organized labor was warned in the May issue of the Butcher Workman, official publication of the American Meat Cutters and Butcher Workmen of North America, that the "anti-labor boycott law . . . being tested in Mongomery, Ala., was passed in 1921 as a strike-breaking weapon against the mineworkers . . . and is being sharpened for use against the AFL-CIO's southern organizing drive."

Writing under the title, "The Negro's Fight is Labor's Fight, too, in Montgomery", Sam Pollock, president, Local 427 here, said "The White Citizens Councils . . . and other anti-union forces . . . know that if the anti-boycott law works against the Montgomery Improvement ass'n., they can use it against organized labor. If the MIA wins, union drives get a big boost. If the MIA loses, it will be a setback for . . . organizing drives. In its own self-interest, the union movement must take a stand in the fight in Montgomery."

Because of pressure to drive wages down to the southern level . . . because of the constant threat . . . of runaway shops, the "unorganized South" hurts labor "everytime they go into negotiations", Pollock said.

He accused southern business and politicians of passing "right to work laws, charging prohibitive licensing fees for unions;

"But the South's main weapon against labor is jim crow," said Pollock. Main reason for the backwardness of southern organizing drives is that "southern bosses — economic and political — keep Negroes and white workers from getting together."

Pollock said successful organizing campaigns of the 30's up North had taught Labor that "the most effective way to organize is to unite workers regardless of race . . . and to oppose discrimination against Negro workers both in the unions and in the community.

"Full moral and material support" to the Montgomery movement could "deal a blow to the boycott law before it is used against the southern organizing drive . . . (could) demonstrate in action the ability of labor to stand firmly on its principles . . . win the support of Negro workers and assure organization of . . . white and colored . . . on a unified basis — the only basis on which the southern organizing drive can succeed," the labor leader said.

38b 1956

BANK IN ATLANTA

Advertiser

Records Of Association Reveal Thousands Spent To Support Bus Boycott

Montgomery, Ala.

Tues. 3-20-56

More Than 90 Negroes On Trial For Protest Against City Lines

By TOM JOHNSON and FRANK McARDLE

State prosecuting attorneys yesterday produced testimony and bookkeeping records to show several thousand dollars has been spent by the Montgomery Improvement Assn. to finance automobile rides for Negroes who have boycotted the Montgomery City Lines Inc. buses.

Financial records indicating some $30,713.80 had been disbursed by the improvement group for transportation services and other association expenses during the boycott.

The testimony came out at the trial of the Rev. M. . King, pastor of the Negro Dexter Avenue Baptist Church and recognized boycott spokesman. He was indicted for boycott activities along with more than 90 other Negro residents here.

FINANCIAL RECORDS

Erna Dungee, 668 W. Jeff Davis Ave., wife of a Negro doctor and financial secretary of the association, affirmed financial records presented by Asst. Circuit Solicitor R. E. Stewart. The records showed the organization main-3-tained bank accounts in a Montgomery bank and an Atlanta trust company to conduct its operations.

Following the woman who had testified, Circuit Judge Eugene W. Carter adjourned the court until 9 a.m. today when King's trial will be resumed. King was the first of 90 defendants charged with boycotting city buses.

Circuit Solicitor W. F. Thetford said the boycott trials will continue without interruption "at the present." He said no docket has been prepared on the order in which they will be tried.

FORMED DEC. 5

King was identified as the president of the improvement association which was organized last Dec. 5, the same day the boycott began.

The Baptist minister's signature and that of E. D. Nixon appeared as powers of attorney on each of the checks introduced as evidence.

Earlier another minister, the Rev. A. W. Wilson, testified about the association's purpose.

The Dungee woman testified association checks were paid to eight service station operators for gasoline purchases for operation of the transportation service.

She also affirmed that a "standard service" fee of $4 per week was paid to persons driving automobiles for the association. At least 15 persons were named as recipients of the payments for driving. Several others were confirmed as receiving compensation for related service in transportation.

REPEATED OBJECTIONS

Repeated objections were entered by the defense attorneys to the admission of the bookkeeping records on grounds that the records—deposit slips and checks—were photostatic copies and "not the best evidence" and the records of the improvement association were "immaterial and irrevelant."

Judge Carter overruled the objections and admitted the evidence. He explained that "there is enough evidence at thre present to connect the material with a charge

ALABAMA

against the defendant."

The hurist had called attention to the "wide range of activities" allowed the court by the law in determining conspiracy in boycotting.

Defense Attorney Peter Hall, Birmingham, voicing most of the objections, exclaimed, " . . . we know the latitude is wide, but just how wide."

MONEY MOVED

Particular attention was focused on a check for $5,000, made out to cash and endorsed by King. The association secretary testified the money was simply a transfer of funds from Alabama National Bank in Montgomery, to Citizens Trust Co., in Atlanta, Ga.

The following service stations were revealed by the testimony as receiving the checks for gasoline purchases with approximate amo received by each:

Advertiser

Derby Auto Service, $300; Peo-Adams Service Station, $385; Washington Park Service Station, $355; Oliver's Service Station, $600; Fletcher Smith, $417; D. W. Williams, $1,318; Day Street Service Station, $347.

According to the Dungee woman records, checks in the amount of $4 each for driving services were issued to: John Moncrief, Robert Lee Nunn, J. L. Jackson, L. C. Walker, the Rev. R. B. McCain, arry Bryant, H. N. Johnson Frank Massey, Thomas McCloud, J. H. Cherry, M. W. Richburg, he Rev. A. Sanders, J. W. Marcus, A. Murphy, the Rev. W. J. Johnson, the Rev. H. J. Palmer, and W. S. Smith.

Before adjourning the court yesterday Judge Carter commended the gallery for "being very orderly and well behaved despite such a large crowd."

Judge Eugene Carter refused to rule the boycott indictments invalid and ordered trials for the 93 defendants.

Defense Atty. Arthur Shores Bir-Birmingham argued the indictments were so "vague and indefinite' it was impossible for the defendants to know specifically what they were indicted for.

MOTION OVERRULED

The demurrers held the anti-boycott law under which the Negroes were indicted violates the right of free speech, freedom of assembly and freedom of worship as guaranteed by state and federal constitutions.

Tues. 3-20-56

MONTGOMERY, ALABAMA BUS BOYCOTT

Judge Carter overruled the demurrers.

Replying to Shores, Circuit Solicitor William F. Thetford said both the Alabama and U.S. Supreme Courts have held that the boycott law was not in violation of freedoms of speech, assembly "or anything else."

Soon after the court convened, Shores formally asked for separate trials for each of the scores of defendants.

This means each defendant must be tried individually instead of with others whose cases have similar circumstances. It also means the trials could conceivably drag on for months.

Besides Shores, the defense attorneys include Peter Hall, Orzell Billingsley, Fred Gray, Charles Langford and Robert Carter, of the New York City NAACP legal staff.

INTERESTED SPECTATOR

Negro Congressman Charles C. Diggs (D-Mich) also was present as "an interested spectator." He said he had brought a "substantial sum of money"—more than $5,000—contributed by residents of Detroit to support the boycott.

J. H. Bagley, manager of Montgomery City Lines, was the first state's witness to testify. He was called to the stand shortly after noon.

Solicitor Thetford ran into difficulty trying to show King was a part of a conspiracy. Judge Eugene Carter repeatedly ruled for defense attorneys who objected that King had not been linked to the questions asked by Thetford.

Bagley told of receiving two documents—one identified as a 'resolution" and the other never identified.

King's attorneys objected to their introduction and Judge Carter ruled the papers had not been linked with King.

BUSINESS FELL OFF

Bagley testified that business fell off following the beginning of the boycott on Dec. 5.

He said "only a small percentage is riding now that were riding before Dec. 5. I'd say five or six per cent."

Bagley said he encountered King twice—once at the first meeting called by Mayor W. A. Gayle and again when the mayor appointed a bi-racial committee to try to end the boycott.

Bagley said King acted as spokesman both times, reading the demands of the Negroes.

If the demands were met, the Negroes would resume riding the buses, Bagley said he was told by King and another defendant.

The Rev. Wilson, pastor of the Negro Holt Street Baptist Church, was called at the afternoon session.

His church was used for the first mass meeting of Negroes on the night of Dec. 5. Wilson testified he didn't know who engaged the church for the meeting.

He said "somebody called on the phone and talked with his secretary Wilson said he granted permission for use of the church.

Later, under examination by Asst Solicitor Robert B. Stewart, Wilson said the meeting was arranged in the name of the Interdenominational Ministers Alliance, a Negro ministerial group.

VAGUE ON DETAILS

Wilson was vague on many of the details of that first mass meeting because, he said, he was in his office most of the time except when he helped arrange seating for the press.

asked if he saw the Rev. King at the meeting, Wilson replied, "Not that I recall."

"Did you see the Rev. L. R. Bennett?"

"It's been so long, it's hard for me to recall,' answered Wilson.

Stewart asked Wilson if he recalled seeing King "before, during or after" the meeting and Wilson replied: "I do not."

Contributions pouring in for Alabama

Afro-American

Baltimore, Md.

Sat. 3-24-56

PHILADELPHIA

With the organizing of an Alabama Relief Committee of Philadelphia, plans have been made wherein this city can combine its efforts for the cause of freedom.

In a second meeting, Thursday evening, at Varick AMEZ Church, citizens of all walks of life pledged themselves to unite in one big effort for the Montgomery Bus Boycott.

Places of business, industrial establishments, alumni, fraternal organizations, social, civic, and religious groups will be contacted.

All contributions and checks made payable to the Montgomery Improvement Association will be acknowledged Palm Sunday at the mass meeting, held at Wesley AME Zion Church, 15th and Lombard Sts., 3 p.m.

Afro-American
Baltimore, Md.
Sat. 3-24-56
L-7

JERSEYANS HAIL ALABAMA LEADER—An interracial audience of 2,500 persons filled every seat in the main auditorium, the balcony and the Sunday school room of Shiloh Baptist Church, Trenton, and overflowed onto the sidewalks to welcome the Rev. Ralph D. Abernathy, one of the leaders of the Montgomery, Ala. bus line boycott at an NAACP Freedom rally March 7. Over $1,000 was raised and given to the minister to help defend him and his co-workers who are awaiting trial. At left, the Rev. S. Howard Woodson, host pastor (center), his wife, Mrs. Audrey Woodson, NAACP president; and the Rev. J. O. Wilson, president of the Interdenominational Ministers Alliance, Philadelphia, welcome the visitor.

ARRESTED TERMINAL

Rights Group Asks Bias Statutes Be Made Invalid

World Wed. 12-26-56 Ala
B'ham, Ala. P.1

BY EMORY O. JACKSON

Two prominent figures in Birmingham's community life have been arrested on "disorderly conduct" charges in connection with using the general waiting room at the Birmingham Terminal Station.

Carl Baldwin, business man and his school-teacher wife, Mrs. Alexinia Baldwin, were scheduled to appear before Recorder's Judge Ralph E. Parker at 9 a .m. Wednesday, Dec. 26 on charges obviously growing out of Birmingham's determination to enforce local travel segregation laws in the face of a recent Supreme Court ruling that such laws are unconstitutional. Meantime the Interstate Commerce Commission has issued a directive calling for the ending of all forms of segregation in interstate travel.

The Baldwins through their attorney, Demetrius C. Newton, asserted that they had purchased tickets and had made reservations to Milwaukee, Wisconsin on the crack passenger train, "The City of Miami" which was scheduled to arrive at the local Terminal Station at 5 a. m. Saturday, Dec. 22.

MAKE ARREST

While using the general waiting room, a squad of five policemen, Newton said his clients told him, came to the terminal station and said the "police lieutenant gave them 20 seconds to get into the colored waiting room." When they did not go to the Jim Crow waiting room, they were hustled off to City Hall and then to City Jail, Newton's statement said.

The desk sergeant at Police Head quarters last Saturday said that Lt. J. R. Davis was in charge of the shift that worked the Terminal Station area.

The Baldwins were taken to City Jail where they were released on $100 bond each. Records exhibited by Atty. Newton indicated they were released around 7:50 a. m. last Saturday.

Meantime the Alabama Ch[illegible] Movement for Human Rights on Dec. 20 addressed a letter to the three-man Birmingham City Commission suggesting that "the Birmingham statute on segregation on buses and street cars is invalid, and should be.. immediately repealed at your next Commission meeting."

Bus Protest Leader Says:

State Press P. 1

"We Decided to Go To Jail Together"

Fri. 3-23-56

Little Rock, Ark.

CLEVELAND, Ohio—"Perhaps you've heard that Negroes will not stick together. Well, if you hear it again remember Montgomery, Alabama."

This was the admonition given here last week by one of the 24 ministers indicted in Montgomery in February for their participation in a mass Negro protest against discrimination in Montgomery city buses. A total of nearly 100 Negroes were indicted.

Addressing a crowd of 2,100 persons at a prayer-protest rally, sponsored by the Cleveland NAACP, the Rev. L. Roy Bennett recounted that "we decided to go to jail together instead of one by one."

A total of $3,301.64 was donated by the audience to aid the Montgomery group in its fight against segregation and to help in the legal defense of those arrested there.

Mr. Bennett, a Methodist minister in Montgomery, related:

"Our story started in April, 1955, when a young girl refused to give up her seat on a bus, thereby violating city and state law, was jailed and fined. She had moved across an imaginary line set up by the bus driver.

Woman Refused to Give up Seat

"Then, last December, a woman who had sat in the same bus seat for years refused to give it up to a white man. That was the straw that broke the camel's back. She was arrested, and that night there was the biggest and most spontaneous mass meeting ever seen at our church.

"We had to do something to stop the brutality of police and the drivers. We set December 5 as the day for our protest, in which no Negro would ride on a bus . . . We, the six or seven thousand Negroes gathered at our Dextet Avenue church that night, set up three things to accomplish:

"First, to request more courtesy to our people from the bus lines; secondly, to seek a seating arrangement on the basis of first come, first served, and, thirdly, to request the employment of Negroes as bus drivers of the predominantly Negro lines.

"December 23 was the last of the meetings we had with city officials. They refused any compromise on our first two points. On the third they said union rules would take a little time for any integration of Negro drivers into the union.

State Press

Negroes Have Walked and Walked

"Since then Negroes in Montgomery have walked and walked . . . In a sense it is a spiritual movement and a passive movement. While we are walking, the bus line has lost $3,500 a day. Imagine, $3,500 a day for 91 days. We're going to fight until we can sit down where we darn please."

The call for funds at the meeting was led by the Rev. Angus C. Hull, jr., of the Cleveland Baptist Association, who also served as moderator.

In Montgomery, Ala.

Times & Observer

City Threatens Bus Line If It Permits Integration

Wed. 4-25-56 P. 1

Raleigh, N. C.

MONTGOMERY, Ala., April 24 (AP)—An order to stop segregation on city buses brought angry threats of reprisal today from city and state officials who vowed to keep the races apart as long as possible.

Despite the decision from Montgomery City Lines Inc., to abandon its policy of separate seating of white and Negro passengers, there were no reports of actual mixed seating on the first day.

An Alabama Journal reporter who spot-checked the buses said all the Negro riders he saw were seated in the rear, the part reserved for members of that race under the traditional segregation pattern.

Neither was there any indication that the bus company's action in refusing to continue enforcing city and state segregation laws would bring an immediate end to the boycott by Negroes who have refused to patronize the segregated buses since Dec. 5.

A leader of the bus boycott, the Rev. Martin Luther King Jr., issued a statement saying "there will be no change in our position immediately" and that the protest would go on for the time being.

Mass Meeting.

King said some action may be taken, however, at a mass meeting called for Thursday night. He said the Montgomery Improvement Assn., of which he is president, probably would make a recommendation or at least "discuss alternatives" to ending the boycott.

The statement was issued following a meeting of the executive board of the Improvement Assn. which was formed to support the boycott.

King said the Negroes were still awaiting word from bus company Manager J. H. Bagley on their original demand for employment of Negro drivers on predominantly Negro routes, and added:

"If Mr. Bagley says that he will examine applications from Negroes with the same equanimity as he would an application from a white person, that might satisfy our people."

Whether that meant the Negroes might continue the boycott indefinitely without some concession on the hiring of Negro drivers, the minister said he couldn't speculate.

Bagley wasn't available for comment. In the past he has said the company had received no applications from Negroes for jobs as drivers.

Meanwhile, what effect the move to end segregation here might have on the $500 fine levied against King on his boycotting conviction wasn't immediately determined.

The Negro baptist minister has appealed, saying he would go to the Supreme Court if necessary.

Circuit Solicitor William F. Thetford, who prosecuted King, said abolition of the segregation laws wouldn't affect the conviction because, he explained, "segregation as such wasn't an issue" in his trial.

Defense attorneys contended the Negroes had a "just cause" and "legal excuse" for refusing to ride the buses, and produced testimony of repeated acts of mistreatment by bus drivers.

Whether they will use the segregation argument in their appeal wasn't learned because the defense lawyers weren't available for comment.

Times & Observer

A comparatively few Negroes rode the buses today despite the announced end of segregation. R. C. Mills, assistant manager of Montgomery City Lines, said the number was about the same that continued to use the buses throughout the boycott.

P. 16

The bus company previously had estimated that at about 5 to 15 per cent of the normal Negro passenger load.

Whether other Negroes were waiting word from the boycott leaders before patronizing the bus line again could not be determined.

City and state officials meanwhile insisted that Alabama's segregation laws are still in effect despite the U.S. Supreme Court decision yesterday which said all bus segregation is unconstitutional.

Tte ruling applied directly only to South Carolina, and Alabama officials. contended segregation laws here will remain intact until a court order is directed specifically at them.

That could come May 11, the date set for hearing on an antisegregation suit already on file attacking constitutionality of Montgomery city and Alabama state laws. The suit was filed as an outgrowth of the bus boycott.

Until the city and state laws are knocked down, Police Commissioner Clyde Sellers and other city officials and President Jack Owen of the Alabama Public Service Commission declared that segregation will be rigidly maintained.

The city commission, all three of those members belong to the White Citizens Council, issued a statement saying it "does not consider that the Supeme Cout decision constues Alabama laws o city ordinances by which we are governed."

INJUNCTION SOUGHT

Advertiser

City Turns To State Court To Head Off Bus Integratio

Wed. 5-2-56 P. 1

Montgomery, Ala.

Montgomery city officials turned to the state courts yesterday to try to head off Montgomery City Lines' announced intentions to desegregate city buses.

In a suit filed in Montgomery Circuit Court, the city asked for a temporary injunction to restrain the bus company from putting its desegregation policy into effect.

Circuit Judge Walter B. Jones has set a hearing on the city's petition at 10 a.m. Thursday.

A non - segregated seating ar-

angement on buses, said the city "threatens the public health and safety by creating a clear and present danger of race riots, disorderly conduct, assaults, affrays, bombings and other physical attacks."

The bus company announced an end to traditionally separate seating facilities for white and Negro passengers on April 23, following the U.S. Supreme Court's refusal to review a South Carolina case concerning bus segregation.

Company attorneys immediately interpreted the court's action as a ruling against segregated travel facilities, and ordered the local bus firm to comply.

Subsequently, however, students of constitutional law determined that the court's refusal to reivew the South Carolina case was based on a technical legal point and did not affect segregation.

MONTGOMERY MOVES TO STAY INTEGRATION

Commercial Appeal

Injunction Is Asked Against City Bus Lines

Wed. 5-2-56

RACE VIOLENCE FEARED

Memphis, Tenn.

By The Associated Press

MONTGOMERY, Ala., May 1. —Expressing fear of "race riots" and other violence, city officials have done into court in an effort to force city buses to comply with segregation laws. P. 25

The privately operated bus company, Montgomery City Lines, announced a week ago drivers would no longer enforce separate seating arrangements for white and Negro passengers.

There have been no reports of actual integration, however, because most Negroes are still boycotting the buses and theose who are riding have stayed in the rear of the buses where they always sat.

A hearing on the city's injunction suit, filed late Monday, is set for 10 a.m. Thursday before Circuit Judge Walter B. Jones in State Court.

Another complaint challenging constitutionality of city and state bus segregation laws and filed by Negroes is pending in United States District Court. It will be heard May 11.

'Creates Tension'

The city's suit, signed by Municipal attorneys and Mayor W. A. Gayle, contends the bus company's integration order "threatens the public health and safety by creating a clear and present danger of race riots, disorderly conduct, assaults affrays, bombings and other physicial attacks."

Continuing, the suits says the desegregation policy, if continued, 'creates tension, uncertainty . . . and is in violation of the established social pattern."

The bus company order to its drivers threatens public morals, too, the complaint adds, by "engendering in the public a contemptucus disregard for all laws and customs, and weakens public confidence in and respect for community officials."

It says the integration order invites "irresponsible elements" of the population to "incite riot and civil commotion."

The "very existence" of a bus system in Montgomery is threatened by the integration order, the complaint says, perhaps referring to a previous threat by the City Commission to seek revocation of the bus company's franchise unless it complies with segregation laws.

All Council Members

Mr. Gayle and the other two city commissioners, all members of the White Citizens Council, insist Montgomery city and Alabama state segregation laws are still in effect, despite the recent Supreme Court ruling.

Mr. Gayle said the bus charter could be canceled if the company is found to be violating the law.

Montgomery City-Bus Line Talks Snarled

Daily World

Fri. 4-27-56

Atlanta, Ga.

MONTGOMERY, ALA—(INS)—A conference between the Montgomery City Commission and officials of the boycotted bus line Thusday failed to settle the segregation question on the Transit System. P. 7

The officials scheduled another Conference for either Friday or Saturday following Thursday's two and a half hour meeting.

The city commission firmed up its position that segregation should be maintained on the buses in a brief statement which read in part:

"The city commission has heretofore taken the position that the recent decision of the U. S. Supreme Court did not pass on the statues of Alabama and the ordinances of the city of Montgomery. We are now advised that there is a question as to whether the Supreme court even passed on the statutes of South Carolina.

"We have conferred with representatives of the city lines, but have reached no conclusions."

Bus Company officials refused to comment on the meeting.

HAILED IN LOS ANGELES RALLY — Mrs. Rosa Parks, of Montgomery, Ala., whose malicious arrest caused the start of the long walk against segregation in the bus boycott, was given an ovation at an NAACP mass meeting at Second Baptist Church in Los Angeles. Praising her were Congressman James Roosevelt, left, and California Assemblyman Gus Hawkins.—Simpson Photo.

Court Fines King $500 On Boycott Law Charge

Advertiser Fri. 3-23-56 P.1 Montgomery, Ala.

Judge Orders Continuance In 89 Cases

By TOM JOHNSON
And FRANK McARDLE

The Rev. Martin Luther King, Negro leader of the bus boycott here, was convicted on a charge of violating a state anti - boycott law and was fined $500 and costs in Circuit Court by Judge Eugene Carter yesterday.

Judge Carter ordered a continuance in 89 other cases of Negroes charged with the same violation until a final appeal action is completed in King's case.

The jurist suspended payment of the fine until the appeal is heard by higher courts. The appeal eventually could go to the U.S. Supreme Court.

$1,000 BOND

Defense attorneys prepared to post a $1,000 appeal bond. They had previously stated they would carry the case "all the way to the U.S. Supreme Court" in the event of a conviction.

As King and his wife left the courthouse, they encountered a lively demonstration on the sidewalk. Television cameramen and news photographers fired away as a crowd of about 300 clapped and waved their hands.

They chanted, "Long Live King," or "Long Live The King" and "We Ain't Gonna Ride the Buses No More."

No demonstrations occurred in the courtroom.

Judge Carter announced he had been satisfied about the guilt of King in violating the anti-boycott law. But he added that he was levying a fine lower than the maximum because the minister apparently had "discouraged violence" in the bus boycott movement.

MOTION DENIED

Earlier a motion to dismiss the evidence entered by the state and rule a verdict for the defendant was denied by Judge Carter.

In his summary arguments, Circuit Solicitor William F. Thetford argued that the state had proved King had engaged in a conspiracy to hinder and prevent the operation of the bus company without "just or legal cause."

Defense attorneys Arthur Shores of Birmingham and Fred Gray of Montgomery, in their summary said that the state had failed to prove King had been a party to any conspiracy or agreement to hinder the bus company's business and that if such a conspiracy existed it existed with "just cause." Shores said King was merely a spokesman for the Negroes who selected him for their leader.

Shores, one of the six Negro attorneys defending King, said that the Baptist minister "didn't volunteer to be a rabble-rousing crusader, as the state attorneys have presented him."

Interpretations of the anti-boycott law took up most of the arguments. Thetford charged a group of 16 to 18 Negro leaders carried out the boycott "to gain personal power and influence." He added the boycott resulted from "hysteria built up at mass meetings" promoted by King and others. He pointed to violence in the firing on city buses and charged that King was directly responsible for boycott activity.

Advertiser

Thetford said the Montgomery Improvement Assn. had spent $30,000 for the sole purpose of keeping the bus boycott alive.

King himself was called as the final defense witness. P. 2-A

The state put him through a fairly brief but vigorous examination during which the young minister denied that he had ever urged Negroes to refrain from riding buses.

He said his "emphasis" has been "let your conscience be your guide."

Another witness, the Rev. Robert S. Graetz, pastor of the all-Negro Trinity Lutheran Church, had earlier testified that on the "several occasions" he heard King speak, the Negro leader never openly advocated that bus patrons remain off the buses.

Graetz said he had heard "two or three compromise proposals" for ending the boycott discussed at meetings of the executive board of the Montgomery Improvement Assn., and had submitted such a plan himself.

He said the board had been "interested" in the compromises but none was ever "completely acceptable."

King was asked if he ever advocated violence on the part of protesting Negroes. He replied that his stand had been the "very antithesis of that," that he had urged non-violence.

He described the improvement association, of which he is president, as a group formed on the day the boycott began to improve race relations and "uplift the general tenor of the community."

NO SALARY

He said he is paid no salary but that seven office workers receive money for their services.

Thetford tried to show that the resolution adopted at the first mass meeting (Dec. 5 at Holt Street Baptist Church) was actually prepared during the preceding afternoon by a committee headed by King.

King admitted he was a member of a committee but said he did not recall helping draft the resolutions. He said his impression was that the resolutions were planned during the afternoon and actually drawn up that night.

Thetford referred to another portion of the minutes of the afternoon session which referred to an agreement to continue the boycott indefinitely, and asked King if such an agreement was reached.

"That's true according to the minutes," he said. "I just don't remember the discussion."

'SPONTANEOUS'

Thetford directed his questioning at trying to show that the boycott did not develop spontaneously" on the night of Dec. 5, as some Negro leaders have maintained, but was planned hours before by a group of 20 persons at the Mt. Zion AME Church.

Did the executive committee of the association agree during the afternoon to set up finance and transportation committees, as mentioned in the minutes of the meeting?

King's reply: "I don't remember."

Thetford tried to show that there were, as he phrased it, "two boycotts"—the first one planned for one day only (Dec. 5) and the second, which developed later, planned for indefinite duration.

"Did you have anything to do with the first boycott?" asked Thetford.

"No, I didn't," said King.

"Do you know anyone who did?"

"No, I don't," King replied. "It was a spontaneous beginning."

ONE-DAY BOYCOTT

Did the Montgomery Improvement Assn. take what started out to be a one-day boycott and, with its money and planning, extend the boycott indefinitely, Thetford asked.

"No, I wouldn't say that," the minister answered.

Thetford again referred to the minutes of the Dec. 5 afternoon session which referred to certain "recommendations" of the executive board being given to that night's mass meeting.

The solicitor wanted to know what the recommendations were.

King said he didn't know.

Was an agenda for the night's program drawn up at the afternoon meeting, Thetford asked.

"I imagine so," replied King.

Did the executive board draw up the three items the Negroes are said to demand as the price for ending the boycott — that is, a different seating arrangemnt, courteous treatment and the hiring of some Negro bus drivers?

"I don't remember," said King. He testified he "couldn't say" who formulated the demands or where or when they were drawn up.

"DIDN'T REMEMBER"

But he added, "I think they were done at the Holt Street Church (at the first mass meeting). I really don't remember." In any event, he said, the demands reflected the wishes of the "4,000 Negroes" present at the Dec. 5 mass meeting.

He confirmed that the weekly budget of the improvement association is $3,200 — "approximately that."

Thetford asked if all of the approximately $30,000 donated to the improvement association had been spent for the boycott.

King admitted "most of it" had. He said the money came from "free-will" offerings.

Asked how many white persons are members of the improvement group, King said he didn't know because "we don't keep records on the basis of race."

SOME OTHERS

He said he did know that Graetz was a member.

Thetford asked if there were any others.

"I know we have some others," said King.

"Who are they?"

"I don't know," said King.

King, pastor of the Dexter Avenu. Baptist Church, testified he came to Montgomery in 1954.

Thetford asked how many times he had ridden the city buses?

"Only Once," King replied.

Graetz preceded King on the witness stand.

He said, though, he couldn't remember having heard King urge Negroes to refrain from riding buses, he did "recall that there were times when they referred to people not wanting to ride."

The defense put on seven other witness before resting the case. All of them testified that as bus passengers they were abused and referred to in derisive terms.

REBUTTAL GIVEN

In rebuttal to the passengers' testimony, the state called bus drivers J. B. Saddler, O. T. Rainwater, C. H. Williams, W. H. Mills, C. E. Moseley, and O. O. Martin.

Each of them testified he had driven buses for several years on predominantly Negro lines and denied the use of abusive language or discourtesy.

They said—and Manager J. H. Bagley confirmed—that the seating arrangement now in existence on buses reserves an equal number of seats for whites and Negroes.

That, they explained, means the rear 10 setas are held for Negroes, the front 10 for whites, with the middle section seated on a first come, first served basis.

The Negroes have demanded the end of reserved sections for either race.

Bagley, superintendent of the bus company since it began business in Montgomery 20 years ago, testified there were 93 or 94 bus drivers employed on Dec. 5, the day the boycott began. None of them, he said, was a Negro.

Asked if he would hire a Negro driver, Bagley said, "It's never been the custom to hire Negro drivers."

Anyway, he answered: "I've never had an application."

Writ To Halt Bus Segregation In Montgomery Waits Appeal

Constitution Wed. 6-20-56

Atlanta Ga. P.1

MONTGOMERY, Ala., June 19 (AP)—A three-judge panel issued an injunction today to stop enforcement of bus segregation laws in Montgomery, but suspended it for 10 days to allow time for an appeal to the Supreme Court.

The panel which two weeks ago ruled city and state segregation laws unconstitutional issued the injunction to carry out that decison.

But the formal order was suspended for 10 days to allow city and state attorneys to appeal the original desegregation ruling to the higher court.

If the appeal is filed within the 10 days, the panel said the suspension will remain in effect until a new order can be written to continue the stay of execution pending the appeal.

The injunction order was signed by Judge Richard T. Rives of the U.S. Fifth Circuit Court of Appeals and Judge Frank M. Johnson Jr., of the U.S. District Court for the middle district of Alabama.

They were the two judges who signed the majority opinion in the 2-1 June 5 decision holding that city and state laws requiring separate seating for white and Negro passengers violate the federal constitution.

U.S. district Judge Seybourn Lynne of the northern district of Alabama, who dissented from the integration ruling, also disagreed with the decision to issue the injunction.

Although the panel announced its desegregation ruling 14 days ago, it delayed putting it into effect until opposing attorneys could file written recommendations on what form the formal decree should take.

City attorneys, in otheir response, urged the court to refrain from issuing an immediate desegregation order and to confine its decree instead to a mere declaratory judgement interpreting the laws.

The city also asked the court to suspend any injunction it might issue pending an appeal to the Supreme Court. State's attorneys joined the city in that request.

In another request, the state requested the judges to exempt the Alabama Public Service Commission from the order and thus to make it apply only to the city of Montgomery. The commission administers state laws requiring separate seating of white and Negro passengers in public transportation.

But Negro lawyers who won the first integration skirmish on June 5 insisted on an immediate injunction against continued racial separation on the buses.

Negroes contesting the segregation laws asked for a declaratory judgment holdnig them invalid and also an injunction to stop the city and state from enforcing them.

Constitution

Today they petitioned the court to issue the injunction without delay and to keep it in effect pending a promised Supreme Court appeal from the anti-segregation decision itself.

P. 6

City attorneys on the other hand asked the court to refrain from granting an injunction altogether and to confine its order to a declaratory judgment. That would amount to outlawing segregation without telling the city and state specifically to stop enforcing it.

It would have been up to the Negroes in that event to go back to court requesting a formal injunctive order or to file a civil rights suit if the segregation laws were still enforced.

Segregation Held Illegal

Herald P.2-A

Montgomery Plans Bus Ruling Appeal

Wed. 6-6-56

Miami Fla.

MONTGOMERY, Ala. — (AP) — Splitting 2-1, a three-judge panel in Federal Court ruled Tuesday that racial segregation on city buses in Montgomery violates the federal Constitution.

But the court took no immediate action to issue an injunction against enforcement of city and state segregation laws. That will come later.

City and state officials are expected to appeal direct to the Supreme Court in what may become the first clear-cut decision by that court on city bus segregation.

The panel, anticipating that, gave opposing lawyers two weeks to submit written suggestions on how the formal anti-segregation order should be entered, and whether a stay should be granted pending an appeal.

Judge Richard T. Rives of the U. S. Fifth Circuit of Appeals and District Judge Frank M. Johnson Jr., of the Middle District of Alabama signed the majority opinion holding bus segregation contrary to the 14th amendment to the federal Constitution.

Judge Seybourn Lynne of the Northern District of Alabama dissented, insisting that separate but equal seating facilities for white and Negro passengers are permissible.

Pending a formal order to carry out the panel's findings, no injunction was issued. When it comes, Johnson said it will affect only buses in Montgomery even though state laws were held unconstitutional.

The boycott which led to the suit in Federal Court started last Dec. 5, the day a Negro seamstress, Mrs. Rosa Parks, was fined $14 in City Court for refusing to move to the colored section of bus.

Since then the city buses which once carried 30,000 to 40,000 Negro passengers a day now transports only 300 or 400, company officials say.

Boycott Funds Misused, Says Negro Pastor

Post + Times Herald Wed. 6-13-56 Washington, D.C.

MONTGOMERY, Ala., June 12 (AP)—A Baptist preacher last night said leaders of the Negro protest against bus segregation here have been playing fast and loose with boycott funds.

The Rev. U. J. Fields did not specify any individual members of the Montgomery Improvement Association, set up to coordinate the boycott for the city's 50,000 Negroes, but declared in resigning his post as recording secretary:

"All the money coming in here for transportation is not being used for that."

Officials of the Association quickly denied any financial misconduct.

"No money received by this Association has been misappropriated," said Dr. Moses, second vice president.

"Definitely false," said the Rev. R. J. Glasco in referring to Fields' accusations. Glasco is chairman of the finance committee.

Fields, one of the Association founders, also said "I no longer can identify myself with a movement in which the few are exploiting the many."

The 25-year-old Negro minister said boycott leaders "have become egotistical and interested in perpetuating themselves."

"Individuals who are handling" money contributed throughout the Nation to support the boycott "are using it for selfish purposes," he said.

Association officials termed Fields' criticism "simply another attack designed to hinder our protest movement."

Fields said his position as recording secretary had given him knowledge of funds contributed to support the boycott. He estimated that an amount "up in the thousands of dollars" had been diverted from the announced purpose of providing private transportation for boycotting Negroes.

The Association has been paying about $3000 a week to provide car-pool transportation for the boycotters. The boycott began Dec. 5, after Rosa Parks, Negro seamstress, was fined $14 for violating bus segregation laws. The Association president is the Rev. Dr. Martin Luther King Jr., who is out of town.

JUDGES ORDER STOP OF BUS SEGREGATION

Commercial Appeal Memphis Tenn.

But Montgomery Defendants Get 10-Day Delay

Wed. 6-20-56

MONTGOMERY, Ala., June 19.—(AP)—A panel of three Federal judges issued an injunction Tuesday to stop enforcement of bus segregation laws in Montgomery but suspended it for 10 days to allow time for an appeal to the Supreme Court.

The panel which two weeks ago ruled city and state segregation laws unconstitutional issued the injunction to carry out that decision.

But the formal order was suspended for 10 days to allow city and state attorneys to appeal the original desegregation ruling to the higher court.

If the appeal is filed within the 10 days, the panel said the suspension will remain in effect until a new order can be written to continue the stay of execution pending the appeal.

Although the panel announced its desegregation ruling 14 days ago, it delayed putting it into effect until opposing attorneys could file written recommendations on what form the formel decree should take.

City attorneys, in their response, urged the court to refrain from issuing an immediate desegregation order and to confine its decree instead to a mere declaratory judgment interpreting the laws.

The city also asked the court to suspend any injunction it might issue pending an appeal to the Supreme Court. State's attorneys joined the city in that request.

In another request, the state requested the judges to exempt the Alabama Public Service Commission from the order and thus to make it apply only to the City of Montgomery. The commission administers state laws requiring separate seating of white and Negro passengers in public transportation.

State officials declared when the original finding was handed down June 5 that they would appeal.

Attorneys for Negroes who brought the action asked the court to order an immediate end to segregation and stop its practice while the issues involved were being decided by the Supreme Court.

Virtually all of Montgomery's 45,000 Negro residents have refused to ride city buses since last Dec 5, when a Negro woman was arrested for refusing to move to the rear of a bus. The protest will continue, leaders said, until a final determination by the courts.

The mayor declared:

Daily World

"There is no doubt that an end of segregated seating arrangements on public conveyances in the City of Montgomery will effect a drastic change in the habits of the people.

"This change, which would alter customs which have been in existence since before the city was founded, would have an obviously serve impact upon its citizens.

"The commission is of the opinion that every step possible should be taken to prevent such a change. We are therefore instructing our legal department to effect an appeal within the 10 days period set out by the court in its judgment."

Bus Death Knell To Get Appeal

Daily World Fri. 6-22-56 Atlanta Ga.

MONTGOMERY, Ala. — Mayor W. A. Gayle ordered an appeal yesterday to the U. S. Supreme Court from a three judge federal ruling that outlaws bus segregation in Montgomery.

He made the order after a unanimous vote of the City Council.

The federal court last Tuesday ordered an end of bus segregation, but gave the city ten days to file and appeal.

The jurists ordered that segregation — previously held to be violative of the federal constitution — be ended in ten days. If the city or state appeals this ruling to the Supreme Court, effectiveness of the order will be held up, the court said.

Boycotters On Trial-Unafraid

Informer P. 1 Sat. 3-24-56 Houston, Tex.

By CHAS H. LOEB
NNPA Correspondent

MONTGOMERY, Ala — The trials of those indicted for refusing to ride Montgomery's segregated buses opened Monday morning. I found Montgomery's Negro citizens and their leaders, both literally and figuratively, "ready for trial". Your reporter has yet to find a single Negro here who looked toward Monday with misgivings and doubts.

"If they find them guilty, we'll appeal. And while we're appealing, we'll keep on walking" correctly summarizes Montgomery's Negro attitude. Meanwhile, during a three hour walking tour of the Negro area and the nearby downtown business section not a single frowning face, white or Negro was to be seen.

Negroes in Montgomery are walking, and almost all of its white folks, except the Citizens Council zealots, are smiling-and a lot of them are walking too.

If there is fear, anxiety, tension, or an imminent explosion in Montgomery, I have thus far failed to uncover it...or to feel it. Perhaps Monday's trial will change things. Except for two mass meetings to be held at widely-separated churches Sunday, and these are billed only as prayer meetings, Montgomery's Negroes are ready for whatever the courts may do.

Your correspondent spent most of Saturday getting down to Montgomery from Cleveland, Ohio, via American and Delta Airlines. Enroute a careful eye was peeled for signs of racial unrest and mounting tension. It simply wasn't there, though the vestiges of segregation were very evident.

The first brush with Jim-Crow came as we left the plane at Atlanta, and even here it was not the vigorous, vindicitive, snarling Jim Crow of old. In the beautiful Atlanta municipal air port the ICC ruling against segregation of interstate travelers is ALMOST complied with. There was no segregation on the planes, at ticket counters (not even an attempt to deny Negro passengers their proper turn in line at ticket and reservation windows), but Jim Crow's old reliable "COLORED MEN" and "COLORED WOMEN" set in raised letters above companion doors at the East Gate, reminded Negro travelers from the north and midwest that he had flown on swift wings back into a section of the nation where white men are reluctant to surrender an already dead concept.

The Atlanta airport boasts a "Dobbs House", a very fine restaurant, as well as a sparkling lunch counter. Negro passengers are served promptly and cheerfully at the lunch counter, but may not eat in the Dobbs House. According to one of the airport porters, the airport authorities defend this paradox by claiming that the restaurant is leased to the Dobbs House and therefore is a private rather than municipal operation.

Colored passenger may use the airport limousines at the Atlanta airport, but just outside the entrance stood a single, rather forlorn, "iLncoln Cab" at its segregated stand, placed there exclusively for the use of Negro passengers.

"Sometime it stands there all day without moving" my porter-mentor commented.

This porter, incidentally, was openly criticial of the conduct of Negro air passengers whom he claimed "blow into the airport looking so important, and forget to tip the porter who carries their bags". He later amended his criticism by recalling that NAACP lawyers and officials who seem to constantly shuttle back and forth through Atlanta, do tip handsomely.

"The Negro in Atlanta is watching and cheering the Negroes in Montgomery" he confided. "I hope these people keep on walking until they get what they want."

Porters, maids, cleaning women, and the waiters and bus boys in the "off-limits" Dobbs House-restaurant were Negroes, and outside the Dobbs House door, opening and closing it for guests, sat a character who was a dead ringer for the fabulous Uucle Remus. Indeed, my inquiries elicited the information that not only was this aged gent called Uncle Remus, but he was actually paid a salary to give southern authenticity to the Dobbs House. Lest you scoff too quickly, the Murial cigar box before him on a battered table was rapidly filling up with nickles, dimes and quarters as he signalled the departure of guests by ringing an ancient, tinkling bell.

A spot check of buses in the downtown section, taken at the peak of Saturday's heavy shopping rush, between 4:00 and 6:00 p m found no Negro riders. Most of the buses are running with three to seven passengers seated. Negroes, however, were downtown shopping; hundreds of them. Some, laden with packages, were headed in a steady stream toward Monroe street, where at the private parking lot of E L Posey, corner McDonald and Monroe, they were sure they would find a car-pool-driver going their way. Posey estimated that some 2000 persons per day are transported from his lot. Nobody is permitted to pay for a ride. All contributions go directly into the car pool which is estimated to cost about $3000 per week to operate. Here is where most of the contributions flowing into Montgomery from across the nation are used.

Negroes Say Mistreatment Fired Boycott

Constitution Thurs. 3-22-56 Atlanta, Ga.

By REX THOMAS

MONTGOMERY, Ala., March 21 (AP)—Negroes defended their boycott of segregated city buses today with testimony designed to show a pattern of mistreatment at the hands of bus drivers.

Through that, they hoped to show the existence of "a just cause or legal excuse" for the mass refusal of Negroes to ride Montgomery City Lines buses for the past 17 weeks. P. 1

The state's antiboycott law which was used to indict 90 Negro leaders prohibits any conspiracy or agreement to hinder the operation of a lawful business "without just cause or legal excuse."

State's attorneys rested their case this morning against the Rev. Martin Luther King Jr., first of the Negroes called to trial, and Negro defense lawyers immediately sought to throw out all of the prosecution testimony on the grounds it was insufficient to prove any unlawful act.

But Circuit Judge Eugene Carter, who at the conclusion of the trial will decide the minister's guilt or innocence in the absence of a jury, overruled the defense motion.

Negro attorney Fred D. Gray, arguing in support of his motion, said the law requires the state to prove both that the defendant entered into an agreement to hinder operation of the bus company, and that it was done "without just cause or legal excuse."

Gray insisted the prosecution had failed to show that King or anyone associated with him in the Montgomery Improvement Assn., had committed any unlawful act or had done anything to prevent the bus company from operating its business. Constitution

The Negro lawyer argued, too, that the prosecution failed to prove King was a party to any conspiracy or agreement. P. 15

But even if they had, Gray continued, Circuit Solicitor William F. Thetford and his two deputies still failed to prove that the Negroes didn't have a just cause for refusing to patronize the bus company.

The defense attorney also contended the antiboycott law itself is unconstitutional, that it violates the 27-year-old Negro minister's rights of free speech, freedom of assembly and freedom to petition for redress for wrongs done him.

Judge Carter dismissed that argument with the reminder that the State Supreme Court has upheld the law and that the U.S. Supreme Court has refused to review it.

One Negro defense witness, Mrs. Gladys Moore of Montgomery, testified she stopped riding city buses generally in protest against years of mistreatment of herself and other members of her race.

But under cross-examination by the state and the judge, she admitted she chose Dec. 5 as the day to stop riding because Negroes as a group picked that date.

The mass refusal to ride the buses began that day after a Negro seamstress, Mrs. Rosa Parks, was arrested for refusing to move to the colored section of a bus. She was tried in city court Dec. 5 and fined $14.

Negroes stayed off the buses that day and ultimately continued their protest indefinitely.

Mrs. Moore said, "We all decided, 50,000 Negroes in Montgomery decided, we wouldn't ride the buses any more. We all did it after that thing happened to Mrs. Parks. She was treated so bad. We didn't think she was treated justly."

Other Negroes also related instances of cruelty and humiliation by drivers who, they said, habitually referred to their race as "niggers" and occasionally as "you ugly black apes." They also said they made numerous complaints to the bus company and the city commission about segregated seating facilities and about Negroes being forced to stand while seats remained empty in white sections of the buses.

Buses Attacked, 4 Drivers Tell Boycott Trial

Inquirer P. 3 Philadelphia Pa. Wed. 3-21-56

MONTGOMERY, Ala., March 20 (UP).—Four bus drivers testified today they were shot at, about the time Negroes began boycotting this city's transit system. A fifth said a brick was thrown through the rear window of his bus.

Testimony of the five was admitted over the objections of defense attorneys for 90 Negroes, on trial one by one, charged with conspiring to bankrupt the public bus line by boycott.

FIRED ON 6 TIMES

The first driver to testify, George Henderson, said he was fired on six times the day the boycott started last Dec. 6. The others testified to incidents that allegedly happened between Dec. 5 and Dec. 8. Those who said they had been shot at were M. O. Beasley, L. S. Johnson, and J. B. Gardner. C. A. Bedso said

a brick crashed through the rear window of his bus.

Defense attorneys objected to the testimony of each bus driver as "irrelevant, immaterial, incompetent and not having any connection with the trial." They were overruled.

A GHOST LINE

The State had attempted to prove earlier that organized Negroes had spent $30,000 for private transport to work and turned the segregated city bus line into a ghost line.

Circuit Judge Eugene Carter ruled Henderson's statements part of the "overall picture" of the dispute and the alleged conspiracy.

Henderson testified against the Rev. M. L. King, 27, the first defendant called and head of the Montgomery Improvement Association, Negro group blamed by the State for putting across the boycott.

"If I have an enemy, I don't know who he is," testified the 13-year veteran of the transit company.

RANTER EJECTED

Just before Henderson testified, the 100 spectators, mostly Negroes, were thrown into commotion when a white man in a gray suit and red vest strode up to the front and began ranting. Bailiffs ejected him.

The Negroes are being prosecuted under an old 1921 law designed to eliminate boycotts in labor disputes. If it could prove the Negroes schemed to paralyze the bus company economically, the State hoped to convict the first defendant and set up a precedent verdict. The trials are not being heard by jury.

The first State witness on the second day of Mr. King's trial was Stuart Patton, assistant cashier of the Alabama National Bank of Montgomery, identified as a depository of the Improvement Association. Some $30,000 in expenses for the group was identified by Patton from photostats of depositors and checks.

K. W. Jones, city detective, testified he stopped two Negro drivers on Jan. 11 and that they told him they hauled passengers with gasoline paid for by the association.

Show 'Just Cause' For Conducting Bus Boycott

Kansas City Mo. Call 3-30-56

By CHARLES H. LOEB
NNPA Correspondent

"Git back nigger."
"Git up nigger."
"Git out nigger."
"Go to the back nigger."
"Let that white man sit down, nigger. You black ape."

MONTGOMERY, Ala. — The shocking chant went on, and on and on, throughout Tuesday afternoon, March 20, and into the evening, as a procession of Negro defense witnesses "wrote into the record" the shameful and long-endured abuses and humiliations Montgomery's Negro passengers have suffered at the hands and from the lips of the majority of bus drivers employed by the Montgomery City Lines, now estimated to be losing some $3500 per day because on December 5, 1955, Montgomery's Negroes abruptly stopped using the buses.

The defense was showing "just cause" for what the state of Alabama alleges is an illegal conspiracy in restraint of business, but with little apparent success in proving it so through its harassed corps of city solicitors. The tired trio, after a day and one-half of wrestling with witnesses who were either uncooperative or who had little of value to tell, wearily rested its case.

Signal For Defense

This almost weary capitulation was the signal for the defense to swing into action. Its first move was for a directed verdict that would exclude all of the state's testimony and halt the trial of the Rev. Martin Luther King, Jr., with a verdict of acquittal.

Presented by Fred D. Gray of Montgomery, selected for the assignment by his colleagues in a brilliant battery of seven Negro lawyers here defending Rev. King and 89 others, it was an eloquent, scholarly, but futile plea.

Judge Eugene Carter promptly denied it.

But those of us who sat in the Montgomery circuit court will not soon forget it. Through Gray, the Negroes of Montgomery — and of the nation—were calling upon a court of law in deepest Dixie to forget the skin color of the petitioner before the bar and embrace, with cold and uninhibited logic the basic constitutional precepts that have made the nation great, despite divisions and inequities.

Kansas City Mo. 3-31-56

Gray argued that:

1. No criminal conspiracy had been proven.

2. That there had been no showing that the defendant, Rev. King has taken any part in an illegal action.

3. The state had not proven even a prima facia case.

4. The statute under which Rev King and others are being tried though questionable in its constitutionality, provides that the alleged conspiracy must not only be illegal, but must also be committed without just cause. The state, Gray contended, had proven neither.

The statute requires proof of both.

5. Any conviction of the defendant would be illegal and void, as he is an American citizen, and as such is entitled to the freedom of speech, of assembly, of petition, and of due process of law.

Gray covered, point by point, the accusations of the state, the evidence presented through its witnesses, and labeled it "insufficient to convict."

He said that whatever action the Negroes of Montgomery took in refusing to ride in segregated buses was taken voluntarily, and pointed out that throughout the three long, sometimes tension-filled months, Negroes made no effort to prevent the bus company from operating their buses, whenever or wherever they pleased.

The sole testimony that company property had been shot at and stoned had been given by bus drivers who admittedly did not see who shot at or stoned the vehicles, did not know whether the originators of the attacks were whites or Negroes.

To the contrary, he argued, a white witness for the state, a competent city editor who had thoroughly covered most of the big mass meeting held in various Montgomery Negro churches, had given testimony that the accused Rev. King had indeed calmed down a group of angry Negroes who gathered around his freshly-bombed home, and dispersed them with a warning against violence or physical retaliation of any kind.

In Defiance of Logic and Law

Call 3-30-56

The now-celebrated Montgomery bus strike is developing ramifications that may well make it one of the most significant events in the field of civil rights actions. The conviction of the Rev. Martin Luther King on Alabama's anti-boycott law and subsequent fining of $500 brought the inevitable appeal to a higher court. The entire defense argument was designed to challenge the constitutionality of the law under which the courageous young minister was convicted.

Involved in the question are such constitutional guarantees as freedom of speech, freedom of peaceful assembly and by inference, freedom of religion and of the press. If the Alabama law is sustained, such action by a state could conceivably be stretched to include inhibition of basic civil liberties guaranteed by the Bill of Rights.

Kansas City, Mo.

If spontaneous public indignation cannot be registered against impositions or abridgements of rights, the whole structure of the Constitution is threatened. Built upon the theory that the individual must always be guaranteed protection against the excesses or the incompetence of the state, the U. S. Constitution has historically envisioned that there may be times when public opinion may be the only available recourse for redress of wrongs.

March 3-30-56

Based upon the flimsiest of evidence, the conviction of Rev. King is handed down in direct contradiction to the wording of the law under which he is convicted. The law states that conviction may be possible for participation in a boycott "without just cause."

The state of Alabama contends that refusal to accept personal indignities and unreasonable inconvenience is not "just cause." It may not be, according to Alabama's interpretation of what constitutes a "just cause." We should be very shocked if a responsible court were to agree with that finding, however.

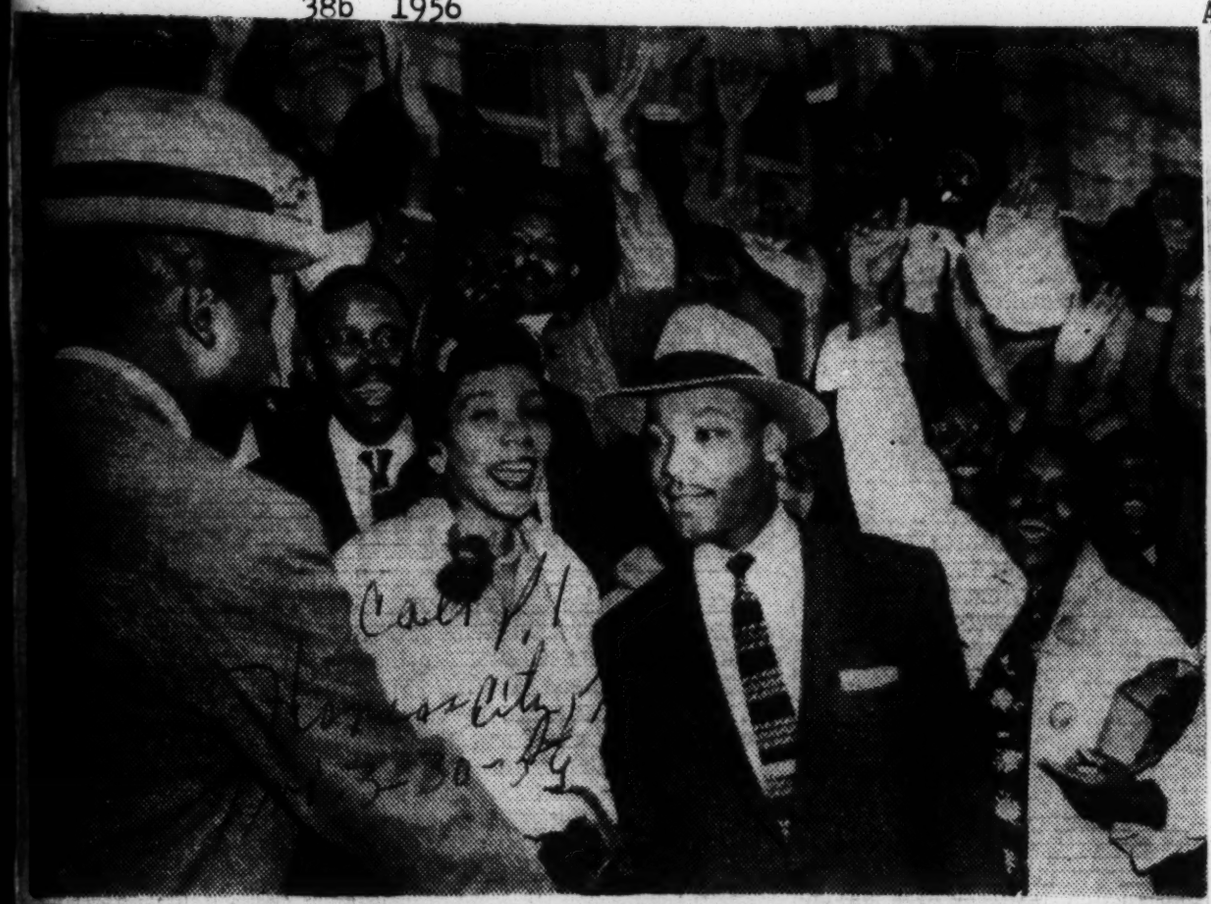
A public transportation company, operating under a franchise which gives it exclusive right to service a community occupies an entirely different positon from a private business being conducted in a competitive economy. Patrons of such a franchised operation have no redress or protection except that of public protest. When protest is ignored the only other recourse is refusal to accept the service provided. This, the first, citizens of Montgomery did—and for this 90 of their leaders are under criminal indictment. Surely this is a curious perversion of law.

States have public utilities commissions set up for the purpose of protecting their citizens from exploitation by businesses which are given exclusive privilege in providing certain service. These commissions establish rates and set the terms upon which franchises are awarded with the thought that such conditions shall always be in the public interest. Implicit in such regulations is the theory that equality of service and treatment becomes a state-guaranteed assurance.

Even under the outmoded "separate but equal" concept still clasped to the bosom of the South the treatment of Negro bus patrons in Montgomery ignores any pretense at equality. The requests of citizens of Montgomery sought no change in the state's segregation laws.

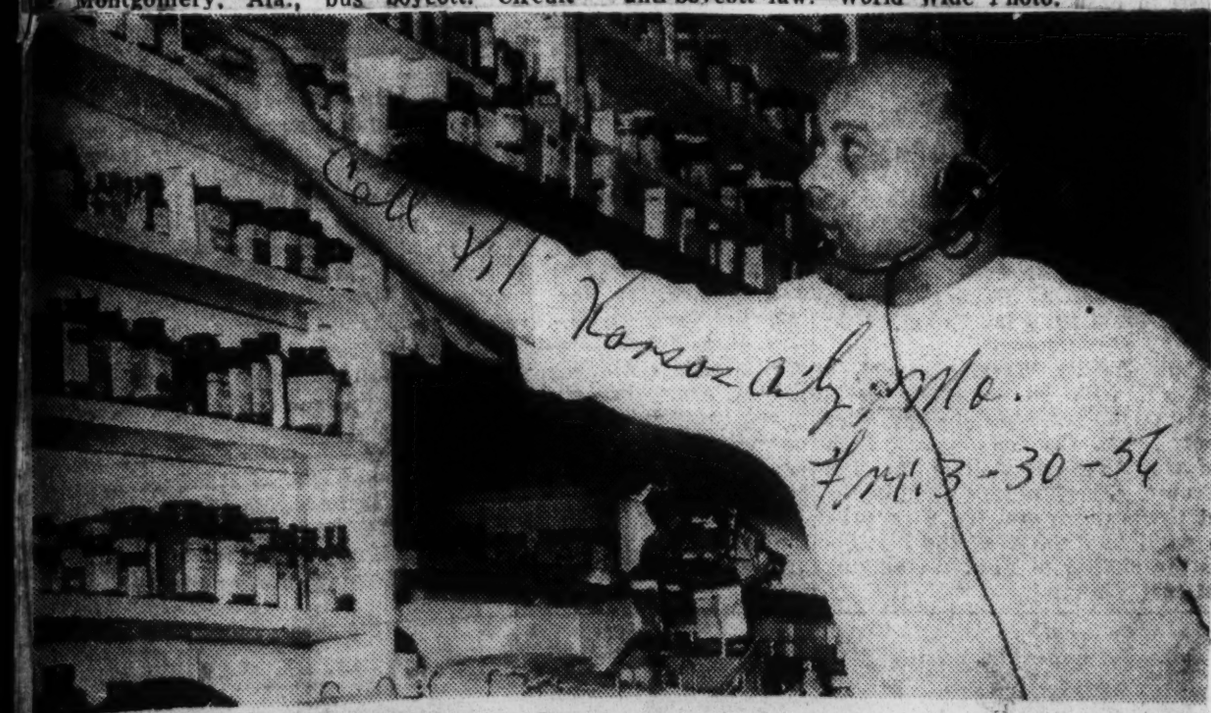
They simply sought relief from intolerably unequal treatment. By the same theory, electric light companies and gas companies might decide to refuse service to Negro customers to three hours a day, no protest possible. Or telephone companies might be permitted to give party line service to Negro customers while charging straight line rates.

Application of an anti-boycott statute in this manner simply defies logic and law.



EERS FOR REV. KING.—The Rev. Ralph Abernathy, left, is shaking hands with the Rev. Martin Luther King Jr. as a big crowd cheers for the Rev. Mr. King who when this picture was taken had just been found guilty of leading the Montgomery, Ala., bus boycott. Circuit Judge Eugene Carter ruled that King was guilty and fined him $500. King immediately filed notice of appeal. The Rev. Mr. King's wife stands next to him. The minister was one of 90 Negroes indicted on a charge of violating the state anti-boycott law.—World Wide Photo.

THEIR CASES POSTPONED PENDING APPEAL. —Other defendants in the Montgomery bus protest trial learn their cases have been continued pending the appeal of the Rev. Martin L. King's conviction and $500 fine. Standing outside courthouse are, left to right, first row: Levi Hamilton, driver; Marcus Johns, office worker at Citizens Club headquarters; Matthew Kennedy, driver; Miss Ida Mae Caldwell, executive board, Montgomery Improvement association, and J. N. King, executive board, MIA. Top row: James Mitchell, NAACP member; the Rev. H. H. Habbard, pastor, Bethel Baptist church and member executive board, MIA; the Rev. H. J. Palmer, Caanan Baptist church, executive board member, MIA, and Wiley Nelson, pool driver.



DIRECTING CAR POOL IN BOYCOTT. — Dr. Rich Harris of Dean's Drug Store in Montgomery, Ala., a focal point for car pool dispatching, wears ear phones constantly to keep in touch with drivers and dispatch pool cars when needed. The store is located corner of Monroe and Jefferson Sts.

Montgomerians Relate Wrongs-from Way Back

Tell How Bus Drivers Kept Saying 'N-----'

By CHARLES H. LOEB
NNPA Correspondent

MONTGOMERY, Ala.— The defense was having its day. The state had rested its case in the first of the Montgomery boycott trials Tuesday, March 20. Judge Eugene Carter had forced them to call the first of 37 witnesses by overruling a defense motion that it throw out the state's evidence as insufficient to convict the Rev. Martin Luther King.

From midday until after 5 p.m., 20 defense witnesses had been called to the stand, school teacher, washerwoman, minister, school children, store clerks, widows, employed and unemployed, polished of speech and inarticulate, placid and angry, resentful and tolerant. Negro Montgomery, at last, got a chance to "testify" to the wrongs it has suffered — from way, way back.

George Gilmore, Veola Bell, Margaret Walker, Estella Brooks, Henrietta Brinson, Frances Rutledge, Lula Mae Harper, Loeva Perkins, Irene Dorsey, Dorothy Lois Jackson, Janie Pace, Anita Burney, Geneva Williams Burney, Odessa Williams, Bessie Sanders Logan, R. A. Parks, Barbara Murphy, Odella Garneier, Inez Hicks, and Harry Walker.

There'll be more on Wednesday. All with two things in common. They're Montgomery citizens and all have "experienced unpleasant incidents" while riding the buses of the Montgomery City Lines.

And something else, too.

All of them have stopped riding on the buses.

Smartly-attired Thelma Glass, member of the Women's Politic Council, had been on numerous committees which had called on City Fathers and on bus company officials for more courtesy from bus drivers.

"Officials were polite. Bus drivers kept on calling Negro women "n——s."

Mrs. Sadie Brooks, 21 years a resident, a respected member of the City Federation: also met with officials as a member of various committees — city commissioners, bus officials, in 1952. Again in 1954.

"Officials listened politely. Bus drivers still kept passing up Negroes, cold weather or warm. She once saw a driver pull his pistol and order a Negro passenger off the bus. No cross-examination.

Rufus Lewis, president of the Citizens Club and originally a state's witness. He's now encouraging Negroes to register and vote. He met with officials, too, made the usual complaints, begged for improvement.

Negro bus riders still "black apes." Negro women, "cows."

Mrs. Georgia Theresa Gilmore, citizen of Montgomery since 1920. Couldn't wait for any boycott, stopped riding in October, 1955. Tired of hearing "Come out, nigger, and go into the back. Saw too many others insulted, standing over empty seats and not permitted to sit in them.

"I told that bus driver when the company gets it all together, they can't tell Negro money from white money."

"That red headed, freckled-faced bus driver on the S. Jackson line is a "very nasty bus driver.

The nastiest I've ever seen."

Richard Jordan, 26 years in Montgomery, riding buses, taking insults. Bad experiences? "Too many to recall them all. Remembers how they made his pregnant wife get up on trips to doctor "her time was close," to give up seat to whites.

Della Perkins, 14 years or residence, and eager to testify. She was called an "ugly black ape." She's still mad about it. Asked if she had talked with anybody about the case.

"Yes, Attorney Gray.

Three solicitors straightened up (this is it)

Q. "What did he tell you?

A. "He told me to tell the truth."

No further questions.

Gladys Moore, in Montgomery since 1942. Very familiar with the "code of seating" on the Montgomery City Lines.

Whites enter through the front First ten seats reserved for whites.

Negroes enter from the back. Last ten seats reserved for colored.

In white neighborhoods, only daring Negroes sit in "middle seats" bus drivers will make them move, under threat of arrest, regardless of whether or not all seats in "colored reserve" are taken.

"Git up nigger. Git back" is the stockcommand.

Compliance means peace. Resistance means arrest.

In predominantly Negro neighborhoods, company relaxes the rigidity of its rule on "middle seats." Since these buses are jam packed with colored passengers going downtown, these seats may be used, but at the risk of having to give them up if white passengers board the bus and all white "reserved" are filled.

The story is becoming monotonous already. State has stopped making objections. Judge seems bored, finally he takes a hand in the proceedings.

"For my own information" he purrs, "why did you stop riding the buses on December 5."

Mrs. Moore: Because I didn't like the way they treated Mrs. Parks, it wasn't fair, Judge.

Judge: Did you attend any of those mass meetings?

Mrs. Moore: Yes, several of them.

Judge: Was Rev. King there?

Mrs. Moore: Yes he was, almost every minister in town was there.

Judge: Who said stop riding the buses?

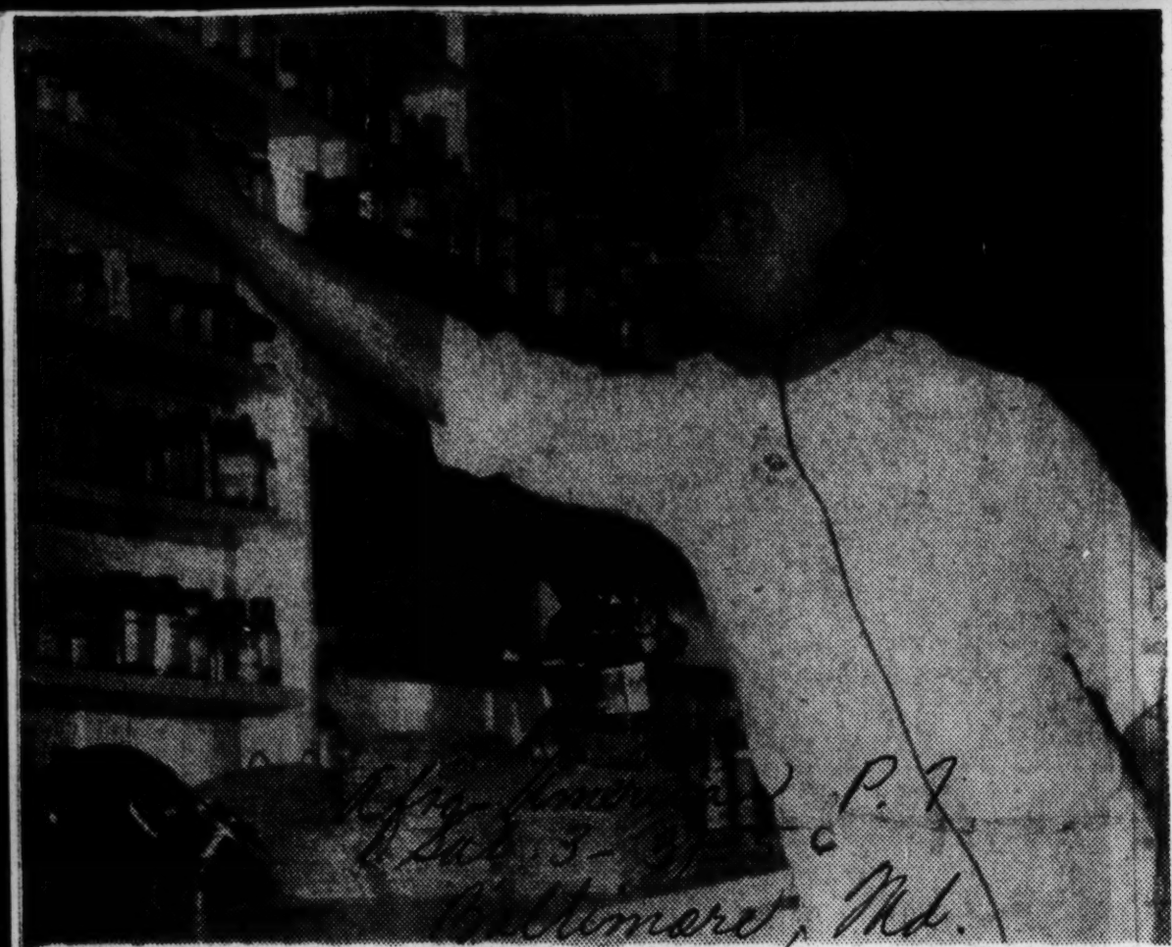
Mrs. Moore: 50,000 Negroes in Montgomery.

Shouts, applause, laughter were quickly quelled.

Judge Carter says those in contempt of court go to jail.

But, now the judge knows.

A CROSS SECTION of the 90 defendants in the Montgomery, Ala., bus boycott who still await trial (pending appeal of the Rev. Martin L. King's conviction and fine) includes these same members of the Montgomery Improvement Association. Standing on the courthouse steps are: Levi Hamilton, driver; Marcus Johns, office worker at Citizens Club headquarters; Matthew Kenney, driver; Miss Ida Caldwell, executive board, MIA; J. N. King, executive board. Top row: James Mitchell, NAACP member; Rev. H. H. Hubbard, pastor, Bethel Baptist Church and executive board member; Rev. H. J. Palmer, Caanan Baptist Church, also executive board member, and Wiley Nelson, pool driver.



CHIEF DISPATCHER—Dr. Rich Harris of Dean's Drug Store is the key man in the car pool dispatching for the bus protest. Here he wears the ear phones which keep him constantly in touch with would-be riders and enables him to dispatch pool cars when needed. Store is located at Monroe and Jefferson Sts.

MRS. THELMA GLASS

MRS. DELLA PERKINS

MRS. ROSA PARKS

MRS. GLADYS MOORE

UNAWARE OF CONTENT

Advertiser

Negro Woman Withdraws Action On Segregation

Montgomery, Ala.

Fri. 2-3-54

A Negro woman who joined in a federal suit attacking segregated travel in Alabama said yesterday she was withdrawing from the action because she "didn't know" what she was signing.

Jeannette Reese, one of five Negro women who filed the complaint Wednesday, told Mayor W. A. Gayle she was surprised to see her name listed as one of the plaintiffs.

"You know I don't want nothing to do with that mess," she told the Mayor.

Several hours after the action was filed, the second bomb to be tossed within two days at the home of Negro leaders in the bus boycott exploded harmlessly Wednesday night in the front yard of E. D. Nixon, former state president of the National Assn. for the Advancement of Colored People.

The 64-year-old housemaid said her husband received an anonymous telephone call Wednesday night warning her to get out of town.

She said her employer told her when she came to work yesterday that "she was surprised" at seeing the Reese woman's name among those signing the suit.

She issued her statement in the mayor's office in the presence of a newspaper reporter.

But Negro Atty. Fred Gray, one of the lawyers filing suit in behalf of the women, said the Reese woman's statement was "far from the truth. He said she knew what she was signing.

The woman said she never heard the word "suit" mentioned when she was in Gray's office.

Mayor Gayle meanwhile, speaking for the City Commission, charged that filing of the suit is "proof beyond any doubt that Negroes never wanted better bus service as they were claiming, but complete integration."

The mayor pointed out he had made the charge two weeks ago when it was announced that the City Commission was breaking off negotiations with boycott leaders, who he said had rejected all "reasonable" plans for a compromise.

He said city attorneys will study and contest the suit in federal court, adding:

Fri. 2-3-54

"As the city commission, we do not intend to be deprived of any phase of our southern way of life without doing all in our power in a legal way to prevent it."

NEGRO MAID TAKES HER NAME OFF SUIT

Commercial Appeal

Says Husband, Ex-Employer Persuaded Her

Memphis, Tenn.

MONTGOMERY, Feb. 2.—(UP)—A 64-year-old Negro house maid said Thursday her husband and a former employer persuaded her to have her name taken from a suit asking that state and city bus segregation laws be ruled unconstitutional.

Jeaneatta Reese said she knew what she was signing when she put her signature to the suit which was filed in United States District Court Wednesday by Negro attorney Fred Gray.

However, she said that after receiving several threatening telephone calls Wednesday night she called a detective she knew and he advised her to contact her former employer and discuss the matter with him.

She said the one-time employer told her "the best thing I could do was take my name off that petition."

The woman said her husband became "irritated" when he learned she had signed the petition without his knowledge. She said after her husband received a telephone call Thursday telling him to get his wife out of town by midnight, he demanded she go to Mayor W. A. Gayle and have her name stricken.

She said she went to attorney Gray's office earlier Thursday about another matter, but told him "she wanted to go on" with the petition.

Gray said Thursday he would comply with the woman's wishes in withdrawing her name.

Why Three Judges Will Hear The Bus Case

Advertiser

Some readers have asked why a three-member court will be empanelled to hear the suit brought by Montgomery Negroes against city and state laws governing segregated transportation.

Thurs. 2-2-56

A federal statute requires that when the constitutionality of a state statute is attacked, a three-judge court must hear the case. One of the judges must be a member of the U.S. Circuit Court of Appeals; one a judge of the district court in which the cases was filed (in this case, Judge Frank Johnson); the third may be either a district or circuit judge.

Montgomery, Ala.

There's no way in the world of knowing how long it will take to get a final answer in the case. (A district court has already ruled, however, that Columbia, South Carolina, may not segregate passengers on city buses.)

A federal statute requires that cases involving an attack on the constitutionality of a state statute shall be heard as soon as "practicable" after filing. In other words, such cases are given a priority, but "practicable" is subject to a variety of interpretations.

In the appeal of the Negro admissions case, the University of Alabama unsuccessfully argued that the original hearing should have been held before a three-judge court. However, this motion was denied, presumably because no state statute specifically forbids the University from admitting Negroes, and thus constitutionality was not at issue.

The legal maneuvers on both sides are almost without end in a case such as the bus challenge, but we understand that it is unlikely it will drag on as long as the University of Alabama case, which dates back to 1952.

In Montgomery—

Post-Herald

Negro Asks Name Be Withdrawn From Suit

Fri. 2-3-56 P.1

Birmingham, Ala.

MONTGOMERY, Feb. 2 (U.P.)—A 64-year-old Negro housemaid, one of five Negro women who filed suit asking that state and city bus segregation laws be ruled unconstitutional, said today she did not know what she was signing and asked that her name be withdrawn from the suit.

Jeaneatta Reese said she went to Negro Atty. Fred Gray's office to "take some insurance papers." She said she agreed to sign some papers after Gray asked her if she had been treated unfairly on city buses, but "he didn't say anything about a suit."

Gray issued an immediate denial and charged in turn that "pressure" had been brought to bear on the woman. "I know she had worked for some prominent people in town and I imagine they brought a lot of pressure against her," he said.

"She understood throughly what she was doing," the attorney said. "At the time there were four or five other persons in my office and we discussed the suit in detail."

Gray said he would comply with the woman's wishes in withdrawing her name, but he said he had not been contacted directly by her yet.

Withdrawal of one plaintiff from the suit, filed yesterday in Federal District Court, would not affect the validity of the action, according to legal authorities.

The suit asked for temporary injunctions against the City Commission, the chief of police and the Montgomery bus lines while the constitutionality of the laws is being determined and permanent injunctions upon final disposition of the case.

Post-Herald

The defendants in the suit were served with notice of the action today. They have 20 days in which to file and answer.

The Negro women asked a three-member court to rule that the defendants "in conspiring among themselves and with others to compel" Negroes to use City Bus facilities and in seeking to enforce "said unconstitutional statutes and ordinances" have violated the 14th Amendment to the U. S. Constitution.

The City Bus Lines has been boycotted by Negroes here for more than two months in a dispute over segregated seating.

Other plaintiffs in the case are Aurelia S. Browder, Susie McDonald, Claudette Colvin and Mary Louise Smith.

Gray said Jeaneatta Reese told him today that she received some threatening telephone calls last night, and he said she was "disturbed a little." P.2

"I asked her if she wanted her name withdrawn and she said she wanted to go on," Gray said.

The woman announced her intention of withdrawing from the suit after a conference with Mayor W. A. Gayle.

Meanwhile, Police Chief G. J. Ruppenthal, one of the defendants in the segregation suit, reported that his officers had turned up no leads in the bombing last night at the home of a Negro boycott leader.

A "mild blast" damaged a fence and blew a small hole in the lawn of the home of E. D. Nixon, former state president of the National Association for the Advancement of Colored People.

It was the second bombing in two days. A dynamite charge was set off at the home of the Rev. M. L. King, a boycott spokesman, Monday night. No one was injured in either blast.

FOUR CITY BUS JIMCROW SUITS FILED IN MONTGOMERY

Courier
Sat. 2-4-56

MONTGOMERY, Ala., Feb. 6—A suit was filed in federal court here yesterday by four persons asking that the travel segregation laws of this city be declared unconstitutional.

Segregation Mind.

Named as defendants were Mayor W. A. Gayle Bolivar, Commisioner Clyde Sellers; Public Improvement Commissioner Frank Parks, individually and collectively: Police Chief Goodwyn J. Ruppenthall; the Montgomery City Lines, Inc., James F. Flake and Robert Cleere.

P. 1

An injunction to halt enforcement of the travel segregation laws while the suit is pending was also asked.

Plaintiffs are Aurelia S. Browder, Jeaneatta Reese, Claudette Colvin, by Q. P. Colvin, next friend, Mary Louise Smith, by Frank Smith, next friend and all others similarly situated.

4 In Ala. File Bus Bias Suit

World
Fri. 2-3-56
Birmingham

MONTGOMERY, Ala. — (SNS) — A suit was filed in federal court here yesterday by four persons asking that the travel segregation laws of this city be declared unconstitutional.

Ala.

Named as defendants were Mayor W. A. Gayle, Police Commissioner Clyde Sellers; Public Improvement Commissioner Frank Parks, individually and collectively; Police Chief Goodwyn J. Ruppenthall; the Montgomery City Lines, Inc., James F. Flake and Robert Cleere.

An injunction to halt enforcement of the travel segregation laws while the suit is pending was also asked.

P. 1

Plaintiffs are Aurelia S. Browder, Jeaneatta Reese, Claudette Colvin, by Q. P. Colvin, next friend, Mary Louise Smith, by Frank Smith, next friend and all others similarly situated.

Attys. Charles L. Langford and Fred Gray are representing the plaintiffs.

Judge Orders Bus Line To Abandon Integration

A Advertiser Montgomery, Ala.

Thurs. 5-10-

Jones Cites Laws Barring Race Mixing

P.1

Holding that the Supreme Court hasn't outlawed bus segregation yet, Circuit Judge Walter B. Jones, in Circuit Court directed Montgomery City Lines yesterday to abandon its new integration policy.

He ruled that nothing in the U.S. Constitution gives the federal government the right to prohibit the states from segregating bus passengers in intrastate transportation.

With that conclusion, he held Montgomery city and Alabama state segregation laws consitutional and ordered the bus company here to "comply with and abide" with them.

Reynolds C. Mills, assistant superintendet of Montgomery City Lines, said the company will comply with Judge Jones' order.

Mills said officials of National City Lines, Inc., Chicago, parent company of the local bus lines, will make the decision on whether the circuit court order is appealed.

Jones' decision granting an injunction against further compliance with the bus company's recent integration order came at the request of the City of Montgomery, whose officials and attorneys predicted roiting and other violence if the segregation laws are broken down.

The judge took note of that threat and observed in his written order yesterday:

TENSION, UNREST

"A situation of tension and unrest has been created in the City of Montgomery, which is likely to explode into violence at any time, if not restrained."

Most Montgomery Negroes have boycotted city buses for nearly six months even despite the company's instructions to its drivers to refrain from enforcing the segregation laws. Negro leaders voted a mass meeting recently to continue the boycott until city and state officials recognize integration.

There have been no reports of actual integration aboard the buses even though the company abandoned segregation as a policy. Negroes who have continued to patronize the buses have remained in the rear, where they always sat.

HEARING FRIDAY

Jones' decision came only two days ahead of a scheduled federal court hearing on a suit challenging constitutionality of city and state segregation laws.

A three-judge panel will try the suit here Friday. The complaint bears the names of six Negroes and was filed as an outgrowth of the bus boycott.

What will happen to Jones' injuntive order if the federal court rules the segregation laws unconstitutional couldn't immediately be determined. The courts and opposing attorneys declined to speculate.

Without elaborating, Jones wrote in his decision that "There is no straight out decision of the Supreme Court of the United States holding that a state or city may not require the separation of the races on buses where carriage of passengers is solely intrastate."

A Supreme Court ruling on April 23 was interpreted as outlawing segregation on city buses, but some lawyers contended it didn't settle the issue.

Advertiser

The decision dismissed an appeal from a ruling of the U.S. Fourth Circuit Court of Appeals which, in turn, has held bus segregation in Columbia, S.C. unconstitutional and had sent the case back to the original trial court to determine the question of damages.

P. 6 A

Whether the Supreme Court dismissed the appeal on the grounds that segregation is invalid or because the case was still pending in the lower courts wasn't made clear.

Jones questioned validity of the Federal Court of Appeals' ruling, holding it "Is not well reasoned, is not sound law" and "At best it is simply the guess of the Fourth Circuit Court of what the Supreme Court will hold."

Basing his conclusion on the 10th amendment to the U.S. Constitution which says powers not delegated to the federal government by the organic law or prohibited to the states are reserved for the states or the people, Jones asked:

"Where in the United States Constitution is there any delegation of power to the United States Government to say that a state cannot make reasonable regulations for the carriage of passengers on public conveyances wholly within the state?

"Where in the federal constitution is there one word, one sentence, or one paragraph, saying that the sovereign states of this union, the states which created the federal government—and many of whose constitutions antedate the federal constitution — are prohibited from making. . . reasonable rules for the separation of the races. . ?"

Continuing, he said the power claimed for the federal government by the court of appeals in the South Carolina bus case "does not exist and never has existed. It is a power reserved to the states and their people."

"This court will not be a party to filching the power from the state," he declared.

Negroes Testify Abuse Led to Bus Boycott

Courier-Journal P.1

Thurs. 3-22-56

Witnesses Say White Drivers Mistreated 'All 50,000' of Their Race In Montgomery

Louisville, Ky.

By The United Press

Montgomery, Ala., March 21.—Negroes testified today that white drivers abused "all 50,000" of their race here—including the pregnant and the blind—and for that reason they stopped riding city buses.

Witness after witness testified as to mistreatment by drivers as the defense presented its case in the trial of the Rev. M. L. King, one of 90 Negroes charged with conspiring to boycott the bus line.

Six defense lawyers tried to show by such testimony that the 15-week-old boycott actually was a spontaneous protest demonstration rather than a calculated scheme to put the transit system on the rocks financially, as the State contends. The State rested this morning.

Spectators Applaud

An Alabama law of 1921 banning such a conspiracy against a business provided the basis for the prosecution in a 100-year-old courtroom, where spectators, most of them defendants, broke into applause at one point in the defense testimony.

That was when witness Ella Perkins said none of the city's 50,000 Negro population was spared arrogant treatment from the bus drivers.

A later witness, Martha Kate Walker, said that once last year she was taking her blind husband, who lost his sight in Germany in an accident after World War II, home on the bus.

Says Complaint Ignored

As they left the bus, she said, "my husband had his left foot on the ground but his right foot still on the step" when the bus started off suddenly.

"I screamed and a white lady on the bus told the driver to wait a minute, but he kept on going," the witness said. She said her husband skinned his ankle in getting clear of the bus. She waited until the driver came around again, she said, and told him about the incident, but he told her he didn't know anything about it.

Mrs. Walker said she complained later to the manager of the bus company, but never heard anything further from him.

Tells of Name Calling

Another witness, Pullman porter Richard S. Jordan, testified that several years ago a bus driver brusquely ordered his pregnant wife to give up her seat to a white passenger.

"I'm a man, and I'm supposed to protect her, but I just looked out the window," Jordan said bitterly.

He said the driver called him "boy," and that the common designation for their race by drivers was "boy, girl, or nigger."

Mrs. Perkins said she and other Negro women had been called "ugly black apes" by the white drivers. Once, she said, she told an arrogant driver she wanted her fare back, but he put her off without it.

More Witnesses Due

The defense had indicated earlier it might finish today, but a number of witnesses were still to be heard at the end of the third day of the trial.

Conviction under the old anti-boycott law carries six months in prison and/or a $1,000 fine.

Mrs. Perkins testified she stopped riding the buses December 5, the day the boycott is alleged to have started, but she did not give a specific reason until Circuit Judge Eugene Carter, who will give the verdict in the juryless trial, pressed her.

Then she said it was because "we were all mistreated on the buses."

'Who Is "We All?"'

"Who is 'we all?'" the judge asked.

"All of us, 50,000 Negroes in Montgomery," she replied.

When applause broke out, Judge Carter warned that if it occurred again, "I'll make you all stand and go outside, or take you to jail."

The State rested after 2½ days of testimony designed to show that the Negroes formed an organization, collected funds and set up motor pools to compete with the public transit system and wreck it economically.

Alabama Law Rules Buses, Judge Holds

Constitution

Thurs. 5-10-56

Atlanta, Ga.

MONTGOMERY, Ala., May 9 (AP)—Circuit Judge Walter B. Jones today ordered Montgomery City Lines to rescind its recent policy of racial integration on city buses.

P.1

Granting an injunction requested by the city of Montgomery, Jones directed the bus company and its employes "to comply with and abide by all the provisions of the ordinances of the city of Montgomery and the statutes of Alabama relating to the seating of white and Negro passengers."

City and state laws require segregation in all public transportation.

Jones, in a written order, said "There is no straight-out decision of the Supreme Court of the

United States holding that a city or state may not require the separation of the races on buses where carriage of passengers is solely intrastate."

He mentioned the recent Supreme Court decision which dismissed an appeal from South Carolina, which at first was interpreted as outlawing segregation but which later was described by some attorneys as merely dismissing the appeal because the South Carolina case was still pending in lower courts on a question of damages.

Some Testimony Admitted About Bus-Boycott Threat

Courier-Journal P.5
Wed. 3-21-56 Louisville, Ky.

Montgomery, Ala., March 20 (AP)—State's attorneys sought to show today that Negroes have been threatened for riding buses during the segregation boycott in Montgomery, but only part of the testimony along that line was allowed.

Circuit Judge Eugene Carter, presiding at the trial of the Rev. Martin Luther King, Jr., one of 90 Negroes indicted on boycotting charges, threw out the entire testimony of one Negro witness who said his life had been threatened.

But the judge permitted two other Negroes to testify about threats they said they had received.

At the same time, defense attorneys brought from one prosecution witness a statement that Negro ministers he had heard speak at mass meetings during the boycott had made a point of appealing to their race to shun violence. That witness was Joe Azbell, city editor of The Montgomery Advertiser.

The hearing recessed until tomorrow morning. The State indicated it may finish presenting its case then.

Janitor's Story Admitted

Carter excluded the testimony of Willie Carter, a young Negro who testified that another member of his race he had never seen before picked him up in his car and warned him against violence if he continued to ride buses to and from work.

But the court refused to rule out the story told by a Negro Courthouse janitor, Ernest Smith, who said an unidentified Negro tried to pull him off a bus. Smith said he knocked the other man down and continued his trip.

A Negro woman, Beatrice Jackson, testified that a Negro man whose name she said she didn't know beat her and cut her with a knife because she insisted on riding buses to work.

The state in two days of testimony has attempted to link King to what the prosecution calls a conspiracy to boycott the racially segregated Montgomery city lines buses.

Despite defense objections, the prosecution got into the record testimony today from seven bus drivers about incidents of violence against the bus line early in the boycott.

A Negro leader told how a smooth-running motor pool provides transportation for the boycotting Negroes.

Other witnesses testified that the Montgomery Improvement Association, which was formed the day the boycott started, arranged the pool and has paid for gasoline and other expenses.

Jury to Probe Legality Of Alabama Bus Boycott

Post + Times Herald P.22
Tues. 2-14-56

MONTGOMERY, Ala., Feb. 13 (AP)—A county grand jury composed of 17 white men and one Negro was told by Circuit Judge Eugene Carter today to determine whether the 10-week-old Negro boycott of City Lines buses here is illegal.

If it is illegal, the judge declared, the boycott must be stopped. Washington, D.C.

E. T. Sinclair, a waiter, was the Negro seated on the grand jury.

Judge Carter also told the grand jury "no court, whether it be Federal court, state court or city court, can interfere with your investigation. You are the supreme inquisitorial body."

Judge Carter declared "the doctrine of hate has no place here, and particularly has no place in the churches." He said Montgomery "has been a city that both races have had pleasure living in. I say to both black and white, let's continue to live as neighbors."

In directing the jury to determine the legality or illegality of the organized refusal of Negroes to ride Montgomery City Lines buses, the court declared:

"It is recognized under the Constitution, state and Federal, that a person's business is property and if lawfully conducted is entitled to protection from unlawful interference."

The boycott began Dec. 5 in protest against the arrest of a Negro woman who refused to move to the colored section of a bus. The woman, Rosa Parks, was fined $14 in city court. State and city laws require segregation on all public transportation.

AME Bishops Back Boycott

Defender Sat. 2-25-56 P.10
Chicago, Ill.

HOT SPRINGS, Ark. — (ANP) — The African Methodist Episcopal Church's Council of Bishops called on Negroes last week to apply economic pressure in "the spirit of Montgomery" to those who oppose racial integration.

In a three-page resolution, the council commended Montgomery, Ala., Negroes for their boycott of city buses because of segregated seating facilities. The boycott now in its 10th week, started after a Negro woman was fined for refusing to abide by Montgomery segregation laws.

"As followers of Christ, we are opposed to violence and mob action," said the resolution. "This latter must not be confused with mass action, a technique we must learn to employ in certain fields against those who would exploit us. . .The spirit of Montgomery must be applied wherever possible against individuals, corporations, both local and national, who fail to stand up and be counted."

The resolution was approved by 13 bishops and released by Bishop S. L. Greene of Atlanta, the council's president.

Others signing the document were Bishops G. W. Baber of Detroit, D. Ward Nichols of New York, F. D. Jordan of Los Angeles, F. M. Reid of Columbia, S. C., H. T. Primm of New Orleans, A. J. Allen of Columbus, Ohio, R. R. Wright of Philadelphia, J. Gomez of Waco, Texas; I. H. Bonner of Mobile, Ala., C. A. Gibbs of Jacksonville, Fla., E. C. Hatcher of Nashville, Tenn., and W. R. Wilkes of Atlanta, Ga.

Judge Jones Delays Ruling On Race Laws

Advertiser Montgomery, Ala. 4/

An attorney for the Montgomery City Lines Bus Co. declared yesterday that continued segregation on local buses would result in "greater danger of public disorder" and subject the bus company to repeated prosecution under civil rights laws. A.M. 3-4-56

Robert Thrun of New York asked Circuit Judge Walter B. Jones to deny an injunction asked by the city to compel the bus company to enforce city segregation laws on local buses.

Judge Jones, following a hearing which lasted only 45 minutes, took the motion for the injunction under advisement and announced that a decision would be rendered within a "few days."

CONTINUED LOSS

The bus company, threatened with continued loss of Negro patronage on one side and possible cancellation of their operating franchise on the other, now faces a possible court order to require the maintenance of separate seating facilities on city buses.

Attorney Thrun, defending the bus line's recent racial integration order, contended that city and state segregation laws no longer protect carriers from civil rights prosecution.

He declared that to continue segregated buses would result in "endless lawsuits" against the company and heavy expense in court litigation.

The attorney's remarks brought a charge from City Attorney Walter Knabe that the "bus company seems more interested in avoiding lawsuits than in public safety on the buses."

HEALTH, SAFETY

Commissioner of Public Affairs Clyde Sellers, called to the witness stand yesterday by City Attorney Walter Knabe, testified that "public health and safety" in Montgomery would be jeopardized and that the future existence of the bus transportation system here would be threatened if segregation barriers on buses were brokn down.

Citing acts of violence which have occurred during the bus boycott here, the police commissioner said that unless the injunction is granted requiring obedience to local bus segregation laws, "public riots, assaults and injuries" would result.

After pointing out that a "serious situation" now exists in local bus transportation, Knabe said that although Negroes are still taking seats in the rear of buses as in the past, "they may not continue to do so without a court order." "This could result in an outbreak of violence," he declared.

Thrun cited four federal court cases on segregation, including the recent South Carolina case (Flemming vs. South Carolina), and another suit filed by local Negro boycott leaders against the city and Montgomery City Lines, in asking that the injunction be dismissed. Advertiser

GREATER DANGER

Countering the city officials' charge that desegregation on buses would result in disorder and disturbances between the races, the New York attorney said the continued enforcement of segregation on buses would create a "greater danger of physical disturbances." P.2-A

He added that federal court decisions, principally the South Carolina case, bound the bus company to post notices that segregation of passengers no longer prevails. A.M. 3-4-56

The attorney said the bus company was put in a "very vulnerable position" by the Supreme Court decision which "left in full effect the decision of the district court."

Thrun said the bus company has already suffered heavy losses through the five-month bus boycott and that if segregation on local buses is continued the company would face numerous federal suits under civil rights laws. This would mean an "unbearable cost" through court litigation, he added.

The attorney said the decision of the National City Lines, Inc. to order desegregation on their buses came after careful consideration of city laws and customs."

He pointed out that other southern cities operating as subsidiaries of National City Lines, Inc. have ordered discontinuance of segregation on buses in line with the national firm's regulation.

Alabama Atty.-Gen. John Patterson and Asst. Atty. Gen. Gordon Madison observed the proceedings yesterday "strictly as spectators."

Others present were Reynolds C. Mills, assistant superintendent of trasnportation, Montgomry City Lines, and B. W. Franklin, manager of National City Lines, Inc.

J. H. Bagley, superintendent of transportation for the local bus line, is recuperating from a heart attack suffered last week and was unable to attend the proceedings.

Cleric Risks Neck For Racial Peace

World-Telegram
Sun
Mon. 2-27-56

By FRED SPARKS
Scripps-Howard Staff Writer.

MONTGOMERY, Ala., Feb. 27.—With the Southland split into camps of black skins and white skins and with every American choosing sides, fear is the only daily dish shared here by all—fear of law turning into lynch, of ancient customs trampled.

New York, N.Y.

In such a clouded time the reporter seeks, too often in vain, a leader whose only motive is peaceful progress and who believes harmony yet possible in this house divided.

I think I have found one such leader and it is fitting that he is a man of white skin and a minister "doing the work of the Lord."

He is the Rev. Robert Graetz and you could see him today leaving his small, tidy Montgomery home at dawn, a 27-year-old with a younger, laughing face and fine features and blond hair. He moves to his car with the easy, muscular gait of a college athlete and drives downtown picking up Negroes and taking them to work.

"Good morning, Reverend, how's the 'chauffeur' today?"

"Hello, Reverend. God bless you today."

He makes seven or eight round trips, clocking 50 miles in city traffic, because his passengers refuse to ride the public buses on which other passengers get the best seats —Jim Crow.

This young man is no radical. Visiting him in the Trinity Lutheran Church, I sensed an inner calm like the eye of a hurricane. And indeed a hurricane of hate seethes outside, for he is the white pastor of an all-black congregation.

He is no radical because what he stands for is basically similar to the words of intelligent Southern white leaders. Neither he nor they doubt that the Negro will "in God's good time" graduate to full membership in the human race. Neither he nor they think it will come overnight—presto—as if some magic wand could erase centuries of perjudice from the brain of man.

When a Northern radical, no matter how well meaning, calls for federal troops to impose with bayonet the desegregation order of the U.S. Supreme Court, Mr. Graetz shudders. Continue peaceful progress, yes. Step-by-step to equality, yes. But force? No, never.

World-Telegram

A Moderating Influence.

So, though considered by many a "traitor to his own skin," he is in fact a moderating influence.

Sun

As a boy in Charleston, West Virginia, Bob Graetz was influenced by his paternal grandfather, a Lutheran minister. As a high school student—no isolated bookworm but a friendly extrovert and a cross-country runner—he made his decision.

At the Lutheran Seminary in Columbus, Ohio, he first studied race relations and was deeply troubled by statistics that showed the "equal but separate" educational facilities for Negroes to be thin and false phrases.

P. 2

Salary, $1100.

Ordained last summer, he seized the opening at Trinity Church here, one rich with danger and poor with profit. His salary: $1100 a year.

His boyishness suprised the black elders. Negro extremists were shocked when he stated simply his dream: "I'm not interested in starting a revolution. If we raise the standard of the Negro, integration will come automatically."

What does he gamble? His life—and the life of his pretty brunette wife and three small children. Since he supported the bus boycott, his phone jingles maybe 20 times daily and he is abused in gutter terms by anonymous callers.

Night riders have slashed two tires on his parked car and poured sugar into the gasoline tank. Friends came to him and offered pistols but he refused. "I wouldn't kill anything . . ."

If a Mob Comes . . .

His friends have placed strong lamps around his home and the approaches are floodlighted like a ball park. Negro neighbors carefully watch every white man's car that slows nearby.

"What," I asked him, "would happen if a mob marches into this black belt?"

"They better not," he said, his brow a relief map of worry. "There are guns in every Negro home and men ready to use them."

Bus Segregation Decision Delayed

Times-Picayune
Fri. 5-4-56 P.5

MONTGOMERY, Ala., May 3 (AP) — Circuit Judge Walter B. Jones Thursday declined to rule immediately on a request by the city of Montgomery for an injunction to prevent racial integration on city buses.

New Orleans, La.

He said he would announce his decision in "two or three days."

Montgomery City Lines, which has abandoned segreation despite city and state laws, contended at a hearing that it can no longer afford to enforce city and state segration laws in view of federal court decisions against them.

City attorneys argued that Montgomery and Alabama laws are still in effect regardless of federal court decisions in other states.

The US supreme court april 23 dismissed an appeal from the fourth circuit court of appeals and left standing an earlier ruling by the circuit court knocking out bus segregation in South Carolina.

Memphis Group Formed To Help Retain Harmony Between Negroes, Whites

Commercial Appeal
Memphis, Tenn.
Sun 2-26-56

Montgomery Bus Boycott Brings Arrests But The 'Passive Resistance' Continues—Site For City's Steam Plant Is Chosen

By LOUIS SILVER

THE RACIAL segregation story, a best seller for almost two years among Southern readers, held its top headline position last week with indictments in Montgomery, Ala., against Negroes boycotting the city bus system.

In Memphis, civic-minded residents formed a new organization aimed at retaining harmony between white and Negro. Called the "Greater Memphis Race Relations Committee," the organization will invite Negroes to serve on both its board of directors and executive committee.

Plans for the organization were devised by a special committee composed of George W. Grider, W. W. 'Bill' Scott and Herbert Jordan. The group pointedly stressed its awareness that "Southern custom and tradition of long standing" have been upset by anti-segregation rulings.

Louis Silver

A grand jury at Montgomery indicted about 115 Negroes for violating a state anti-boycott law. For 11 weeks they have boycotted the city buses in protest to the fining of a Negro woman, Rosa Parks, for refusing to move to a Negro section of a bus.

About 3,000 Negroes attended a mass meeting in Montgomery where ministers urged them to use "passive resistance" in continuing the boycott.

Plant Site Chosen

These events also made Mid-South headlines last week:

City and county officials picked a 300-acre tract on the south side of McKellar Lake opposite Presidents Island as the site of the proposed municipal electric power plant. Work is expected to begin on the site as soon as the land in Ensley Bottoms can be acquired.

The City Commission approved more than 15 miles of new curb parking restrictions recommended recently by Mayor Orgill's Transit Study Committee. They call for no standing, stopping or parking along curb lanes of affected streets during hours of restrictions. Commissioner Claude Armour said the new bans probably will go into effect within a month, or just as soon as signs can be painted and erected.

Floods sent rain-soaked residents in the southern section of Dyersburg, Tenn., for higher ground for the second time within a month. Plans were announced to help Dyer County's flood problem with a drainage program along the Forked Deer and Obion Rivers and completion of a levee system.

FBI Bill Vetoed

Gov. J. P. Coleman of Mississippi vetoed a bill passed at the current legislative session at his suggestion and designed to prevent FBI agents from making civil rights investigations in that state. The Governor said at Jackson his action was no indication of his "unrelenting determination to preserve that which we know to be right," but based on "a material change in the conditions which existed" when he recommended the legislation last year.

A new legal threat against the West Memphis dog racing track was raised in Little Rock by the Good Citizens League of Crittenden County. W. H. Dillahunty of West Memphis, attorney for the league, filed a petition asking that the State Racing Commission be enjoined from issuing a racing permit and also that Chancery Court declare the 1935 Dog Racing Law invalid because it violates the State Constitution.

Bus Ruling Is Defied In Alabama

Herald Tribune
Wed. 4-25-56
New York, N.Y.

Lines Comply, Officials Balk

MONTGOMERY, Ala., Apr. 24 (AP).—An order to stop segregation on city buses brought angry threats of reprisal today from city and state officials who insisted that Alabama's segregation laws are still in effect despite the decision of the United States Supreme Court yesterday in a South Carolina case that all bus segregation is unconstitutional.

P. 17

Overruling a decision of Montgomery City Lines, Inc., to abandon its policy of separate seating of white and Negro passengers in compliance with the Supreme Court, a city official said any bus driver who permitted mixed seating and any passengers involved would face arrest.

There were no reports of actual mixed seating on the first day. An "Alabama Journal" reporter who spot-checked the buses said all the Negro riders he saw were seated in the rear, the part reserved for members of that race under the traditional segregation pattern.

Boycott Still On

Neither was there any indication that the bus company's readiness to discontinue enforcing city and state segregation laws would bring an immediate end to the five-month-old boycott by Negroes who have refused to patronize the segregated buses since Dec. 5.

The Rev. Martin Luther King Jr., boycott leader convicted of

Boycott May Bring Clear-Cut Ruling

Post-Herald

MONTGOMERY, May 7 (AP)—The lengthening Negro boycott of city buses in Montgomery may produce the first clear-cut decision from the Supreme Court on bus segregation.

Birmingham, Ala.

A suit challenging constitutionality of Montgomery city and Alabama state segregation laws will be heard by three-judge panel in Federal Court here Friday.

P. 2

The complaint, bearing the names of six Negroes and filed as an outgrowth of the mass boycott now in its sixth month, seeks a declaratory judgment holding the anti-racemixing laws invalid, and an injunction to stop the city and state from enforcing them.

Montgomery City Lines, a privately owned carrier which operates the city's only bus service, already has abandoned segregation for its part. Its drivers have been ordered to refrain from separating white and Negro passengers.

The City of Montgomery has asked Circuit Judge Walter B. Jones in State Court for an injunction to compel the bus company to rescind the integration order. Jones may announce his ruling tomorrow.

City attorneys contended at a hearing last Thursday that the continued existence of the non-segregation policy has created serious tension in Montgomery

If the three-judge federal panel sitting here Friday takes jurisdiction and rules on the legality of the segregation laws as requested, the outcome either way is certain to be appealed direct to the Supreme Court.

City and state attorneys have questioned the panel's jurisdiction, arguing that the attorney general's office, although made a defendant, doesn't exercise jurisdiction over city buses in Montgomery.

The Negroes contend the panel does have jurisdiction and are asking for an injunction to prevent either the city or state from enforcing bus segregation laws in Montgomery.

If the panel's decision goes direct to the Supreme Court, it probably will get there ahead of the case from South Carolina on which the high court acted April 23, since that case must be tried again on a question of damages

violating Alabama's anti-boycott law, issued a statement saying: "There will be no change in our position immediately." He did not elaborate. Mr. King's statement was issued through Negro attorney Fred Gray during a meeting of the executive board of the Montgomery Improvement Association, an organization formed in December to support the bus protest. Mr. King said, however, that a mass meeting is scheduled for Thursday night and that some action might be taken then. Mr. King is president of the association.

Court May Rule Soon

The ruling of the Supreme Court yesterday applied directly only to South Carolina, and Alabama officials contended segregation laws here will remain intact until a court order is directed specifically at them.

That could come May 11, the date set for hearing on an anti-segratgation suit already on file attacking the constitutionality of Montgomery city and Alabama state laws. The suit was filed as an outgrowth of the bus boycott.

Until the city and state laws are knocked down, Police Commissioner Clyde Sellers and other city officials and Jack Owen, president of the Alabama Public Service Commission, declared that segregation will be rigidly maintained.

The city commission, all three of those members belong to the Whtie Citizens Council, issued a statement saying it "does not consider that the Suprem Court decision construes Alabama laws or city ordinances by which we are governed."

The council is an organization dedicated to the preservation of racial segregation.

"We, therefore, expect the bus company and all other persons to abide by all existing laws and ordinances," the statement added.

Commissioner Sellers said he would order the arrest of any passenger or bus driver who permits or indulges in desegregation.

"I'll be responsible for any arrests and I'll give the direct orders for those arrests," he said. "As far as I'm concerned, this damn thing (the Supreme Court ruling) applies only to South Carolina. Until they tell us in this suit filed here that it applies to us, I'm going to enforce all city laws to maintain segregation."

Wire to Chicago

Mr. Owen sent a telegram to Roy Fitzerald, president of National City Lines in Chicago, the parent company of Montgomery City Lines, demanding that the integration order be withdrawn.

The P. S. C. president also directed all other carriers operating in Alabama to "strictly adhere to all present existing segregation laws in our state or suffer the consequences."

Without replying directly to Mr. Owen, one National City Lines spokesman in Chicago said: "We're not going to enforce segregation."

"This company has no choice but to comply with the decision of the Supreme Court," vice-president B. W. Franklin told The Associated Press. "For that reason we are not going to attempt to enforce segregation.

"We always comply with laws in effect. Now the Supreme Court says the secregation laws no longer are Constitutional—no longer in effect. "We're not going to enforce segregation."

The company also operates bus lines in Mobile, Ala.; Jackson, Miss.; Tampa, Fla.; Tulsa, Okla. and Beaumont, Wichita Falls and El Paso, Tex.

Officials at Tampa and Jackson said segregation would be continued on buses operating there despite the company statement in Chicago.

A few Negroes rode the buses today despite the announced end of segregation. R. C. Mills, assistant manager of Montgomery City Lines, said the number was about the same that continued to use the buses throughout the long boycott.

MONTGOMERY ORDERS CARS SEGREGATED

Daily Worker

Thurs. 4-26-56

Chicago, Ill.

P. 1

Commission Ready to Void License

Montgomery, Ala., April 25 (AP)—The city commission declared today that Montgomery City lines, which has abandoned racial segregation, will have to change its stand if it continues to operate here.

Mayor W. A. Gayle said all three members of the commission are "100 per cent together" in their determination to enforce city and state segregation laws despite the recent Supreme court decision.

The commissioners are all members of the pro-segregation Montgomery County Citizens council. One commission member, Frank Parks, said "they [the bus company] have a contract and will have to abide by it or be subject to court action."

Revocation Threatened

Altho there is no segregation provision in the recently renewed 10 year franchise, Gayle said the contract can be revoked if the company is violating the law. The commission insists that city and state segregation statutes are still in effect.

Gayle said city officials and officers of the bus company will confer late today or tomorrow. Earlier today, a bus company official promised to back up any driver arrested for permitting integration.

The statement from B. W. Franklin, vice president of National City Lines, Inc., of Chicago came at a news conference. Montgomery City Lines, Inc., which operates the city's only bus service, is a subsidiary of the Chicago firm.

Still Segregate Selves

There was still no indication of actual integration on the buses despite the company's order to its drivers to stop enforcing segregation. Reporters who watched the buses for the second day said the Negroes they saw rode in the rear as usual.

Franklin, with an attorney at his side, made his statement in answer to a threat from Police Commissioner Clyde Sellers to arrest any driver who permits mixing of passengers and any passenger who violates city and state segregation laws.

Daily Tribune

"We don't want any controversy with local authorities," Franklin told reporters. "We try to avoid controversy with anyone. But if our drivers are obeying our instructions—certainly we'll help them."

P. 1

Line Won't Change Order

The bus company official said National City lines doesn't intend to change its order for desegregation in Montgomery and other southern cities where it operates bus lines.

"We informed our operators that they no longer had to enforce segregation and that it would be in violation of the Supreme court if we did," he explained.

Meanwhile, the five month long boycott of the buses by Montgomery Negroes continued despite the integration order.

Judge Orders Bus Line To Abandon Integration

Advertiser

Thurs. 5-10-56

Jones Cites Laws Barring Race Mixing

Montgomery, Ala.

Holding that the Supreme Court hasn't outlawed bus segregation yet, Circuit Judge Walter B. Jones, in Circuit Court directed Montgomery City Lines yesterday to abandon its new integration policy.

He ruled that nothing in the U.S. Constitution gives the federal government the right to prohibit the states from segregating bus passengers in intrastate transportation.

With that conclusion, he held Montgomery city and Alabama state segregation laws consitutional and ordered the bus company here to "comply with and abide" with them.

Reynolds C. Mills, assistant superintendet of Montgomery City Lines, said the company will comply with Judge Jones' order.

Mills said officials of National City Lines, Inc., Chicago, parent company of the local bus lines, will make the decision on whether the circuit court order is appealed.

Jones' decision granting an injunction against further compliance with the bus company's recent integration order came at the request of the City of Montgomery, whose officials and attorneys predicted roiting and other violence if the segregation laws are broken down.

The judge took note of that threat and observed in his written order yesterday:

TENSION, UNREST

"A situation of tension and unrest has been created in the City of Montgomery, which is likely to explode into violence at any time, if not restrained."

Most Montgomery Negroes have boycotted city buses for nearly six months even despite the company's instructions to its drivers to refrain from enforcing the segregation laws. Negro leaders voted a mass meeting recently to continue the boycott until city and state officials recognize integration.

There have been no reports of actual integration aboard the buses even though the company abandoned segregation as a policy. Negroes who have continued to patronize the buses have remained in the rear, where they always sat.

HEARING FRIDAY

Jones' decision came only two days ahead of a scheduled federal court hearing on a suit challenging constitutionality of city and state segregation laws.

A three-judge panel will try the suit here Friday. The complaint bears the names of six Negroes and was filed as an outgrowth of the bus boycott.

What will happen to Jones' injuntive order if the federal court rules the segregation laws unconstitutional couldn't immediately be determined. The courts and opposing attorneys declined to speculate.

Without elaborating, Jones wrote in his decision that "There is no straight out decision of the Supreme Court of the United States holding that a state or city may not require the separation of the races on buses where carriage of passengers is solely intrastate."

Advertiser

A Supreme Court ruling on April 23 was interpreted as outlawing segregation on city buses, but some lawyers contended it didn't settle the issue.

Advertiser

The decision dismissed an appeal from a ruling of the U.S. Fourth Circuit Court of Appeals which, in turn, has held bus segregation in Columbia, S.C. unconstitutional and had sent the case back to the original trial court to determine the question of damages.

P. 6-A

Whether the Supreme Court dismissed the appeal on the grounds that segregation is invalid or because the case was still pending in the lower courts wasn't made clear.

Jones questioned validity of the Federal Court of Appeals' ruling, holding it "Is not well reasoned, is not sound law" and "At best it is simply the guess of the Fourth Circuit Court of what the Supreme Court will hold."

Basing his conclusion on the 10th amendment to the U.S. Constitution which says powers not delegated to the federal government by the organic law or prohibited to the states are reserved for the states or the people, Jones asked:

"Where in the United States Constitution is there any delegation of power to the United States Government to say that a state cannot make reasonable regulations for the carriage of passengers on public conveyances wholly within the state?

"Where in the federal constitution is there one word, one sentence, or one paragraph, saying that the sovereign states of this union, the states which created the federal government—and many of whose constitutions antedate the federal constitution — are prohibited from making. . . reasonable rules for the separation of the races. . ?"

Continuing, he said the power claimed for the federal government by the court of appeals in the South Carolina bus case "does not exist and never has existed. It is a power reserved to the states and their people."

"This court will not be a party to filching the power from the state," he declared.

'PRESENT DAY KKK'

Advertiser, P. 1

Montgomerian's Byline Appears In Daily Worker

Montgomery, Ala.

Tues. 3-6-56

By JOE AZBELL AND STEVE LESHER

The Communist Party's official newspaper, The Daily Worker, has been printing articles under the byline of a Montgomerian on the bus boycott here.

The articles were written by Alfred Maund, 3 Hazel Hedge Lane. The married, 32-year-old writer is the father of one child.

A recent article under Maund's byline in the Worker was entitled: "How The Present Day KKK Took Over Montgomery."

His wife, Dorothy, has the contract for the publication of the newspaper for Craig Air Force Base. The publication The Craig Courier has its news furnished by military personnel and the advertisements and business end are handled by Mrs. Maund.

Maund, interviewed at the Southern Farmer where he has his offices as the makeup and copy editor of The Nation, a liberal magazine often under attack for its views, said the article appeared in the Communist organ without his knowledge.

Although the article appeared in thousands of copies of the Communist newspaper, Maund said he did not know anything of the insertions until shown a photostat by an Advertiser reporter.

The tall, slender blond said that he had not seen a copy of the Communist newspaper in five years.

Advertiser

"This is all news to me that they are printing my articles," he said, "I didn't know about it."

Maund said he wrote the articles for the Federated Press, which is a news syndicate subscribed to by labor and civil rights publications and that "apparently The Worker subscribes to the service."

"I think I will write them and find out about it," he said when questioned whether he would continue writing the articles. "Then I will decide what to do."

P. 6-A

He did not show any signs of particular concern that he was featured in the Communist newspaper but calmly said when shown the photostats:

ALFRED MAUND
Byline From Montgomery

"That is bad."

Maund said his articles were written on a volunteer basis and "I receive only a pittance for my work."

"It's nothing like what you get for Time or the New York Times. It's just a token payment," he said.

Asked what type of material the Federated Press expected to receive from him, he replied: "Labor news and civil rights and that sort of thing."

The articles in the communist newspaper mentioned several Montgomerians. One paragraph from Maund's article states:

"Police, accompanied by WCC members, have been touring the 'pickup lots,' 'shaking down' drivers in insulting fashion. At least half a dozen drivers were arrested, seemingly at random, for alleged disorderly conduct. The typical interviewing technique has been: 'Take off your hat, n——r, when you speak to me!"

Discussing at random his views on the boycott, Maund said he had not "taken too much part in it because I have a full job out here." The Nation is printed by the Southern Farmer but has no connection other than a printing contract with the firm or Aubrey Williams, the head of the firm. It is edited in New York.

Maund said he had attended two mass meetings of the Negro boycotters and the arraignment proceedings in Circuit Court.

Asked if he had any affiliation with The Daily Worker, Maund replied: "No, I have not seen a copy of it in five years. I am not a member of the Communist Party."

Asked for the names of the White Citizens Council members who he said in the Worker story accompanied the police Maund brushed off the question: "Oh, I have the names."

Then queried on the interviewing technique of "Take off your hat, n——r, when you speak to me," he said ne had information to substantiate his remark but declined to give the instances or names.

Maund with his wife, Dorothy, was present at the courthouse during the arraignment proceedings of the indicted boycott leaders. His wife had a camera with which she apparently was taking pictures. She conversed with reporters and with a Negro correspondent for some foreign publications as she remained on a bench outside the courtroom. She said her husband was a correspondent for the Federated Press which was a "mail service for labor publications," and she was helping him.

Maund, a native of Jennings, La., formerly was employed by The New Orleans Item, New Orleans Picayune and The Louisville Courier-Journal. He has been living in Montgomery for 14 months and said he had been a correspondent for the Federated Press during that period.

Discussing The Nation magazine for whom he works, Maund said that there had been a "besmearing article about the editor (Carey McWilliams) in Time when he took over." McWilliams has been mentioned in investigating committees. He said others who had been connected with The Nation also had been "besmeared."

Checking his wife's connection with the Craig Field Courier, spokesmen at the Public Information Office there said that she received the contract "strictly on a business basis." The spokesman said that she handles the advertisements but the editorial end is handled by military personnel. Craig is a training base for the Air Training Command.

Maund last night said he had called the Federated Press and inqured of their subscribers. He said publications using their material besides the Daily Worker included the Post in New York, Statistical Survy, UMW Journal, Union Engineer, and publications of the Packinghouse Workers and two Auto Workers Union locals.

Maund said he could not be expected to account for the "editorial policies of the newspapers that carried the articles from the Federated Press any more than an AP or UP writer could be expected to account for the editorial policies of the newspapers who receive its services."

NEGRUES STILL SHUN MONTGOMERY BUSES

Communist

Atlanta

Little Effect Seen From Leader's Conviction

Memphis Tenn.

MONTGOMERY, Ala., March 23.—(AP)—Negroes still refused to ride segregated city buses Friday despite the conviction of one of their leaders in the first of Montgomery's boycott trials.

A spokesman for Montgomery City Lines, Inc., said, however, "There might have been a few more" patronizing the bus line than there have been in recent days and weeks.

Rev. Martin Luther King Jr., pastor of Dexter Avenue Baptist Church, was fined $500 Thursday after a four-day trial on charges of conspiring to boycott the bus[illegible]

Sat. 3-24-56

His fine was suspended and trials of 89 other defendants also indicted under Alabama's anti-boycott law were postponed after Rev. King filed notice of appeal. He has said he will fight to the United States Supreme Court if necessary.

Sat. 3-24-56

The protest began last Dec. 5 after a Negro woman, Rosa Parks, was arrested for refusing to move to another seat on a bus on orders from the driver. City and state laws require segregation in public transportation.

Sees reporter, halts boycott speech—

News Sat. 4-7-56

Educator refuses to talk for record

B'ham, Ala. P. 1

MONTGOMERY, Ala., April 7—A school official cut short his speech on Montgomery's bus boycott and walked out of a meeting Friday when he learned that his remarks would be published.

William S. Garrett, assistant city-county school superintendent, was addressing the Montgomery County Parent-Teacher Assn.

He had spoken about three minutes, urging white teachers and parents to ride buses boycotted by Negroes.

Garrett paused and asked, "There's not a member of the press here, is there?"

A reporter for The Alabama Journal identified himself. Garrett asked that his remarks about the boycott be withheld from publication.

THE NEWSMAN said he couldn't agree to such "off the record" statements made at a public meeting, and the school official concluded his speech and left.

Garrett told the PTA members he had been advised by three representatives of Montgomery City Lines, Inc., that the bus company lost some $1000 a day in the first 90 days of the boycott.

The remainder of the PTA meeting was closed to the press after Garrett's talk.

Bus boycott will continue; text of resolution listed

Afro-American P. 18

Sat. 5-5-56

MONTGOMERY, Ala. — The full text of the resolution adopted by the Montgomery Improvement Association Thursday night in continuing the bus boycott until the city of Montgomery decline to enforce the segregation laws is as follows:

Baltimore, Md.

WHEREAS, A majority of the Colored citizens of Montgomery, Alabama have refrained from riding city buses since Dec. 5, 1955 because of mistreatments and because of the unconstitutional seating arrangment, and

"Whereas, it was reported that on Monday, April 23, 1956, the U.S. Supreme Court held that city ordinances and state statutes requiring segregation on public conveyances for hire intra-state are unconstitutional, and

"Whereas, National City Lines, Inc.) parent of the Montgomery City Lines, Inc.) has issued a statement and instructed its drivers to cease and/or desist from enforcing city and state laws requiring segregation on city buses, and

* * *

"WHEREAS, it has been reported through reliable sources that several southern cities, including Richmond, Va.; Little Rock, Ark.; Dallas, Texas, and others ahve ended segregation on city buses; and white and colored passengers rode together on front seats without incidents, mishaps or disturbances, and

of the City of Montgomery, and

"Whereas, The public officials the State of Alabama have indicated, both orally and in writing, that they intend to and will use all means available

"Including the arrest of the bus drivers and passengers who refuse to abide by and obey the segregation laws of the City of Montgomery and State of Alabama requiring segregaton of the races on City and State buses, and

* * *

"WHEREAS, It is unanimously agreed that the conditions heretofore existing remain the same because of the position taken by our public officials.

"BE IT THEREFORE RESOLVED THAT: We, the colored Citizens of Montgomery, Ala., do now and will continue to carry on our mass protest until such time as the matters stated above are clairfied

"And we hereby authorize and direct the officers and Board of Directors of the Montgomery Improvement Association to do any and all acts that it deems necessary to perfect our desires."

Montgomery's Move

Afro-American

Montgomery's 50,000 colored citizens, fortified by a new sense of their own economic power, have announced plans to shift their fight for justice and equality to a new field. P. 4

Wisely led by the Montgomery Improvement Association, which has successfully conducted a 20-week-old bus boycott, they propose now to launch an all-out attack on Alabama's restrictive registration practices. Sat. 4-7-56

Just how effective these restrictions have been is told in the number of voters on Montgomery's books.

There are 125,000 people in the 'cradle of the Confederacy' with colored people comprising a whopping 42 per cent.

But of this total, only 23,500 are registered to vote. And of this 23,000 only 1,900 or approximately eight per cent are colored. Montgomery, Ala.

The Supreme Court four years ago declared unconstitutional the Boswell Amendment which compelled prospective voters to "understand and explain" the U.S. Constitution.

The Alabama Legislature promptly adopted a new law which requires applicants not only to submit to a written examination, but satisfy registration officials that they are "of good character."

As administered in Montgomery, white applicants are promptly registered without question. But prospective colored voters are told "they will be notified" if they have qualified.

In most instances, the notice never comes. The applicant is compelled to make countless trips to city hall before he is finally given a certificate, if ever.

If the Boswell Amendment was unconstitutional, certainly this dodge is too. And the discriminatory manner in which it is administered is prima facie violation of the 14th Amendment.

The Montgomery Improvement Association is displaying good judgement in attacking this flagrant denial of the ballot.

Here too is an area that Attorney General Brownell and his Department of Justice can no longer claim they lack Federal law under which to act.

Alabama Boycott

News & Observer

Down in Alabama the Governor has signed "reluctantly" a bill requiring merchants in that State to label all Japanese textiles goods they sell and to put signs in their stores saying, "Japanese textiles sold here." The bill is, of course, as the Governor said, "an economic force bill." It is also an improper State action with regard to foreign trade. Tariffs and trade barriers are serious problems involving this country's relations with all other countries. They should be so handled by the Congress. And when a State undertakes to incite boycott of the goods of any nation, it is using a weapon which may dangerously serve all other states and the nation as a whole.

Certainly it is a strange spectacle for the Legislature in Montgomery, Alabama, where Negroes are being tried for inciting a boycott of a bus company, to pass legislation designed to inspire a boycott of the goods of a friendly nation.

If higher tariffs, embargoes or any other things are needed to protect textile mills in Alabama or any other state, the action should be taken by the nation. Alabama's local invocation of the boycott in international trade relations or any other field is a strange and dangerous business.

★ Tell It ★

To Old Grandma

Advertiser

Your name and address must be given on letter ★ But upon request name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry please ★ Repeat No letter will be printed unless Editor knows who wrote it.

Mon. 2-13-56

Homeless Little Theatre

P.4-A

EDITOR, THE ADVERTISER—In the recent accounts of the fire demolishing the Grand Theater building, we of the Montgomery Little Theater, Inc., noted with concern that your reporters and the general public are not aware of the fact that for the past several years, the third floor of the front section of that building has been used as the work shop and rehearsal hall for our productions.

Montgomery Ala.

At the present time we are in the fourth week of rehearsals for our current show which will open Feb. 22. Two weeks of these rehearsals were held at the Grand—without heat. As a result of the discomfort, one of our cast members suffered a relapse of a chronic condition—enforcing her to drop from the cast and to be hospitalized. Were it not for the generosity of the Alabama Power Company in the use of their auditorium, we would have been rehearsing at the Grand at the time of the fire. Had the front section burned, all of our equipment would have been lost, the current production would not have gone on—in fact, it could have meant the end of the Montgomery Little Theater.

Now, we need a home, a place that is safe, where we are not endangering our lives to bring the theater to our audiences. We need help from our followers, for a rehearsal space and a theater of our own. We are not paid for our hours of work—all proceeds go toward a building fund and general expenses. Rent for the city auditorium alone runs $1,500 for the season. The productions that an individual pays $1.25 to see, cost from $1,200 to $1,500 to produce.

Our audiences tell us they enjoy our work and that we contribute much to Montgomery's cultural life. We are in this time-consuming hobby for the love of it. We need the help and support of our audience now, or the Montgomery Little Theater may be in its last season.

CLAIR F. HARDENSTINE.

Montgomery.

◆

The Politicians Are Silent

Editor, The Advertiser:

The cause of the fingers of scorn now being pointed at the University of Alabama and her students over the ill-famed case of Arthurine Lucy and the much publicized resulting episodes dates back much further than most people realize.

When the name Eleanor first became associated with the White House and headlines began to appear telling of her determined sponsorship of racial unhappiness, Alabama had two U.S. senators who easily could have nipped all of this in its first bud. But, where were they?

Alabama's two senators were too busy paving (what they thought) their own personal political future by "yessing" everything in order to promote federal handouts to various mediums of Alabama's economy.

Alabamians today realize more than ever that a dolar's worth of instructions come with every dime coming back from Washington, and are turning against such means of mortgaging our future.

Certainly we are not proud of the current behavior of our young people at the University in their handling of the Lucy case, but we are proud of their displaying fortitude and love for their Southland. In this respect, our two U.S. senators evidently are touring overseas theaters because neither has chirped as yet on the matter of segregation or integration.

They are still busy attempting to mortgage the future of these same young students who are not likely to forget this fact when they go to the polls to cast their first vote for our future political leaders.

These first voters are also likely to be reminded by their parents that neither of Alabama's congressmen nor her "illustrious" governor have yet chirped about this matter even though it is today's most important issue.

Too bad Alabama's youth is having to do what our politicians haven't. Particularly when we're struggling to pay the politicians.

JOHN A. HARRIS.

Troy, Ala.

◆

Agreeing With Mr. McGhee

Editor, The Advertiser:

You are so right, Abner McGhee about closing stores on Sunday. I am sure you grocery store owners who spend that time in church gain more than you lose.

Besides being in close communion with God, it helps to ease the tension of the past week and fortifies one for the next. It can become an enjoyable habit and one we should all cultivate.

Hope Hull, Ala. THELMA BRADY.

◆

Is The Will Of God Violated?

Editor, The Advertiser:

I sure am glad I had an opportunity to attend the meeting at the Capitol Monday afternoon.

My grocery store has never been open seven days a week. I observe the seventh day, Sabbath, in obedience to the last part of that Commandment which that preacher quoted the first part of.

In spite of the imposition that the enforcement of closing the little independent grocery stores on Sunday (which go by the name of grocery stores) had placed upon me I have still obeyed.

I believe I have an idea just about how the Pilgrims who first settled in America felt, realizing their persecution was by far greater than mine. Things are beginning to look pretty dark to me since the grocery store is the only source of income, not only for my husband and I, but also for my aged parents who are wholly dependent upon me for their support.

I wouldn't dare ask permission be granted me to keep my grocery store open on Sunday due to the fact I am closed on Saturday.

I would like the privilege of being allowed to stay open on Sunday, but if any person can prove to me that being open on Sunday is not in harmony with the will of God, I will yield.

MRS. G. W. SHARP.

Montgomery.

Decision Indicated In Case Brought On Bus Segregation

Advertiser Montgomery, Ala.

Fri. 6-1-56

The Advertiser yesterday received information indicating that an opinion has been handed down in the bus segregation case heard here last May 11.

No indication as to the result of the decision was revealed.

In a query to Judge Richard T. Rives of the Fifth U.S. Circuit Court of Appeals, senior judge on the three-judge panel which heard a suit here to declare transportation segregation laws unconstitutional in Alabama, The Advertiser asked if the panel was any closer to reaching a decision.

The query was brought about by confirmation that Rives, Judge Frank M. Johnson of the Middle District of Alabama and Judge Seybourn H. Lynne of the state's Northern District were meeting together in New Orleans.

Rives replied by wire saying, "Regret no information on bus segregation case can be given until opinion is delivered to Clerk of District Court in Montgomery and released by him."

Informed sources in New Orleans were also of the opinion that a decision had been made but could give no indication to the outcome of the decision.

The suit was brought by four Negro women against city officials, state officials and Montgomery City Lines Inc., the local bus company, charging that Negroes had been intimidated by city officials for not riding the city buses since last Dec. 5. It further charged that segregation laws on buses in Montgomery and in Alabama are unconstitutional.

Rives, Johnson and Lynne were in New Orleans for a meeting of the Fifth Judicial Circuit, of which all three are members.

Negro women against city officials, state officials and Montgomery City Lines Inc., the local bus company, charging that Negroes had been intimidated by city officials for not riding the city buses since last Dec. 5. It further charged that segregation laws on buses in Montgomery and in Alabama are unconstitutional.

Rives, Johnson and Lynne were in New Orleans for a meeting of the Fifth Judicial Circuit, of which all three are members.

Decision Indicated In Case Brought On Bus Segregation

Advertiser P.1

Fri. 8-1-56

Montgomery

The Advertiser yesterday received information indicating that an opinion has been handed down in the bus segregation case heard here last May 11.

No indication as to the result of the decision was revealed.

In a query to Judge Richard T. Rives of the Fifth U.S. Circuit Court of Appeals, senior judge on the three-judge panel which heard a suit here to declare transportation segregation laws unconstitutional in Alabama, The Advertiser asked if the panel was any closer to reaching a decision.

The query was brought about by confirmation that Rives, Judge Frank M. Johnson of the Middle District of Alabama and Judge Seybourn H. Lynne of the state's Northern District were meeting together in New Orleans.

Rives replied by wire saying, "Regret no information on bus segregation case can be given until opinion is delivered to Clerk of District Court in Montgomery and released by him."

Informed sources in New Orleans were also of the opinion that a decision had been made but could give no indication to the outcome of the decision.

The suit was brought by four

Court decisions awaited—

News P. 4-2

Montgomery bus boycott started six-months ago, still going on

Fri. 6-1-56 Birm, Ala.

MONTGOMERY, Ala., June 1—(AP)—Today is the half-year anniversary of an event that resulted—as a United Nations official said recently—in Montgomery's becoming known around the world.

On Dec. 1, 1955, a Negro seamstress was arrested for violating a city ordinance requiring bus segregation. Four days later when Mrs. Rosa Parks was fined $14, the approximately 50,000 Negroes in this Southern capital of 125,000 began a boycott of city buses.

In the early days of the protest against bus segregation a few shots were fired at buses and a bomb was tossed at a Negro leader's home, all without harming anyone.

SINCE THEN the boycott has continued with no sign of an end while urgings by Negro leaders for peaceful opposition to bus segregation laws are heeded.

Right now a federal court test of those laws, both city and state, is pending. A special three-judge panel heard the case May 1 and a decision is expected soon. It will probably be appealed directly to the U. S. Supreme Court.

Montgomery Negroes have established a system of private cars to replace bus transportation. Asst. Manager R. C. Mills of the Montgomery City Lines, Inc., says the boycott dropped Negro passengers from 30,000 or 40,000 a day to only 300 or 400 a day.

INSTEAD, a car pool is carrying Negroes free. The original collection of private vehicles has been partially replaced with 14 new station wagons registered in the names of Negro churches, which have provided both leadership and coherence for the boycott.

The private transportation system is costing about $3000 a week, according to the treasurer of the Montgomery Improvement Assn., an organization formed to coordinate the boycott.

An unreported amount of contributions have come into Montgomery from churches, labor unions and other groups across the nation. At twice-weekly church meetings here funds are collected to support the car pool at the same time continued Negro solidarity in the boycott is urged by leaders.

THE TREASURER'S cost report was given during the trial of the Rev. Martin Luther King Jr., young Baptist minister tried first among 90 persons indicted for violating an Alabama anti-boycott law. He was convicted and fined $500 and costs. The case is now on appeal and the other 89 cases are awaiting that outcome.

This oak-shaded Southern city, long known as the "Cradle of the Confederacy," has become known as the home of the boycott, Dr. Ralph J. Bunche, American Negro who is undersecretary of the United Nations, declared in a recent speech here.

NEGROES BEGIN ATTACK ON BUS SEGREGATION

Daily Pilot Chicago, Ill. Sat. 5-12-56

U. S. Court Hears Suit After Mass Boycott

Montgomery, Ala., May 11 (AP)—City attorneys resisted an attack on Alabama's segregation laws today with a persistent effort to show that complaining Negroes were willing to live under the laws until recent weeks.

385

But the four Negro women who filed a suit in federal court contesting the racial barriers on city buses as unconstitutional insisted they are opposed to segregation in any form and always have been. Negroes here have been boycotting city buses for nearly six months.

One of the plaintiffs, Claudette Colvin, explained that "some of us didn't have the guts to stand up" before.

A three judge panel heard three hours of testimony during the morning and then called for arguments from opposing lawyers after a recess. Testimony was completed shortly after noon.

No Immediate Decision

Another issue given prominent attention was whether city officials and Montgomery City Lines, Inc., are enforcing state as well as municipal segregation laws. The judges hearing the suit had announced earlier that there would be no immediate decision on the segregation issue or the question of jurisdiction.

Judge Richard T. Rives of the 5th United States Circuit Court of Appeals said, "This is an important case and will be studied and deliberated."

In their suit, the Negroes are asking for an injunction to prohibit continued enforcement of segregation laws and a declaratory judgement holding them unconstitutional.

The decision on application of state laws will be a determining factor in the panel's ruling on whether it has jurisdiction to judge the segregation issue on its merits, or whether the suit must start again in another court.

Seek High Court Appeal

If the three judges rule on the segregation issue, their decision can be appealed directly to the Supreme court. But the enforcement of a state law must be involved before a panel such as the one presiding today can take jurisdiction.

The city contends that only municipal ordinances have been in force, altho Negro attorneys brought out during the hearing that some members of their race arrested for violating segregation ordinances have been charged also with state offenses.

The four Negro women who filed the suit all testified they were forced to give up their seats on city buses so white passengers could sit down. They all said they stopped riding buses last Dec. 5, the day the mass Negro bus boycott began, but that they would ride them again if segregation is abolished.

Montgomery city lines abandoned segregation on April 24, but Circuit Judge Walter B. Jones in state court two days ago ordered the integration policy rescinded. He held that city and state laws are still in effect despite a recent United States Supreme Court decision.

Woman Seized, Handcuffed

An unidentified Negro woman in the courtroom screamed and was led sobbing from the room this morning when Miss Colvin, 16, told of being arrested and taken to jail handcuffed on March 2, 1955, for refusing to give up her seat on a bus.

Another witness, Mrs. Susie McDonald, 77, testified she was forced by a bus driver to give her seat to a white passenger. Similar testimony came also from the other two plaintiffs, Mrs. Aurelia Browder and Mary Louise Smith.

City Atty. Walter Knabe tried to show thru cross-examination that the Negroes made no attack on the segregation laws until after the bus boycott started.

News Fri. 6-1-56 P. 4-2 Birm, Ala. 38b

Associated Press wirephoto

MONTGOMERY'S NEGRO BUS BOYCOTT IS SIX-MONTHS OLD TODAY

... Two Negro women alight from a church-operated station wagon.

Two New Developments Mark Bus Strike Row

Birmingham Ala. News P. 1

MONTGOMERY, Ala. — (SNS) — Two new developments in the 14-week-old bus protest came to light here.

Atty. Fred D. Gray, counsel for the 100 indicted bus protest leaders has amended a complaint filed Feb. 2 challenging the validity of the city and state travel laws.

1. Dropping the name of Mrs. Jeanetta Reese, a plaintiff and adding as defendants in the suit C. C. Owen, Jimmy Hitchcock and Miss Sybil, members of the Alabama Public Service Commission.

Previously Mrs. Reeves allegedly charged that Atty. Gray included her name in the complaint without her request. But Atty. Gray denied this charge.

But, a Montgomery Grand Jury indicted him on the charge, which was subsequently dismssed on a motion by the state. The state said the charge allegedly took place in a federal building where there was no local jurisdiction.

Meantime the Montgomery City Lines was granted a request by the Montgomery City Commission to suspend Sunday service on 14 lines because of a loss of patronage.

Trials of the indicted protest leaders are scheduled for Monday, Mar. 19.

Text of the demurrers filed to the complaints are as follows:

"1. Allegations to the indictments are so vague and indefinite as not to apprise these defendants of what they are called on to defend.

"2. That the statute under which the indictments were brought and as applied to these defendants, violates Sect. 25. Art. I of the Constitution of Alabama.

"3. That Section 55, Title 14, Alabama Code of 1940, the statute under which the mass indictments was brought, constitutes an abridgement of freedom of speech, violative of rights and liberties secured to all

One Defendant Dropped; City State, Bias Laws Attacked In New Suit

persons by the First and Fourteenth Amendments to the U. S. Constitution.

"4. That said statute, as applied to defendants, constitutes an abridgement of the right of people peaceably to assemble, violative of rights secured to all persons by the First and Fourteenth Amendments to the U. S. Constitution.

"5. That the statute is unconstitutional on its face in that it is so vague as to constitute a deprivation of liberty without due process of law contrary to the Fourteenth Amendment.

"6. As applied the statute (state boycott law) violates the 'due process' clause of the U. S. Constitution.

"7. Violates 'privileges and immunities' of citizens of the United States in violation of the Fourteenth Amendment to the U. S. Constitution.

"8. In its application the statute denies and abridges 'equal protection of the law' guaranteed under the Fourteenth Amendment.

"9. The state statute requiring the enforcement of laws requiring segregation of passengers in intra-state transportation 'denies equal protection of the law.'

"10. The statute as applied constitutes prohibition against free exercise of religion violative of rights secured to all persons by the First and Fourteenth Amendments."

Ala. boycotters to 'keep on walking'

Afro-American P. 1

Sat. 6-30-56

MONTGOMERY, Ala. — "We'll keep on walking. We want a definite decision before we take action."

Baltimore Md.

That was the reaction of Montgomery's bus boycotters Thursday after city officials ordered an appeal to the U.S. Supreme Court from a three-judge Federal court ruling outlawing segregation on city buses.

In the light of the appeal, attorneys for the boycotters could ask the Supreme Court to set aside the 10-day suspension of the injunction issued against the city until the case is decided on its merits by the highest court.

None of the lawyers for the boycotters was available for comment on such a move, but if it is made the request would go to Justice Hugo L. Black, former Alabama senator and one of the liberals on the Supreme Court bench.

* * *

WERE THE SUSPENSION invalidated by Justice Black, the injunction issued by the three-judge Federal court ending segregation on city buses would go into effect immediately.

That would thwart plans of the city officials who are appealing the decision primarily to delay enforcement of the Federal court's order ending segregation on buses in the city.

After the city commission voted unanimously Thursday to appeal the decision, Mayor W. A. Gayle issued the following statement: Afro American P. 8

"There is no doubt that an end of segregation seating arrangements on public conveyances in the City of Montgomery will effect a drastic change in the habits of the people.

* * *

"THIS CHANGE, which would alter customs which have been in existence since before the city was founded, would have an obviously severe impact upon its citizens.

"The commission is of the opinion that every step possible should be taken to prevent such a change. We are therefore instructing our legal department to effect an appeal within the 10-day period set out by the court in its judgement.

The city and the State of Alabama, whose bus segregation statutes also were outlawed June 5 by a three-judge Federal court panel, have until June 29 to appeal.

* * *

WHILE THE CITY has decided upon appeal, no decision has been reached by the state. If the state does not appeal by that time, the judges' injunction issued Tuesday against enforcement of the segregation laws will go into effect automatically.

The Federal judges on June 19 issued a permanent injunction against enforcement of city and state bus segregation laws in Montgomery, but suspended the injunction for 10 days to allow time for an appeal.

Under Tuesday's order, the suspension of the injunction would continue until the appeal is settled by a decision in the case. That is unless the Supreme Court sets aside the suspension on request of attorneys for the boycotters.

* * *

COMMISSIONER FRANK W PARKS said Wednesday that in his opinion an appeal is "the only thing we can do." He and the other commissioners are all directors of the White Citizens Council in Montgomery.

"We'll keep the thing in the courts for another six or eight months," Parks declared, pointing out that an appeal to the Supreme Court could not be acted on until after the court ends its summer recess in October.

The bus company still considers itself bound by a state injunction to enforce segregation, but a spokesman for National City Lines, owner of the bus system, said a Federal injunction would be obeyed when it takes effect.

Bus Bias Ordered Replaced

Daily World P. 16

Wed. 4-25-56

Called to Ala.

Alabama Orders Bus Company To Replace Color Bars Or "Suffer"

MONTGOMERY, Ala. --(INS)-- Montgomery City Bus Lines, Inc., was ordered by the State of Alabama Tuesday to replace the color bars it dropped Tuesday morning, or "suffer the consequences."

The demand came from the president of Alabama's Public Service Commission, as the Capital City's buses began rolling under a new policy of no segregated seating.

It was a paper policy because the few Negroes riding today moved to the rear of the vehicles of their own accord. City officials vowed to arrest anyone attempting to integrate the races on buses, including drivers.

Most Negroes in the Alabama city stayed off the vehicles as they have done since their boycott began on Dec. 5, but their leaders were meeting to consider their next steps in the long protest.

The bus company adopted its new policy after the Supreme Court held Monday that segregation on Columbia, S. C., buses is unlawful.

Tuesday, C. C. (Jack) Owen, president of the Alabama Public Service Commission, filed a telegram to the bus company ownership, with copies to all other transit firms in the state, saying:

DEFIANT STAND

"All public carriers are hereby directed to strictly adhere to all present existing segregation laws in our state or suffer the consequences."

Owen would not elaborate on the consequences. His telegram was addressed to Roy Fitzgerald, president of National City Lines of Chicago which owns the Montgomery firm. It declared:

Daily World

"As president of the Alabama Public Service Commission, elected by the people of Alabama, sworn

to uphold the segregation laws of this state which include all forms of public transportation, I hereby defy a ruling handed down by the U. S. Supreme Court ordering desegregation on public carriers. Alabama State law requiring segregation of races on buses still stands.

HALT ORDERED

"I demand that you withdraw your order, approving integration on buses in Montgomery."

Mayor W. A. Gayle released a statement after a City Commission meeting Tuesday morning, saying, "The City Commission does not consider that the (Supreme Court) decision did construe the Alabama laws or city ordinances by which we are governed. We therefore expect the bus company and all other persons to abide by all existing laws and ordinances."

Police Commissioner Clyde Sellers said, "Anybody trying to race-mix will be arrested, including bus drivers who permit it." Sellers said the court suit attacking Alabama's transportation - segregation laws will be heard in Montgomery on May 11.

Meanwhile, the 25-man executive committee of the Montgomery Improvement Association, which has led the bus boycott, met to draw recommendations. The Rev. M. L. King, Jr., Association president, said the recommendations will be put before a mass meeting of Negroes Thursday night. He said:

"There is still the question of Negro bus drivers. There will have to be some solution to that before we end this. The protest is still continuing about 95 per cent effective."

State Decides To File Appeal On Bus Ruling

State authorities announced yesterday that they, too, will ask the Supreme Court to overrule a lower court order holding city bus segregation in Montgomery unconstitutional.

City officials had already decided they would appeal from a decision handed down June 5 by a three-judge panel in U.S. District Court. They have until Friday to file notice of the appeal.

The announcement from the Public Service Commission which administers state laws requiring separate seating of white and Negro passengers came following a conference with Atty. Gen. John Patterson.

PSC President Jack Owen and Associate Commissioners Jimmy Hitchcock and Sibyl Pool said the notice will be filed before the deadline.

Carrying out the intent of its June 5 ruling, the federal court panel issued an injunction last Tuesday against continued enforcement of city ad state segregation laws on the city buses.

But the injunction was suspended for 10 days to give the city and state time to prepare an appeal, and if an appeal is filed, the suspension will remain in effect indefinitely until the Supreme Court rules whether bus segregation is legal or unconstitutional.

Negro attorneys, however, can ask the higher court to set the suspension aside and put the injunction into effect immediately while the appeal is pending. They said they will decide on their next course after the deadline for filing the appeal.

King Proposal Would Boycott Dixie Schools

SAN FRANCISCO, June 26 (AP)—A Negro boycott of segregaed Southern schools to force compliance with the Supreme Court's nonsegregation ruling was suggested here today by a leader of the Montgomery, Ala., bus boycott.

The Rev. Martin Luther King made the suggestion at a press conference in advance of the formal opening tonight of the 47th annual convention of the National Assn. for the Advancement of Colored People. He said Negro action like the six-month-old Montgomery bus boycott "might become the pattern in many areas of the South."

PASSIVELY RESIST

He said he had not thought the idea through fully, and was not making it as a formal proposal. "But somehow we are going to laws" that defy federal court laws" the defy federal court rulings, he said.

Dr. King said a school boycott would likely lead to legal action similar to his own trial and conviction for his part in the bus boycott. But, he added, "it is interesting to have legal action from the other side."

Dr. King, who came to the convention prepared to advocate wider use of passive resistance in the fight against segregation, said "a willingness to go to jail for right or righteousness" is an essential part of his program.

He said other forms of action should be used simultaneously and indicated hope of more support from sympathetic Southern whites.

Judge Jones Delays Ruling On Race Laws

An attorney for the Montgomery City Lines Bus Co. declared yesterday that continued segregation on local buses would result in "greater danger of public disorder" and subject the bus company to repeated prosecution under civil rights laws.

Robert Thrun of New York asked Circuit Judge Walter B. Jones to deny an injunction asked by the city to compel the bus company to enforce city segregation laws on local buses.

Judge Jones, following a hearing which lasted only 45 minutes, took the motion for the injunction under advisement and announced that a decision would be rendered within a "few days."

CONTINUED LOSS

The bus company, threatened with continued loss of Negro patronage on one side and possible cancellation of their operating franchise on the other, now faces a possible court order to require the maintenance of separate seating facilities on city buses.

Attorney Thrun, defending the bus line's recent racial integration order, contended that city and state segregation laws no longer protect carriers from civil rights prosecution.

He declared that to continue segregated buses would result in "endless lawsuits" against the company and heavy expense in court litigation.

The attorney's remarks brought a charge from City Attorney Walter Knabe that the "bus company seems more interested in avoiding lawsuits than in public safety on the buses."

HEALTH, SAFETY

Commissioner of Public Affairs Clyde Sellers, called to the witness stand yesterday by City Attorney Walter Knabe, testified that "public health and safety" in Montgomery would be jeopardized and that the future existence of the bus transportation system here would be threatened if segregation barriers on buses were brokn down.

Citing acts of violence which have occurred during the bus boycott here, the police commissioner said that unless the injunction is granted requiring obedience to local bus segregation laws, "public riots, assaults and injuries" would result.

After pointing out that a "serious situation" now exists in local bus transportation, Knabe said that although Negroes are still taking seats in the rear of buses as in the past, "they may not continue to do so without a court order." "This could result in an outbreak of violence," he declared.

Thrun cited four federal court cases on segregation, including the recent South Carolina case (Flemming vs. South Carolina), and another suit filed by local Negro boycott leaders against the city and Montgomery City Lines, in asking that the injunction be dismissed.

GREATER DANGER

Countering the city officials' charge that desegregation on buses would result in disorder and disturbances between the races, the New York attorney said the continued enforcement of segregation on buses would create a "greater danger of physical disturbances."

He added that federal court decisions, principally the South Carolina case, bound the bus company to post notices that segregation of passengers no longer prevails.

The attorney said the bus company was put in a "very vulnerable position" by the Supreme Court decision which "left in full effect the decision of the district court."

Thrun said the bus company has already suffered heavy losses through the five-month bus boycott and that if segregation on local buses is continued the company would face numerous federal suits under civil rights laws. This would mean an "unbearable cost" through court litigation, he added.

The attorney said the decision of the National City Lines, Inc. to order desegregation on their buses came after careful consideration of city laws and customs."

He pointed out that other southern cities operating as subsidiaries of National City Lines, Inc. have ordered discontinuance of segregation on buses in line with the national firm's regulation.

Alabama Atty.-Gen. John Patterson and Asst. Atty. Gen. Gordon Madison observed the proceedings yesterday "strictly as spectators."

Others present were Reynolds C. Mills, assistant superintendent of trasnportation, Montgomry City Lines, and B. W. Franklin, manager of National City Lines, Inc.

J. H. Bagley, superintendent of transportation for the local bus line, is recuperating from a heart attack suffered last week and was unable to attend the proceedings.

Judge Holds State Laws Constitutional

Post-Herald P.1
Thurs. 5-10-56
Birmingham Ala.

MONTGOMERY, May 9 (AP)—Holding that the Supreme Court hasn't outlawed bus segregation yet, Circuit Judge Walter B. Jones, in state court, directed Montgomery City Lines today to abandon its new integration policy.

He ruled that nothing in the U. S. Constitution gave the federal government the right to prohibit the states from segregating bus passengers in intrastate transportation.

With that conclusion, he held Montgomery City and Alabama State segregation laws constitutional and ordered the bus company here to "comply with and abide" with them.

In Chicago, Benjamin W. Franklin, vice president of National City Lines, parent firm of Montgomery bus company, said, "we will obey the injunction, of course."

Franklin said no decision has been made on what, if any, future legal steps might be taken by the company.

Jones' decision granting an injunction against further compliance with the bus company's recent integration order came at the request of the City of Montgomery, whose officials and attorneys predicted rioting and other violence if the segregation laws are broken down.

The judge took note of that threat and observed in his written order today:

"A situation of tension and unrest has been created in the City of Montgomery, which is likely to explode into violence at any time, if not restrained."

Most Montgomery Negroes have boycotted city buses for nearly six months even despite the company's instructions to its drivers to refrain from enforcing the segregation laws. Negro leaders voted a mass meeting recently to continue the boycott until city and state officials recognize integration.

There have been no reports of actual integration aboard the buses even though the company abandoned segregation as a policy. Negroes who have continued to patronize the buses have remained in the rear where they have always sat.

Jones' decision came only two days ahead of a scheduled federal court hearing on a suit challenging constitutionality of city and state segregation laws.

A three-judge panel will try the suit here Friday. The complaint bears the names of six Negroes and was filed as an outgrowth of the bus boycott.

What will happen to Jones' injunctive order if the federal court rules the segregation laws unconstitutional couldn't immediately be determined. The courts opposing attorneys declined to speculate.

Post-Herald

Without elaborating, Jones wrote in his decision that "there is no straight out decision of the Supreme Court of the United States holding that a state or city may not require the separation of the races on buses where carriage of passengers is solely intrastate."

P. 2

A Supreme Court ruling on April 23 was interpreted as outlawing segregation on city buses, but some lawyers later contended it didn't settle the issue.

4:4 c. there are times when all

The decision dismissed an appeal from a ruling of the U. S. Fourth Circuit Court of Appeals which, in turn, has held bus segregation in Columbia, S. C., unconstitutional and had sent the case back to the original trial court to determine the question of damages.

Whether the Supreme Court dismissed the appeal on the grounds that segregation is invalid or because the case was still pending in the lower courts wasn't made clear.

Jones questioned validity of the Federal Court of Appeals' ruling, holding it "is not well reasoned, is not sound law" and "at best it is simply the guess of the Fourth Circuit Court of what the Supreme Court will hold."

Basing his conclusion on the 10th Amendment to the U. S. Constitution which says powers not delegated to the federal government by the organic law or prohibited to the states are reserved for the states or the people, Jones asked:

"Where in the United States Constitution is there any delegation of power to the United States Government to say that a state cannot make reasonable regulations for the carriage of passengers on public conveyances wholly within the state?

"Where in the federal Constitution is there one word, one sentence, or one paragraph, saying that the sovereign states of this union, the states which created the federal government — and many of whose constitutions antedate the federal Constitution — are prohibited from making . . . reasonable rules for the separation of the races . . .?"

Continuing, he said the power claimed for the federal government by the court of appeals in the South Carolina Bus Case "does not exist and never has existed. It is a power reserved to the states and their people."

"This court will not be a party to filching the power from the state," he declared.

Court Ruling Waited on Bus Segregation

Constitution
Sat. 5-12-56
Atlanta Ga.

MONTGOMERY, Ala., May 11 (AP)—The three judge panel in federal court completed a one-day hearing on city bus segregation this afternoon and adjourned without announcing an decision.

It gave no indication when the decision will be announced.

Four Negro women had brought suit contesting racial barriess on the buses.

Two of the three judges agreed in observations from the bench, however, that there has been no Supreme Court decision as yet on the constitutionality of city and state segregation laws on bus travel within a state.

Judge Richard T. Rives of the 5th U.S. Circuit Court of Appeals and Dist. Judge Seybourn Lynne of the Northern District of Alabama said they don't construe the April 23 Supreme Court ruling as a decision on the merits of bus segregation.

Alabama Bus Test in U.S. Court Today

Constitution
Fri. 5-11-56
Atlanta Ga.

MONTGOMERY, Ala., May 10 (AP)—Bitterly contested city and state bus segregation laws, upheld only yesterday in state court, face another, perhaps more significant test tomorrow in federal court.

P. 13

A three-judge panel, whose decision can be appealed directly to the U. S. Supreme Court, has been convened to hear a suit by four Negroes challenging the racial barriers responsible for a mass boycott of city buses in Montgomery.

The suit, filed as an outgrowth of the boycott now in its sixth month, seeks an injunction to stop city and state officials from enforcing the anti-race mixing laws, and a declaratory judgment holding the statutes unconstitutional.

Since some judicial officers, including Circuit Judge Walter B. Jones in Montgomery and the Public Service Commission in South Carolina, contend the April 23 ruling of the Supreme Court did not decide the segregation issue, the trial here may produce the first clear-cut finding by the Supreme Court.

Negro pastor apologizes—

Charges of misconduct withdrawn on boycott

Birm. Ala.
Tues. 6-12-56

MONTGOMERY, Ala., June 19—(AP)—Charges of misconduct by leaders of Montgomery's Negro bus boycott were withdrawn last night by the young Negro minister who was voted out of his pulpit after he made them.

The Rev. U. J. Fields said he had "no evidence" for charges made—and promptly denied—a week ago. The 25-year-old Baptist minister offered his apology to a Negro mass meeting for what he had said "in anger and passion."

The meeting resolved in a rousing voice vote to accept Field's apology.

THE PROPOSAL to accept it was made by the Rev. Martin Luther King Jr., president of the Montgomery Improvement Assn. that was set up to guide the boycott. Fields said he had not questioned King's leadership because "I feel that his integrity is beyond question."

Fields had charged that funds being contributed all across the nation to provide car pool transportation for boycotters were being misappropriated "for selfish purposes." He also said a week ago that MIA leaders had put personal interests before the anti-segregation movement by the city's 50,000 Negroes.

After denials by MIA leaders, Fields said he would substantiate the charges "at the proper time."

SUNDAY his Bell Street Baptist Church congregation voted 40-0 with abstentions to remove Fields from the pastorate. A church leader said Fields' charges against the MIA had touched off the action after long dissatisfaction with him.

Fields had no comment yesterday on the vote but read to the mass meeting a prepared statement saying his retraction was made without pressure being put on him.

JUDGES WILL RULE ON BUS SEGREGATION

Commercial Appeal

Immediate End Or Stay For Appeal Looms

Tues. 6-19-56

MONTGOMERY, Ala., June 18. — (UP) — Three Federal judges Tuesday will begin weighing recommendations made by opposing attorneys in a suit abolishing segregation on city buses in Montgomery.

P. 9

The three-judge panel, splitting two to one, June 5 ruled that city and state segregation laws violated the United States Constitution.

The panel gave attorneys representing four Negro women who brought the suit and attorneys for the defendants — the City Commission, the Public Service Commission, and Police Chief G. J. Ruppenthal — two weeks to file their recommendations on how the formal judgment should be entered.

Tuesday is the deadline for entering the suggestions.

Charles D. Langford, one of a battery of Negro attorneys representing the plantiffs, Monday filed an opinion which asked the Federal panel to permanently enjoin the city and state from enforcing the "Jim Crow" laws.

City and state attorneys said they would present the panel with their recommendations Tuesday.

The court must decide whether to order an end to segregation immediately or grant a temporary stay pending an appeal to the Supreme Court.

Either side can appeal the panel's action on the question of a stay of execution pending an appeal.

Negroes want bus injunction

Birm. Ala.
Tues. 6-19-56

MONTGOMERY, Ala., June 19—(AP)—Negro attorneys asked a three-judge federal court panel today to enter an immediate order stopping enforcement of city and state bus segregation laws in Montgomery.

Lawyers for the city and state were expected, on the other hand, to petition the court to suspend its injunction order pending an appeal to the Supreme Court.

The panel in a 2-1 decision on June 5 ruled that city and state laws requiring separate seating of white and Negro bus passengers violate the federal constitution.

BUT THE COURT withheld its

order carrying out the decision, giving opposing attorneys, instead, two weeks to submit written suggestions on what form the decree should take.

If the panel suspends the injunction order, the Negroes can ask the Supreme Court to set it aside even before the segregation issue itself is reviewed.

Boycotters refute fund charge

Atlanta American

MONTGOMERY, Ala. — The resignation and subsequent verbal blast of the Rev. U. J. Fields, secretary of the Montgomery Improvement Association, was termed "deeply regrettable."

The expression was made in a press release issued by the board of directors of MIA Tuesday after the Rev. Mr. Fields announced that he had resigned from the association charging that the organization was misusing money sent from all over the nation.

The Rev. Mr. Fields, pastor of Bell Street Baptist Church, said some persons in the association were "irresponsible" with the organization's funds.

HE ESTIMATED the sum involved thousands of dollars.

"I can no longer identify myself with a movement in which the many are exploited by the few," the Rev. Mr. Fields said.

He concluded that the MIA "no longer represents what I stand for."

* * *

THE REV. M. L. KING, president of the MIA, was in California and could not be contacted for comment at press time.

Fred Gray, attorney for the association, said that the "charges were completely groundless.

"I can't understand why he did what he did."

THE ASSOCIATION issued the following statement:

It is deeply regrettable, the Rev. Mr. Eugene J. Fields has made a public statement which gives the impression that there is disharmony among the leaders of the Montgomery protest movement that accuses the Montgomery Improvement Association misusing funds provided by the people of America in support of our struggle for common decency and justice.

The president, the Rev. M. L. King Jr., has always insisted upon honesty, that all funds received be duly acknowledged and that a bimonthly financial statement be made to the board of directors.

No money received by this association has been misappropriated.

During the past six months we have encountered various attacks designed to hinder our protest movement, this simply is another similar attack.

Dr. Moses Jones, vice president of the MIA, signed the statement.

CEASE BUS BIAS, 2 JUDGES ORDER

MONTGOMERY GETS 10 DAYS TO APPEAL

Daily World Wed. 6-20-56 Atlanta Ga.

MONTGOMERY, Ala. — (INS) A federal court Tuesday ordered an end to segregation on buses in Montgomery, but withheld effectiveness of the ruling pending an appeal to the Supreme court.

Two of three federal judges who heard a suit attacking enforced racial segregation in transportation-troubled Montgomery turned aside arguments of city officials that violence would follow elimination of the color line in the city transit system.

END IN TEN DAYS

The jurists ordered that segregation — previously held to be violative of the federal constitution — be ended in ten days. If the city or state appeals this ruling to the Supreme court, effectiveness of the order will be held up, the court said.

State officials declared when the original finding was handed down June 5 that they would appeal.

Attorneys for Negroes who brought the action asked the court to order an immediate end to segregation, and stop its practice while the issues involved were being decided by the Supreme Court.

Virtually all of Montgomery's 45,000 Negro residents have refused to ride city buses since last Dec. 5, when a Negro woman was arrested for refusing to move to the rear of a bus. The protest will continue, leaders said, until a final determination by the courts.

Bus Integration Ruling Defied In Montgomery

Post-Herald Wed. 4-25-56 P.1 Birmingham, Ala.

Officials Threaten Arrests As Transit Segregation Ends

386

BY REX THOMAS
Associated Press Staff Writer

MONTGOMERY, April 24—Racial barriers were lowered on city buses here today, but there were no reports of actual integration, and a Negro boycott in effect for nearly five months continued without interruption.

City and state officials meanwhile voiced anary threats of reprisal after Montgomery City Lines, Inc., abandoned the traditional separate seating of white and Negro passengers and told its drivers to stop enforcing segregation.

Advertiser-Journal reporters who rode the buses said all the Negro patrons they saw had taken seats in the rear, the part formerly reserved for them under the segregation pattern.

A leader of the bus boycott, the Rev. Martin Luther Kink Jr., issued a statement saying "there will be no change in our position immediately" and that the protest would go on for the time being.

King said some action may be taken, however, at a mass meeting called for Thursday night. He said the Montgomery Improvement Assn., of which he is president, probably would make a recommendation or at least "discuss alternatives" to ending the boycott.

The statement was issued following a meeting of the executive board of the improvement association which was formed to support the boycott.

King said the Negroes still were awaiting word from bus company manager J. H. Bagley on theid original demand for employment of Negro drivers on predominantly Negro routes, and added:

"If Mr. Bagley says that he will examine applications from Negroes with the same equanimity as he would an application from a white person, that might satisfy our people."

Whether that meant the Negroes might continue the boycott indefinitely without some concession on the h iring of Negro drivers, the minister said he couldn't speculate.

Bagley wasn't available for comment. In the past he has said the company had received no applications from Negroes for jobs as drivers.

Meanwhile, what effect the move to end segregation here might have on the $500 fine levied against King on his boycotting conviction wasn't immediately determined.

The Negro Baptist minister has appealed, saying he would go to the Supreme Court if necessary.

Circuit Solicitor William F. Thetford, who prosecuted King, said abolition of the segregation laws wouldn't affect the conviction because, he explained, "segregation as such wasn't an issue" in his trial.

A comparatively few Negroes rode the buses today despite the announced end of segregation. R. C. Mills, assistant manager of Montgomery City Lines, said the number was about the same that continued to use the buses throughout the long boycott.

The bus company previously had estimated that at about 5 to 15 per cent of the normal Negro passenger load.

Whether other Negroes were waiting word from the boycott leaders before patronizing the busline again could not be determined.

City and state officials meanwhile insisted that Alabama's segregation laws still are in effect despite the U. S. Supreme Court decision yesterday which said all bus segregation is unconsitutional.

The ruling applied directly only to South Carolina. nad Alabama officials contended that segregation laws here will remain intact until a court order is directed specifically at them.

That could come May 11, the date set for hearing on an anti-segregation suit already on file attacking constitutionality of Montgomery city and Alabama state laws. The suit was miled as an outgrowth of the bus boycott.

Until the city and state laws are knocked down, Police Commissioner Clyde Sellers and other city officials and President Jack Owen of the Alabama Public Service Commission declared that segregation will be rigidly maintained.

The City Commission, all three **of whose members belong to the White Citizens Council, issued a statement saying it "does not consider that the Supreme Court decision construes Alabama laws or city ordinances by which we are governed."**

Post-Herald

The council is an organization dedicated to the preservation of racial segregation.

We, therefore, expect the bus company and all other persons to abide by all existing laws nad ordinances," the statement added.

Sellers said he would order the arrest of any passenger or bus driver who permits or indulges in desgregation.

"I'll be responsible for any arrests and I'll give the direct orders for those arrests," Sellers said. "As far as I'm concerned, this damn thing (the Supreme Court ruling) applies only to South Carolina. Until they tell us, i nthis suit filed here that it applies to us, I'm going to enforce all city laws to maintain segregation."

Owen sent a telegram to President Roy Fitzgerald of National City Lines in Chicago, the parent company of Montgomery City Lines, demanding that the integration order be withdrawn.

The PSC president also directed all other carriers operating in Alabama to "strictly adhere to all present existing segregation laws in our state or suffer the consequences."

Without replying directly to Owen, one National City Lines spokesman in Chicago said "we're not going to enforce segregation."

"This company has no choice but to comply with the decision of the Supreme Court," Vice President B. W. Franklin told United Press. "For that reason we are not going to enforce segregation.

"We always comply with laws in effect. Now the Supreme Court says the segregation laws no longer are constitutional—no longer in effect.

"We're not going to enforce there despite the company's continued operating buses on segregation.

The company also operates bus lines in Mobile, Jackson, Miss., Tampa, Fla., Tulsa, Okla., Beaumont, Wichita Falls and El Paso, Tex.

Officials at Tampa and Jackson said segregation would be continued on buses operating in Tampa and Jackson.

Editorials

Courier Pill
Pittsburgh, Pa.

Vindication in Montgomery

THE decision of the three-judge panel of the Federal Court in Alabama outlawing racial segregation on city buses of Montgomery is a great victory for justice and fair play and a vindication of the colored citizenry of that community who valiantly and unanimously fought for six months against the vicious practice of jim-crowism.

When, on Dec. 6, 1955, the fateful decision was made to boycott the Montgomery buses, following the insult and arrest of Mrs. Rosa Parks, there were many Americans of goodwill but faint heart who were apprehensive about the possible outcome of this action.

They knew the tremendous odds against the boycotters, and the fearful pull of tradition and racial prejudice which conspired to make the outcome dubious; but now, they can be at ease and rejoice with the rest of us.

This six-month boycott has been a time to try the souls of all those who had been in any way dedicated to the proposition that jim-crow must go regardless of all discouragement and obstacles, and it is with a keen feeling of exaltation that people in all parts of the United States join in the silent celebration of this great victory, which is not an ending but in reality only a beginning.

We salute the Federal judges who bowed to the decree of the United States Supreme Court and rendered the decision, but we hail even more loudly the brave men and women of Montgomery who, withstanding every threat, held fast to their ideals and determination.

This victory should inspire all friends of freedom everywhere to make even a greater effort than they have, to make freedom and equality a reality everywhere under the Stars and Stripes.

Injunction Is Issued To Halt Montgomery Bus Segregation

Courier-Journal Louisville, Ky.
Wed. 6-20-56

Montgomery, Ala., June 19 (AP)—A three-judge Federal Court panel issued an injunction today to stop enforcement of bus-segregation laws in Montgomery, but suspended it for 10 days to all ow time for an appeal to the Supreme Court.

The panel, which two weeks ago ruled City and State segregation laws unconstitutional, issued the injunction to carry out that decision.

Formal Order Suspended

But the formal order was suspended for 10 days to allow City and State attorneys to appeal the original desegregation ruling to the higher court.

If the appeal is filed within the 10 days, the panel said, the suspension will remain in effect until a new order can be written to continue the stay of execution pending the appeal.

The injunction order was signed by Judge Richard T. Rives of the United States Fifth Circuit Court of Appeals and Judge Frank M. Johnson, Jr., of the U. S. District Court for the Middle District of Alabama.

Same Judges Signed Opinion

They were the two judges who signed the majority opinion in the 2-to-1 decision on June 5 that held that City and State laws requiring separate seating for white and Negro passengers violate the Federal Constitution.

U. S. District Judge Seybourn Lynn of the Northern District of Alabama, who dissented from the integration ruling, also disagreed with the decision to issue the injunction.

MONTGOMERY PLANS INTEGRATION APPEAL

Commercial Appeal p. 42

City Fights To Keep Seating On Buses Segregated

Memphis, Tenn.

MONTGOMERY, June 21.—(UP)—The city commission said Thursday it would appeal a Federal District Court's ruling banning segregation on Montgomery city buses.

Fri. 6-22-56

The commission, in a briefly prepared statement, said it reached the decision to appeal the case because "there is no doubt an end of segregated seating arrangements on public conveyances in the city of Montgomery will effect a drastic change in the habits of the people of the city."

Continuing, the statement said "This change which would alter customs which have been in existence since before the city was founded would have an obviously severe impact upon its citizens.

"The commission is of the opinion that every step possible should be taken to prevent such a change. We therefore are instructing our legal department to effect an appeal within the 10-day period set by the court in its judgment."

Three Federal judges, in a 2-1 opinion, enjoined the city from operating its buses on a segregated basis Tuesday, but set aside the order for 10 days to allow for an appeal to the Supreme Court.

The defendants—the city and the State Public Service Commission—have until June 29 to file the appeal with the high court.

U.S. Court Rules Segregation On Montgomery Buses Illegal

World-Telegram + Sun Tues. 6-5-56

New York, N.Y.

By the Associated Press.

MONTGOMERY, Ala., June 5.—A three-judge federal court panel in a 2-1 vote today ruled racial segregation unconstitutional on Montgomery city buses.

The panel ruled that both the city and state segregation laws requiring separate seating facilities for white and Negro passengers violate the federal Constitution.

Judge Richard T. Rives of the 5th U.S. Circuit Court of Appeals and Judge Frank M. Johnson Jr. of Alabama's U.S. Middle District Court signed the majority opinion.

U.S. District Judge Seybourn Lynne of Alabama's Northern U.S. District Court, Birmingham, wrote a dissenting opinion saying separate but equal facilities are constitutional.

Judgment Awaited.

The ruling will become effective when a formal judgment is entered. Attorneys were asked to submit within two week their views on the form of a judgment and whether a stay should be granted pending an appeal.

The decision came on the sixth-month anniversary of Montgomery's Negro bus boycott which started Dec. 5 in protest against segregated facilities. The suit which led to today's decision was filed by four Negro women who testified May 11 that they have refused to ride city buses since the mass protest began.

Today's ruling can be appealed direct to the U.S. Supreme Court and may provide the first clear-cut test of city bus segregation.

Columbia Case.

The Fourth U.S. Circuit Court of Appeals at Richmond, Va., had previously ruled bus segregation unconstitutional in Columbia, S. C., but sent the case back to the trial court for a determination of damages.

The Supreme Court on April 23 dismissed an appeal from this ruling, but two of the judges sitting on the panel here commented at the hearing last month that in their opinion the Supreme Court hadn't passed on the segregation issue itself, but rather dismissed the appeal because the case was still pending in the lower courts.

Bus Service Halted In Florida Boycott

By the Associated Press.

TALLAHASSEE, Fla., June 5.—Bus service in Negro communities here has been shut off as a result of an 8-day-old boycott.

The city commission yesterday authorized the Cities Transit Bus Co. to discontinue the runs after the transit firm reported they had become unprofitable.

The city commission rejected a demand by the Negro Inter-Civic Council that full integration on city buses be permitted as a condition for calling off the boycott.

Continuing, the statement said "this change, which would alter customs which have been in existence since before the city was founded, would have an obviously severe impact upon its citizens.

"The commission is of the opinion that every step possible should be taken to prevent such a change. We, therefore, are instructing our legal department to effect an appeal within the 10-day period set by the court in its judgment."

Three federal judges, in a 2-1 opinion, enjoined the city from operating its buses on a segregated basis Tuesday, but set aside the order for 10 days to allow for an appeal to the Supreme Court.

The defendants—the city and the state Public Service Commission—have until Friday of next week to file the appeal with the high court.

PSC President C. C. (Jack) Owen said his department and Atty. Gen. John Patterson would meet Tuesday to "decide on a course of action."

The district court's injunctive order put into effect a June 5 decision by the three-judge panel that ruled unconstitutional state and city segregation laws.

Segregation Ban Appeal Ordered

Post-Herald Fri. 6-22-56

Montgomery To Go To Supreme Court

Birmingham, Ala.

MONTGOMERY, June 21 (U.P.)—The City Commission said today it would appeal a federal district court's ruling banning segregation on Montgomery city buses.

The commission, in a briefly prepared statement, said it reached the decision to appeal the case because "there is no doubt an end of segregated seating arrangements on public conveyances in the City of Montgomery will effect a drastic change in the habits of the people of the city."

New battle shaping?—

News P.11

Failure to appeal may boomerang bus case

Wed. 6-6-56

BY HUGH W. SPARROW, News staff writer

MONTGOMERY, Ala., June 6—It could be that yesterday's 2-to-1 decision by the three-judge Federal Court tribunal outlawing segregation on buses in intrastate service here may turn out to be an entirely unexpected boomerang.

Birm. Ala.

That is, a boomerang against the four Negro women who filed the suit which resulted in yesterday's ruling and, more particularly, against the agitators who stand behind them in an effort to destroy long established Southern customs.

SPARROW

U. S. Appellate Judge Richard T. Rives and U. S. District Judge Frank M. Johnson, who signed the majority opinion, indicated an injunction eventually would be granted after preliminaries such as written arguments by opposing attorneys as to how the decree should be entered are out of the way.

Such an injunction would prohibit the defendants—Montgomery city commissioners and police authorities, the Montgomery City Lines, Inc., Alabama Public Service Commission members and two specifically named bus operators — from segregating passengers according to races.

The judges, however, indicated that if the defendants plan an appeal, which would be direct to the U. S. Supreme Court and not to the appellate court, a stay would be granted suspending execution of the order until after the high court has ruled.

Probably the real backers of the court action — reportedly the controversial NAACP — would like nothing better than for the currently rebuffed defendants to try an appeal.

But that is the very thing that may not be done in the present case, apparently for very good reasons.

The right of appeal does not rest with the Negroes who won yesterday's decision. It is up to the defendants—and to no one else—whether the case shall be taken higher.

JUST WHAT will happen if and when the defendants should say the do not want to take an appeal?

Judges Rives and Johnson probably would issue a court order directing the defendants not to segregate passengers on buses operating in the Montgomery area. (The injunction could not extend to Birmingham, Mobile or other areas in Alabama having buslines since it is a case specifically relating to Montgomery's long harried buslines.)

But in that case a federal court injunction would apply in direct opposition to an injunction already granted by a very able Alabama circuit judge.

Judge Walter B. Jones, in a decision which was handed down exactly two days before the federal jurists began consideration of the Negro case, ruled that state and local segregation laws are constitutional.

Furthermore, he held in a ruling which attracted widespread attention throughout the South that the Montgomery City Lines Inc. shall not seek to do away with segregation on buses.

THE CASE ruled on by Judge Jones was one in which Montgomery city commissioners filed application for an injunction restraining the Montgomery bus company from carrying out its announced policy of abandoning segregation of passengers on buses.

The bus company had announced the new policy in April immediately after early reports indicated the U. S. Supreme Court had outlawed segregation on buses engaged in intrastate service in a case originating in South Carolina. Although later reports indicated the high court had not actually banned bus segregation the city bus company did not change its policy.

Not only did Judge Jones order the bus company to restore the signs used to denote seating arrangements on buses for white and Negro passengers but he directed the company to make certain that all state and local segregation laws are fully observed.

NOW IT IS LIKELY that the Montgomery City Lines and two specifically named bus operators will be enjoined by a lower federal court to do precisely what Judge Jones had ordered them not to do.

What action shall they take? If they seek to obey Judge Jones' order, on one hand, and are brought into Federal Court for disobeying the federal injunction on the other, what decision would be reached by the federal judge?

Certainly it is unlikely that federal judges would try to call an Alabama circuit judge into court and order him to go counter to his decision, reached well in advance of the federal decision.

The situation which now appears to be rapidly developing is unprecedented, lawyers say. Never before has there been a case in which a state judge and a federal judge in the same city have issued conflicting injunctions on the same subject.

In the opinion of some lawyers who have been closely following proceedings in both cases, Montgomery could very well become the battle ground for a historic battle over states' rights.

JUDGE JONES could not be reached for a statement yesterday afternoon. His secretary told callers that he was "out of the city." It could be that Judge Jones does not want to discuss the situation which could bring him point blank in opposition to Federal Court authorities.

Atty. Gen. John Patterson, who represented the Alabama Public Service Commission in the case, said he was "very much surprised" by the court ruling. He said he probably would have more to say later.

The Montgomery City Commission members, too, postponed a statement until they had been given more time to study the decision and the effects it will have.

Lawyers here said there is much more at stake in yesterday's decision than the outlawing of racial segregation on buses. It could be the opening wedge, they say, for more NAACP-inspired litigation to open to Negroes hotels, restaurants, theaters, apartments, etc., now reserved for white people.

But most important of all, according to one lawyer, it strikes a paralyzing blow at the police powers of state and local governments.

SHOULD THE federal decision prevail and segregation be banned on buses here, it would not be long before segregation would be banned on all public transportation.

But it is said there is nothing to prevent cities from abolishing public transportation and letting responsible individuals contract to carry white passengers, or for others to contract to provide transportation for Negroes.

That would not be segregation, within the meaning of the action which two of the three federal judges sought to decide in their opinion yesterday.

SHORTLY after the decision was announced, the APSC issued a statement indicating that an appeal from the decision probably would be taken.

Overnight, however, it was reported that the APSC would not take that step if in so doing it would play into the hands of those who are out to abolish all forms of segregation.

REACTION to the ruling in Montgomery was sharp and critical.

During the hearing before the three judges three weeks ago, two of the three—Judge Rives and Birmingham's Judge Seybourn Lynne—indicated by their statements from the bench they did not believe the U. S. Supreme Court has held bus segregation unconstitutional.

State, Negroes Weigh Action On Bus Ruling

Advertiser P.1

Montgomery Ala.

Sat. 6-23-56

State attorneys were still undecided yesterday whether they would join Montgomery city lawyers in appealing a federal court ruling banning racial segregation on Montgomery buses.

McDonald Gallion, chief assistant to Alabama's attorney general, said an announcement of state action will probably be released early next week.

Meanwhile, Negro attorneys gave no public indication they would ask the high court to set aside the suspension of the injunction issued Tuesday while appeal is pending.

In San Francisco, Robert Carter, an attorney for the National Assn. for the Advancement of Colored People, said his organization would decide later whether to ask the Supreme Court to interfere.

Carter was one of the attorneys representing four Montgomery Negroes in the Federal Court suit which led to the June 5 anti-segregation ruling.

City Readies Appeal Case On Bus Writ

Advertiser

Fri. 6-22-56

Montgomery, Ala.

Negro Attorneys Report No Plans On Counter-Plea

P.1

By AL McCONAGHA

The Montgomery City Commission announced yesterday a decision to appeal to the U.S. Supreme Court a federal court injunction against segregation of city buses.

Local Negro attorneys were indefinite about their next move. Atty. Charles Langford said yesterday no plans have been made to attempt to set aside the court suspension which would legally terminate segregation on Montgomery transportation vehicles.

In their announcement the commission said:

"There is no doubt that an end of segregated seating arrangements on public conveyances in the city of Montgomery will effect a drastic change in the habits of the people.

'SEVERE IMPACT'

"This change, which would alter customs which have been in existence since before the city was founded, would have an obviously severe impact upon its citizens.

"The commission is of the opinion that every step possible should be taken to prevent such a change. We are therefore instructing our legal department to effect an appeal within the 10-day period set out by the court in its judgment."

A federal three-judge panel issued a permanent injunction Tuesday ordering the city to abolish segregation laws on Montgomery transportation vehicles. The order was suspended 10 days to allow appeal to the U.S. Supreme Court.

LAW PREVAIL

Thus, unless the suspension is lifted, the laws requiring separate seating of white and Negro passengers will prevail until the high court rules.

Negro attorneys who challenged legality of the laws can ask the Supreme Court to set the suspension aside and put the injunction into effect immediately.

They did that when U S. District Judge Hobart Grooms in Birmingham ordered Autherine Lucy admitted to the University of Alabama and then suspended his order for four months pending an appeal. The Supreme Court ordered the suspension lifted.

Although the Supreme Court is in summer recess, the Negroes can ask one justice to take action. Normally it would be Justice Hugo Black, whose circuit includes Alabama. Black himself is an Alabamian and is a former U.S. senator appointed to the Supreme Court by Franklin D. Roosevelt.

Ask For Courtesy, Drivers

Daily World Sun. 3-18-56 P. 1

By ROBERT H. DENLEY

MONTGOMERY, Ala. — (INS) - The most extensive open protest of white man's rule in modern southern history will be court-tested Monday when leaders of Montgomery's long bus boycott go to trial. Atlanta, Ga.

The first of 90 boycott leaders indicted by the Montgomery County Grand Jury under a 1929 law banning boycotts are scheduled for trial before circuit Judge Eugene Carter. All defendants have waived the right to jury trials.

100 PER CENT

They are accused in connection with a boycott that began Dec. 5, and which continues now as nearly 100 per cent complete.

The boycott, in protest of segregated seating rules, has brought curtailment of Montgomery City Bus Lines operations, has affected city revenue and has had economic effects on retail business, especially those with "choice" locations at certain bus stops.

Nowhere else in the South has there been such a long-sustained and complete, about 45,000 Negroes are involved, organized protest by Negroes against white supremacy.

The boycotters have been held together, despite the inconvenience of walking or joining car-pools, by a spiritual appeal. Their most outspoken leaders are ministers.

90 LEADERS

Twenty-five pastors are among the 90 leaders indicted on Feb. 21 for boycott violation that carries punishment of fines up to $1,000 or jail terms of six months.

There were 11 indictments returned, all carring the same charge, but listing different accused. Only those name in any one indictment will bebrought to trial at the same time, and solicitor William Thetford would not say which cases he expects to be first called.

If custom is followed in scheduling first the indictment with the lowest number, the first trial would involve four defendants.

POINT OF TENSION

They are the Rev. M. L. king, A Baptist minister whose home was bombed during one high point of tension in Montgomery; E. D. Nixon President of the Montgomery Progressive Democratic Association, whose home also was the target of a nocturnal dynamite blast; the Rev. L. R. Bennett, pastor of the Mt. Zion AME Church and President of The Interdenominational Alliance, who wanted to end the boycott in February; and the Rev E. N. French, pastor of the Hillard Chapel AME Church.

Fund To Get Boycotters Rides Is Told

Constitution Tues. 3-20-56 Atlanta, Ga.

By REX THOMAS

MONTGOMERY, Ala., March 19 (AP) — State's attorneys produced testimony today alleging that a newly formed Negro organization spent several thousand dollars to make automobile rides available to Negroes during the boycott against segregated city buses. P. 1

The evidence came during the trial of the Rev. Martin Luther King Jr., first of 90 defendants called to answer for the mass Negro protest.

THREE CALLED

Only three prosecution witnesses were called the first day. Court recessed until 9 a.m. tomorrow.

King was identified as the president of the Montgomery Improvement Assn., which was organized the same day the boycott started last Dec. 5, and the Baptist minister's signature was on numerous checks introduced as evidence.

HELP NEGROES

Another clergyman, the Rev. A. W. Wilson, a member of the association's executive committee, said the purpose of the new organization was to improve the "general status of the colored people in Montgomery."

Another witness, Mrs. Erna Dungee, financial secretary of the association, identified bank deposit slips totaling approximately $30,000. Constitution

She also identified photostatic copies of checks signed by herself and King and one other officer, totaling approximately $4,800 for payment for gasoline. P. 15

Mrs. Dungee said the gasoline was "used to ride colored people, people who wanted to ride."

She also testified that Negroes received regular weekly salaries of $24 as drivers in a motor pool which has provided transportation for the boycotting members of her race.

At one point during the opening day of the first of a series of trials, Circuit Judge Eugene Carter observed that the state had presented sufficient testimony to show that a conspiracy could have existed to boycott Montgomery City Lines, Inc.

The state law under which the mass indictments were returned prohibits a conspiracy or any other agreement to hinder the operation of a lawful business unless there is "just cause or legal excuse" for the agreement.

The grand jury indictments withstood their first court test earlier today when Carter overruled a defense petition attacking them as unconstitutional.

King was called to trial as the first defendant after the Negroes asked for separate trials. They also waived the right to jury trials.

King, 27, whose home was bombed in the early weeks of the mass Negro protest against segregated city bus facilities, was singled out by Circuit Solicitor William F. Thetford as a boycott leader.

But Thetford ran into difficulty at the outset of the trial in trying to link the pastor of the Dexter Avenue Baptist Church to a "conspiracy" to hinder operations of Montgomery City Lines buses.

Carter allowed the first witness, bus company manager J. H. Bagley, to identify King as one of several Negroes with whom he conferred at the start of the boycott in December, but he sustained defense objections to other questions.

Carter upheld defense objections when Thetford asked Bagley what caused a "falling off" of his company's business since Dec. 5. The bus line official said 90 to 95 per cent of the Negroes who formerly rode city buses have stopped.

Defense attorney,s led by Arthur. D. Shores of Birmingham, said they would contest Judge Carter's decision in overruling demurrers which contended the defendants have committed no unlawful act and therefore can't legally be brought to trial.

Shores, arguing for the demurrers which covered all 90 defendants, said the indictments, under a rarely used state law which prohibits organized boycotting, violated the Negroes' rights of free speech, freedom of worship and peaceful assembly.

The Negro attorney, who represented Autherine Lucy in her successful court battle for admittance to the University of Alabama before she was expelled for insubordination, said courts have upheld the right of people to refuse to patronize business places.

Specifically, he said, they have granted Negroes the right to withhold patronage from businesses which refuse to hire Negro employes.

Bus Boycott Group Denies Charge Of Misusing Funds

'SELFISH PURPOSES'

Advertiser Wed. 6-13-56 P. 1 Montgomery, Ala.

A flat denial that funds for transportation of Negroes who are boycotting Montgomery buses are being misappropriated was issued yesterday by the Montgomery Improvement Assn.

The MIA, organized to coordinate the boycott when it began six months ago, issued the denial in reply to charges by the Rev. U. J. Fields, who resigned as MIA recording secretary.

Files said Monday boycott leaders have put personal interests before the protest movement and money being contributed across the country to sustain the protest is being used "for selfish purposes."

Dr. Moses W. Jones, second vice president of the MIA, issued a statement calling Fields' charges "deeply regrettable." He said they were "simply another attack designed to hinder our protest movement."

"No money received by this association has been misappropriated," the statement said. "The president, the Rev. Martin Luther King Jr., has always insisted upon honesty, that all funds received be duly acknowledged and that a bimonthly financial statement be made to the board of directors."

King was out of town yesterday.

U. S. Judges Deliberate Bus Segregation Fate

Advertiser Sat. 5-12-56 P. 1

Race Hearing In Court Here Ends Session

Montgomery Ala.

By STEVE LESHER

A legal war against Montgomery and Alabama segregation laws in U.S. District Court here ended shortly after 3 p.m. yesterday, but the three-judge panel hearing the case said they "can't say when a decision will be rendered."

All testimony was heard by noon yesterday. Arguments began at 1:30 p.m. and the court adjourned sine die less than two hours later.

Negro attorneys, headed by Fred D. Gray of Montgomery and Robert L. Carter of the National Assn. for the Advancement of Colored People in New York, received testimony from the plaintiffs, four Negro women, that the six-month-old bus boycott resulted directly from segregation. Further testimony revealed that Negroes would be willing to ride the buses in the city if racial barriers are torn down.

Each of the plaintiffs said they were "mistreated" on buses and at various times had been forced to relinquish their seats so that white persons might sit down. Two of the women, Mary Louise Smith, 19, Rt. 1, Box 201 and Claudette Colvin, 16, 622 E. Dixie Dr., testified they had been arrested for violating city segregation laws.

Crux of the legal battle centered on whether the three-judge panel, U. S. District Judges Frank M. Johnson, Soybourn Lynn and U.S. Circuit Judge Richard T. Rives, had jurisdiction in the hearing While ordinances had never been employed in arestnig segregation law violators, Negro attorneys countered by showing that the Colvin girl had been tried in Juvenile Court under the state rather than the city laws.

Other plaintiffs were Aurelia Browder, about 40, 1012 Highland Ave. and Susie McDonald, 77, 1254 Cleveland Ave. Defendants were the three Montgomery city commissioners, chief of the Montgomery Police Department, Montgomery City Lines Inc., two of its drivers and the president and two members of the Alabama Public Service Commission.

If the court agrees that the issue does not concern state laws, federal court will not then have jurisdiction. If the court feels that state segregation laws are integral to similar city ordinances, federal court will then have jurisdiction.

Supporting the testimony by Mayor W. A. Gayle and City Commissioner Clyde Sellers that "if segregation barriers are lifted, violence will be the order of the day," Asst. Atty. Gen. Gordon Madison, representing the PSC, argued that it would be dangerous to rule in favor of desegregation. Judge Rives, spokesman for the panel, replied, "Can you command one man to surrender his constitutional rights, if they are his constitutional rights, to prevent another man from committing a crime?"

Carter opened the angments by averring that "in view of the Supreme Court's . . . other segregation decisions . . . the Supreme Court may well have dismissed the case of Fleming vs. South Carolina as frivolous." The case in point had been summarily dismissed by the high court on April 23 and originally was heralded as a decision against bus segregation.

PSC AUTHORITY

Atty. Gen. John Patterson countered by saying that "latest legislation clearly points out that the Public Service Commission has no jurisdiction over a transportation line operating completely within a municipality." Judge Rives had introduced a section from the General Acts of Alabama passed on July 6, 1945, which gave the PSC authority to oversee interstate or intrastate transportation.

Madison took the stand that the federal court should not act on this case until the Supreme Court made its position on the matter clear. Judge Johnson apparently scoffed at the stand of the assistant attorney general. Madison said it was not clear to him "just which Constitution" the judges were "sworn to uphold."

Walter Knabe, attorney for the City of Montgomery, argued that in all its actions against violators of segregation laws, the city had acted only within the bounds of city ordinances. Judge Rives said it followed that if the city ordinance was upheld it was logical to assume that the state statute also was being intensive study into the prob-

It was apparent that the court ha made intensive study into the problem at hand. The court was familiar with every case cited by attorneys on both sides. It also appeared that the court would seek to retain its jurisdiction in the case.

Montgomery City Lines Inc., represented by Atty. Robert Thrun of New York, placed one witness on the stand at the request of he court. Thrun said the company had not intended to place any witnesses on the stand. Reynolds C. Mills, assistant superintendent of Montgomery City Lines, explained in detail the segregated seating system on his company's buses. He also testified, at the request of the court, that since the boycott of buses began last Dec. 5, the company received "from 300 to 400 Negro fares each day." He said prior to Dec. 5 the company received "from 30,000 to 40,000 Negro fares each day." He intimated that the boycott had been 99 per cent effective. He added Negroes comprised 65 per cent of the company's business.

POINT STRESSED

One point stressed by the city wa that Negroes had not sought to erase segregation until recently. Knabe said that the orginal demands of Negro leaders shortly after start of the boycott did not include ripping away racial separations. "Instead," Knabe asserted, "they were explicit in saying that they were not seeking an end to segregation but a better seating arrangement for Negroes."

The federal suit was filed two months after the bus boycott began.

Plaintiffs reiterated their testimony that segregation was the cause of the bus boycott.

During course of the hearing, two of the three judges agreed in observations from the bench that there has been no Supreme Court decision as yet on the constitutionality on city and state segregation laws within a state.

Judge Rives and Judge Lynne said they didn't construe the April 23 ruling a final decision on the merits of bus segregation. Judge Johnson did not offer comment.

INJUNCTION

The comment by Rives and Lynn was the second judicial observation along that line in Alabama this week. Circuit Judge Walter B. Jones in Circuit Court issued an injunction Wednesday ordering Montgomery City Lines to abandon its recent desegregation policy holding that the Supreme Court did not settle the issue.

At one point in the hearing during the Colvin girl's testimony, an unidentified Negro woman screamed and sobbed violently. The Colvin girl was telling how she had been 'pulled" out of a bus by policemen and 'handcuffed to the patrol car." The woman left the courtroom shortly after that.

City to Appeal Ruling on Bus Integration

Post & Times Herald P. 19 Fri. 6-22-56

MONTGOMERY, Ala., June 21 (AP) — Montgomery officials today ordered an appeal to the United States Supreme Court from a Federal Court ruling outlawing segregation on city buses.

Washington D.C.

Mayor W. A. Gayle issued this statement after the city commission voted unanimously to appeal the decision:

"There is no doubt that an end of segregated arrangements on public conveyances in the City of Montgomery will effect a drastic change in the habits of the people.

"This change ,which would alter customs which have been in existence since before the City was founded, would have an obviously severe impact upon its citizens.

"The Commission is of the opinion that every step possible should be taken to prevent such a change. We are therefore instructing our legal department to effect an appeal within the 10 days period set by the court in its judgement."

The City and the State of Alabama, whose bus segregation statutes were also outlawed June 5 by a Federal Court panel, have until June 29 to appeal.

If they do not do so by then, the judges' injunction issued Tuesday against the segregation laws will go into effect automatically. Bus segregation would be legally halted in this Southern capital where Negroes have been boycotting buses for six and a half months in protest to the segregation laws.

The Federal judges Tuesday issued a permanent injunction against application of City and State bus segregation laws in Montgomery. They suspended the injunction for 10 days, however, to allow for a possible appeal to their June 5 decision against the laws.

The bus company still considers itself bound by a state injunction to inforce segregation, its parent organization in Chicago said yesterday. A spokesman for National City Lines, Inc., said the Federal injunction would be observed when it takes effect.

Judge Forbids Bus Integration In Montgomery

Enquirer Philadelphia Pa. P. 3

MONTGOMERY, Ala., May 9 (AP).—Holding that the Supreme Court has not outlawed bus segregation yet, Circuit Judge Walter B. Jones today directed Montgomery City Lines to abandon its new integration policy.

The State Court jurist ruled that nothing in the U. S. Constitution gives the Federal Government the right to prohibit the States from segregating bus passengers in intrastate transportation.

He held Montgomery city and Alabama State segregation laws constitutional and ordered the bus company to "comply and abide" with them.

Times 5-10-56

RIOTING FEARED

Judge Jones' decision granting an injunction against further compliance with the bus company's recent integration order came at the request of the city of Montgomery, whose officials and attorneys predicted rioting and other violence if the segregation laws were broken down.

The judge took note of that threat and observed in his written order:

"A situation of tension and unrest has been created in the city of Montgomery, which is likely to explode at any time, if not restrained."

BUSES BOYCOTTED

Most Montgomery Negroes have boycotted city buses for nearly six months, even despite the company's instructions to its drivers to refrain from enforcing the segregation laws. Negro leaders voted at a mass meeting recently to continue the boycott until city and State officials recognize intergration.

There have been no reports of actual integration aboard the buses even though the company abandoned segregation as a policy.

HEARING SCHEDULED

Judge Jones' decision came two days ahead of a scheduled Federal court hearing on a suit challenging constitutionality of city and State segregation laws.

Judge Jones wrote in his decision that "there is no straight-out decision of the Supreme Court of the United States holding that a State or city may not require the separation of the races on buses where carriage of passengers is solely intrastate."

A Supreme Court ruling April 23 was interpreted as outlawing segregation on city buses, but some lawyers later contended it did not settle the issue.

Segregation Suit Being Aired Here By 3-Judge Panel

Advertiser P. 1
Montgomery, Ala.
Fri. 5-11-56

Four Women Wage Attack On Race Law

By STEVE LESHER

A federal court case to determine the constitutionality of Alabama and Montgomery segregation laws on its intrastate and city transportation buses will open today before a three-judge panel in U.S. District Court here.

The plaintiffs are four Negro women and the defendants are the three members of the Montgomery City Commission, the chief of the Montgomery Police Department, Montgomery City Lines Inc., two of its drivers, and the president and two members of the Alabama Public Service Commission.

On the bench will be Judge Frank M. Johnson of the Central District of Alabama, Judge Richard T. Rives of the Alabama Court of Appeals and Judge Seabourn H. Lynne of the Northern District of Alabama.

FILED FEB. 1

The suit was filed on Feb. 1 by two Negro attorneys, Fred D. Gray and Charles D. Langford, in behalf of Aurelia Browder, Susie McDonald, Claudette Colvin, Mary Louise Smith and Jeanetta Reese. The day after the suit was public the Reese refusing to use bus facilities. . . and . . . seeking to compel . . Negro citizens to use said facilities by force, threats, violence, intimidation and harassment . . ." This, the boldest accusation in the lengthy suit, was stricken on March 8 by the Negro attorneys along with the name of Jeaneatta Reese as plaintiff.

Advertiser P. 6-A

OBTAIN INFORMATION

Remaining in the suit, however, was the charge that the defendants harassed Negroes by stopping cars containing Negroes who participated in the car pool and Negro taxi cabs "to obtain information for the purpose of bringing pressure upon employers to discharge Negro employes who are providing transportation to fellow Negro citizens and otherwise subject them to economic reprisals."

Fri. 5-11-56

The suit stated that "Negroes desire and intend to resume the use of buses . . . as soon as they can do so on a non-segregated basis without fear of arrest."

The plaintiffs, according to the suit, "bring this action . . for themselves and on behalf of all other Negro citizens" who "seek common relief based upon common questions of law and fact."

It was pointed out that the Colvin girl was arrested on March 2, 1955, and sentenced in Juvenile Court and placed on probation for violation of the segregation laws on a city bus. The Smith girl was fined $10 in Recorder's Court after her arrest of Oct. 21, 1955, for the same offense and Rosa Parks, Negro seamstress, was fined $14 in police court on Dec. 5, the day the Negro boycott of city buses, now in its sixth month, began.

TEMPORARY INJUNCTION

The plaintiffs are asking for a temporary injunction to restrain the defendants from enforcing the statutes concerning segregation on transportation media and a final judgment that will denounce the laws as unconstitutional.

After the suit was filed, the defendants filed their several answers. But all the answers were generally common, with the exception of Montgomery City lines Inc., which said they were merely obeying the law.

The others claimed that segregation "tends to prevent violence and possible bloodshed" and that the suit should first be argued in a state court. All filed motions to dismiss the suit, with the PSC saying they had nothing to do with the bus line operating in Montgomery.

The PSC members, C. C. (Jack) Owens, Sybil Pool and Jimmie Hitchcock, were added to the suit on March 8 when one answer pointed out that "indispensable parties" (the governor, attorney general and the PSC) "are not made parties to the suit."

While his controversy raged on toward May 11, the day of the hearing, the Supreme Court on April 23 refused to hear an appeal from a bus company in South Carolina when a lower court ruled against the company in a segregation suit.

CONFUSION AROSE

The move by the Supreme Court was interpreted immediately as outlawing segregation on transportation media. A great deal of confusion arose with announcement of the court's move—some believed it abolished all segregation on all transportation media, others believed it abolished segregation on transportation media only in South Carolina and still others believed the court made no decision on the question but merely returned the appeal to a lower court where it had apparently not been completed.

Montgomery City Lines Inc., subsidiary of National City Lines Inc., of Chicago, abolished its segregation practices on the night of April 23 when J. H. Bagley, local superintendent, posted orders to his drivers not to enforce segregation on the buses.

The city threatened arrest of passengers and bus drivers who did not comply with segregation laws. Negroes voted to continue their boycott in the face of possible arrest for desegregating themselves on buses. The city obtained an injunction from Circuit Court against the bus company to force the company to obey existing segregation laws. The company said it would comply.

integration on the buses and the hiring of Negro drivers. The demands were rejected by the city commission.

It was reported that only a few Negroes are riding the buses in Tallahassee. Others are walking and riding in car pools.

Bus segregation laws in Tennessee were challenged also when a suit was filed in federal court in Memphis asking that the statutes be declared in violation of the U. S. Constitution.

In the Alabama case, the judges did not issue an injunction, because of the probability the city and state will appeal the ruling.

The court gave opposing lawyers two weeks to submit written suggestion on how the formal order should be entered and whether a stay should be granted pending an appeal.

The majority decision was signed by Judge Richard T. Rives of the U. S. Fifth Circuit Court of Appeals and District Judge Frank M. Johnson, Jr., of the middle district of Alabama.

Judge Seybourn Lynne of the northern district of Alabama dissented on the grounds that state laws calling for segregated seating on buses is not a violation of the Constitution.

Johnson said that when an injunction is issued it will affect only Montgomery. A separate order would be required to extend it to other cities.

Alabama officials expressed "shock" over the ruling and indicated they will seek a reversal.

The ruling has not changed the situation in Montgomery where the boycott of city buses has been in progress for six months. Boycott leaders said the protest will continue until all legal angles have been cleared up.

Civil Rights Picture One Of National Interest

World P. 4
Fri. 6-15-56

MONTGOMERY, Ala.—(ANP)—Six months to the day after Negroes began a boycott of city buses in Montgomery, a three-judge federal court ruled that state and city laws requiring segregated seating on the buses are unconstitutional.

Birm., Ala.

The 2-1 decision by the court was the highlight of week in which segregated bus seating was the main issue in the national civil rights picture.

In Tallahassee, Fla., bus service to the Negro community was discontinued as a two-week-old boycott showed every sign of becoming stronger.

Negro leaders had demanded full

Nine days left for appeal—

Injunction filed on bus segregation

News P. 7 Phila. 6-20-56

MONTGOMERY, Ala., June 20—(AP)—City and state officials today had nine days in which to appeal a federal court decision against bus segregation laws in Montgomery or see enforcement of the laws stopped June 29.

On the same 2-1 vote by which they declared the Montgomery and Alabama laws unconstitutional June 5, a three-judge federal panel yesterday issued an injunction against them. But they suspended the injunction for 10 days to allow time for their decision to be appealed.

Officials said they would have to study the situation before deciding whether to appeal the case directly to the U. S. Supreme Court.

NEGRO ATTORNEYS who won the legal battle that came during Montgomery's half-year-old Negro bus boycott in protest to the laws also they were temporarily uncertain of their next move.

The federal judges said that a notice of appeal during the 10-day period would keep the injunction's suspension in effect until a new suspension can be written to last until the appeal is decided.

If no appeal is made by June 29, the injunction will automatically go into effect.

The order says city and state authorities are "permanently enjoined and restrained from enforcing statutes or ordinances requiring the segregation of white and Negro passengers in the operation of public motor bus transportation facilities in the city of Montgomery."

Judge Richard T. Rives of the U. S. Fifth Circuit Court of Appeals in New Orleans, who presided at the May 11 hearing of the suit by four Negro women and who signed the majority opinion, said an appeal would be a preferred case when the Supreme Court reconvenes in October because of the suspended injunction.

RIVES SAID IF AN APPEAL takes the case to the high court "a decision will probably NOT be made before early next year at the earliest, I would think."

If the decision is appealed, Rives said, Negro attorneys could then ask the Supreme Court to set aside the suspension until the case is decided. Such a request would go to Justice Hugo Black, a former Alabama senator, in his capacity as federal circuit judge.

The Rev. Martin Luther King Jr., president of the Montgomery Improvement Assn. that coordinates the boycott, said "the prevailing opinion" among MIA members is that most of the city's 50,000 Negroes would continue to shun city buses "until some definite action is taken" to end bus segregation.

City Atty. Walter Knabe said he would have something to say on an appeal after conferring with the city commission. Alabama Atty. Gen. John Patterson indicated the state would study the legal position before deciding whether to appeal.

Negro Atty. Charles Langford said he could NOT tell immediately what the next step would be. In New York, Robert Carter, attorney for the National Assn. for the Advancement of Colored People who helped argue the case here, said last night he had NOT yet received official word of the injunction and suspension.

In addition to Rives, yesterday's order—(like the June 5 decision)—was approved by Judge Frank M. Johnson Jr. of the U. S. District Court for the middle district of Alabama, sitting in Montgomery. Dissenting from both actions was Judge Seybourn Lynne of the northern district of Alabama, who sits in Birmingham.

'Police trailing our cars,' bus boycotters complain

Afro-American P. 1 Sat. 5-26-56

By AL SWEENEY

MONTGOMERY, Ala. — "The police have been trailing our new station wagons. They have made pictures of them.

Baltimore, Md.

"Something must be in the wind," Dr. Richard Harris, proprietor of Dean's Drug Store and one of the pioneer directors of Montgomery's car pool operation, reported to the AFRO.

"They have been stopping the drivers and questioning the riders. I guess they are about to do something to give us some more publicity," Dr. Harris speculated.

* * *

THE 13 SHINY, streamlined station wagons which are operating in the boycott car pool are inpressive. Each one has the name of a church on it and the sign of the cross, painted in gold, sparkles just above the middle of the windshield.

Currently directing the transportation system is the Rev. B. T. Simms, pastor of the Greater St. Mark's Baptist Church.

"The station wagons have done plenty to bolster the morale of our people," says the Rev. Mr. Simms.

* * *

"THEY ARE a symbol to our people. The riders rear back in their seats very proud as they are being transported about, while other citizens point them out as they pass as 'OUR station wagons.' "

The Rev. Mr. Simms estimates that the transportation system of the Montgomery Improvement Association, that includes over 200 cars, carries 10,000 to 20,000 persons each day.

"I am not aware of the cost of the operation, but I believe it is in excess of $1,000 a day," he says.

Afro-American

AS THE boycott is in its sixth month, the operation of the association has increased. The headquarters of the association is located in the building of the Bricklayers Local at 530 Union St.

P. 2

Originally, the MIA was quartered at the Citizens Club in West Montgomery; but pressure was put on the owner of the club and it was moved temporarily to the basement of the First Baptist Church, of which the Rev. Ralph D. Abernathy is pastor.

There are seven full-time persons employed by the MIA.

While the station wagons have given a lift to the movement, they undoubtedly have incurred the envy of the association's antagonists.

"Last week," the Rev. Mr. Simms reports, "the insurance company suddenly canceled all of our policies. However, we got coverage through another firm."

* * *

THE STATION wagons have been purchased by the various churches associated with the protest.

Each has the name of the church and the pastor on its side.

They operate in the car pool from 6 a.m. until 7:30 p.m.

They operate along regular routes and pick up and dispatch riders along the way.

The churches with station wagons are:

Old Ship AMEZ, Mt. Gilliard Baptist, Oak Street AMEZ, Dexter Avenue Baptist, First Baptist;

Bryant Street Baptist, St. John AME, Hutchinson Street Baptist, Bethel Baptist, Holt Street Baptist, Maggie Street Baptist and First CME.

Other station wagons are on order.

Bus Boycott Talks Reach Dead End

World-Telegram & Sun P. 3 Sat. 4-28-56

By the United Press.

MONTGOMERY, Ala., April 28.—The city of Montgomery, determined to maintain segregation, appeared ready today to break off negotiations aimed at ending a bitter and costly 21-week-old Negro bus boycott.

New York

After the second fruitless meeting in a little more than 24 hours between the city and officials of the National City Bus Lines, a negotiator said "I think this is the last meeting the city and National City Lines will hold."

The city negotiator, who declined the use of his name, said "the city commission has advised the bus company that all laws and ordinances will be enforced and that the commission will require the company to follow to the letter all laws and ordinances."

National City Lines, operator of the city's transit system, ordered its drivers to stop enforcing the city's segregation law after the U.S. Supreme Court last Monday refused to consider a South Carolina segregation suit involving intrastate transportation.

City officials have threatened, however, to prosecute any person violating Montgomery's segregation laws.

Bus Parley Fails In Montgomery

Inquirer P. 1 Sat. 4-28-56

MONTGOMERY, Ala., April 27 (AP).—Bus company and city officials met again today but were unable to break a stalemate in their talks on bus segregation.

Philadelphia

Mayor W. A. Gayle issued a statement afterward saying Montgomery City Lines would be "required" to obey city and state segregation laws. The company has announced it would no longer enforce segregation.

Negroes continued their fifth-month-old boycott of the buses. They agreed at a mass meeting last night to refrain from riding until public officials agree to accept desegregation.

Alabama Editors Are Saying Of Alabama

Advertiser

Solving The Boycott

P. 4-A

The Opp News

It might solve the problem up at Montgomery if the bus people would operate buses strictly for the Negroes and let them ride inside, outside, on top or wherever they wanted. Or if they want the front of the bus, give them the front and give the whites the other end. It really doesn't matter which end of a bus a person rides on, but one end of it is theirs and you may lay to that.

Sat. 2-25-56

Getting Worse

Montgomery Ala.

The Clarke County Democrat

U.S. News & World Report, the only magazine of national circulation which has shown any real inclination to present the segregation issue in true perspective, carries interviews in its Feb. 24 issue with editors from practically every Southern state. Alabama editors reporting were Grover C. Hall Jr., of *The Montgomery Advertiser*, and Buford Bone, of *The Tuscaloosa News*.

Almost without exception these editors are agreed, and this includes Percy Greene, Negro editor of the *Jackson* (Miss.) *Advocate*, that conditions between the two races are worse than they were when the Supreme Court handed down its decision two years ago. They likewise are in agreement that no integration of a general nature is likely in the deep South in the foreseeable future. They are further agreed that any attempt by the federal government to use force would have immediate and violent repercussions. Most of them report from their respective states that no provisions are being made to comply with the Supreme Court order.

◆

'Wise, Calm, Friendly Men'

The Brewton Standard

Despite the shouts heard from either extreme, it would seem that a calmer voice is beginning to be heard, at least in Alabama, during the past few days.

In Monroeville, *The Monroe Journal* asks: "Why are rumors persisting that organization of a White Citizens Council is being strongly considered? Certainly there is no hint of any type racial problem in our county and the formation of such a group could possibly create such an unwanted situation."

In Grove Hill, Editor George Carleton [of *The Clarke County Democrat*] points out: "We suggested that well-meaning whites and Negroes of the South should form an organization for discussion and solution of problems which confront the two races. As matters now stand, agitators and trouble makers on both sides can do irreparable harm."

"It is far easier to recruit members for organizations such as the NAACP and the White Citizens Council—organizations which appeal to the prejudices, the emotions and the hatreds of each race—than for an organization such as we suggest, but a body which includes the wise, calm, friendly members of both races could do far more good than could either of the others."

◆

The Lucy Case Up North

The Greenville Advocate

Recent issues of *The Buffalo* (NY) *Evening News* contain several stories and editorials on the Autherine Lucy affair, on the Montgomery bus boycott, the recent meeting of the White Citizens Council in Montgomery, when Sen. Eastland was the featured speaker.

This Buffalo newspaper has a column for letters to the editor, and in it letters giving readers' opinions are divided. Some readers write of the Southerners' "shameful" attitude; others see the Lucy case in a different light. One reader said: "I see that Sweden has offered Autherine Lucy, the Negro girl in Alabama, the opportunity to go there to college free. Someone should explain to Sweden that there are many colleges in the United States where she could have gone with no trouble, no fanfare or publicity. Evidently, trouble and publicity were desired so that a court case can be developed."

Another writer wonders if the girl's entry was a "plant." The letter follows:

"About the unfortunate riots in Alabama over this colored woman who enrolled at the university, before we take snap judgment I would like to ask this Negro association, wasn't this freshman (?) planted in that school to stir up trouble? Isn't it funny that a woman of 26 would suddenly become so interested in securing an education in one of the leading Southern schools when Alabama has one of the finest colleges for colored people in the world?"

◆

Need For Reason And Good Will

The Birmingham News

The people of Alabama and other Southern states need all the powers of good will, wisdom and self-discipline they can bring to bear on current racial problems and tensions.

These problems and tensions involve intense feelings. It would be very unrealistic to expect that in present circumstances such feelings would not be aroused or could be eliminated altogether. But such realities themselves emphasize, of course, the urgency of the utmost efforts by our people, white and colored, to deal with these difficult conditions with reason, moderation and a spirit of fairness and consideration for all men.

The conditions and feelings that have been so apparent in recent days must have impressed upon thoughtful men the serious perils involved in uncontrolled emotionalism, in incitement of hatred and distrust and fear, in circulation of irresponsible rumors, in any kind of action that makes for extremist passions.

◆

Northern Reformers

The Centreville Press

For many years the white and Negro races have been living in perfect peace and harmony in the South, and both races have made fine progress. The Negroes in many sections of the South have fine schools with other new schools being planned, they own businesses and have many fine churches. They have made much progress with the assistance of the white people, but all of this has been done on a segregated basis.

For the past twenty years Northern reformers, which includes Northern politicians, have made the South their target. It is their desire to completely remake the South for their own selfish benefit. The vast majority of the Northern people do not know the true conditions in the South, but yet they are constantly voicing their opinions as to what should be done about the South. They do not realize that we have some counties with 70% Negroes and 30% white.

◆

Eyes On Alabama

Mack Ray Herring In The Geneva County Reaper

People all over the country will be looking at the University if Miss Lucy is readmitted. The demonstrations that caused her exclusion are said to have disgraced the name of the school. But they were actions taken when nothing else could be done, and many believe if there is no other way to protect segregation in the South, the demonstration must continue if Miss Lucy [illegible] demonstrations were not aimed directly at Miss Lucy but at the entire integration movement that is trying to be forced on the people of the South.

Sen. Harry F. Byrd (D-Va.) called yesterday for "massive resistance" in the South to challenge the Supreme Court's order for racial integration in public schools.

Byrd emphasized he wasn't advocating or condoning violence but said he wanted Southern states to stand together in declaring the Court's opinion unconstitutional. The Senator said the South had a "perfectly legal means of appeal" from the Court in the doctrine of interposition.

In Montgomery, Ala.

Post + Times Herald

Negro Racial Protest Organized, Effective

Sun. 2-26-56 P. 1

Washington, D.C.

By Robert E. Baker
Staff

Bulletin

MONTGOMERY, Ala., Feb. 25.—The Negroes of this bustling city have come up with the first organized—and apparently effective—protest by their race in the Deep South's gripping segregation problem.

They have completed 12 weeks of boycotting the public transit system here, the buses of Montgomery City Lines, Inc. They have adopted a Gandhi-like "passive resistance" as their weapon. Eighty-nine of their leaders, including 26 clergymen, have been arrested and face trial. Ten more leaders face arrest.

Negotiations between the city, the bus line and the Negroes have broken off. The Negroes "walk and pray." City officials wait and see. The end is not in sight.

There is considerable irritation, some tension, but no violence apparent. Since a 43-year-old Negroe seamstress boarded a bus 12 weeks ago, the eyes of Alabama, then the South, and now the Nation are on Montgomery.

For years, rumors and reports of economic reprisal by whites against Negroes have come from the South. The Montgomery Negroes have turned the tables. Here today they practice economic reprisal on the whites—passively.

Montgomery, then, is a test case by the Negroes of a new found weapon in the Deep South, a great but saddened part of the Nation, knotted today by racial emotions.

This is the story of how this unique Negro protest here came about:

This capital is an agricultural center, a sprawling vigerous city of a 125,000 persons, 46,000 of them Negroes—a percentage silimar to Washington, D. C. Two miles from Montgomery is Maxwell Air Force Base, with 8000 persons and a 50-million annual payroll. There is the huge Union Stockyards Co. with another whopping payroll.

"Between the bull and the brass, we are doing all right," said Mayor W. A. Gayle.

It is a city of wide, clean streets and plenty of parking spaces. It has a good transportation system Montgomery City Lines, a wholly owned subsidiary of National City Lines of Chicago.

Post + Times Herald

Last Dec. 1 was a Thursday. The Montgomery Fair, department store on North Court st., closed its doors as usual as 6 p. m. Rosa Louise Parks, 43 year-old Negro seamstress employed there, left to catch her usual Cleveland ave. route bus. She was on her way home, 634 Cleveland ct., in Washington Park, a Negro residential section.

P. 14-A

On Montgomery st. in front of the Empire Theater, she boarded her bus, paid her dime fare and sat down beside a Negro man on the third seat from the front. Two Negro men were sitting on the seat across the aisle. The rear of the bus was filled with Negroes.

At the next stop, the front seats filled with white riders. At the third stop, more white

Justice Dept. Queried On Possible Action

The Justice Department has been asked by the White House whether the Government can legally intervene in the Negro bus boycott case in Montgomery, Ala. — Page A-14.

passengers boarded and had only standing room. The bus driver said the Negroes would have to vacate the third seats from the front, on each side of the aisle, to make way for the standing white passengers. The three Negro men stood and moved to the aisle. But Mrs. Parks refused. The bus driver said he would have to call police.

"Then just call them," said Mrs. Parks.

He did and two policemen took her to City Hall where she spent a brief time in the lock-up before she was freed on $100 bond.

She had broken the law. Chapter 6 of the city code requires segregation of the races.

Section 10 of Chapter 6 requires the bus company to provide equal but separate accommodations. It requires the driver to assign passengers so the races are separated. (It does permit the driver to assign Negro nursemaids, who are in charge of white children, to seats among white passengers).

Section 11 gives the bus driver the powers of a police officer in carrying out the bus segration law and makes it illegal for the passengers to refuse to obey the driver's seat assignment.

In Montgomery, and many Southern cities, there is no definite segregation line in the buses. It is up to the bus driver's discretion. For example, buses going out to a well-to-do section in the morning are filled to the front with Negroes who work as domestics. On the return trip downtown, the bus is filled to the rear with white passengers on their way to work.

This practice leads to the most galling objection of all to the Negroes: Having once boarded the bus and obtained a seat with other Negroes, they some times are forced to give the seat up to late-boarding white passengers.

Mrs. Parks is well known in the Negro community, highly respected and active in church work. She is a member of the National Association for the Advancement of Colored People, an organization feared and hated by many Southern whites.

The day following her arrest—Friday, Dec. 2, leaflets were circulated among Montgomery's Negroes, protesting the action as "unjust."

"The reaction spread like wildfire," said the Rev. Martin Luther King Jr., 27-year-old Negro pastor of the Dexter Avenue Baptist Church and an active NAACP member.

A mass meeting was held that Friday night. A second meeting on Monday night in the Holt Street Baptist Church was attended by an estimated 5000 persons. The Montgomery Improvement Assn. was formed, with King as president. The leaders asked Negroes to stay off the buses until these demands were met:

- More courtesy from the bus drivers. "They call us 'black cows' and 'black apes' sometimes," said King. "Often, they make us get on the bus by the back door."
- A first-come, first-serve bus segregation policy, with Negroes filling up seats from the back, white passengers filling seats from the front. "That is the way it is done in Mobile, Huntsville and Atlanta," said King, "and that is all we want."
- Negro bus drivers on predominantly Negro routes. "This would help overcome the discourtesy shown us now," said King.

The unsuccessful negotiations and successful boycott began. The speed with which the Negroes organized led many white persons to believe Mrs. Parks was a "plant"—that is, she boarded the bus with the intention of causing an incident and the test case.

"I had nothing further from my mind," said Mrs. Parks. "That just isn't true."

She added: "I have been asked to move before, but this time I just didn't."

Said Mayor Gayle: "I could not say if it was a put-up job or not. But this boycott was mighty well organized mighty quickly."

The negotiations involved the City Commissioners (councilmen), the Chamber of Commerce, the bus company, the Men of Montgomery—an organization of 37 prominent businessmen, the Alabama Council on Human Relations and the Montgomery Improvement Association. At least nine meetings were held, but to no avail.

The negotiations did not always run smoothly. An outgrowth was the suit filed in Federal court here which asked that Alabama racial segregation laws be declared unconstitutional. But the Montgomery Improvement Association struck to its original proposals so far as the bus boycott was concerned.

Meanwhile, the Negroes had to use some sort of transportation. At first, they used Negro-driven taxicabs, paying the regular 10-cent bus fare. The city ruled the taxis must charge taxi rates.

Then came the car pool. More than 300 cars joined in it. Forty-six pickup and dispatch stations were set up. The Negroes rode free, made contributions to their churches, which in turn donated funds for gas and oil to the car pool drivers. This got around the law which would have made the cars taxicabs if the passengers paid the drivers directly.

The system was hurting. The Mayor announced a "get-tough policy." Said he: "I am tired of pussyfooting around."

White employers of domestics were asked not to pick up their maids in their cars. A grand jury met, seized records of the Montgomery Improvement Assn., indicted 99 persons, including King and Mrs. Parks, who, by this time had appealed her case after conviction in Recorder's Court (police court) and Circuit Court.

The leaders were charged with violating Title 14, Section 54 of the state code which makes it illegal for "two or more persons who, without just cause or legal excuse . . . (to) enter into any combination, conspiracy . . . for the purpose of hindering, delaying or preventing any other persons, firms, corporations or association of persons from carrying on any lawful business."

Conviction carries a fine of from $100 to $1000 and up to six months' hard labor. The law was passed in 1921 and grew out of a labor boycott. It has been used in various cases since: many times in labor disputes and once by an insurance company to stop scandalous rumors.

"But it's the first time I know of that it has been used in racial cases," said William Thetford, Circuit Court Solicitor (prosecuting attorney).

Negroes claim 95 per cent of the bus company's Negro passengers no longer ride the buses. They say it costs the company an average of $3200 a day.

NEW YORK Herald Tribune — Late City Edition — WEDNESDAY, FEBRUARY 22, 1956 — FIVE CENTS

Alabama Indicts 115 Negroes Over Boycott of Buses

White Offer Of Accord Is Rejected

1921 Law Used In Montgomery

By Robert C. Bird

MONTGOMERY, Ala., Feb. 21—The Montgomery County Grand Jury returned criminal true bills here late today indicting 115 Negroes on misdemeanor charges in the Negroes including many of the leaders in the racial protest against the city buses.

Coming on top of a breakdown last night of efforts by city of Negro and other white leaders to effect a compromise settlement of the boycott, the result is that the biggest city of Alabama outside the Deep South has injected the racial issue into a bitter fight for a new segregation statute.

The boycott, recently joined by Negroes complaining about an increased fare but chiefly about practices and the attitude of segregation of authorities.

Continued on Page 2

Blame that is the bitter right

$250,000 Voted At Albany for City Inquiries

Senate Acts, Assembly to Follow In Widening 'Watchdog' Powers

By David Wise

ALBANY, Feb. 21—The Senate today voted a $250,000 subsidy appropriation and passed several measures to investigate city government including New York City. Democrats unanimously charged the move was a political maneuver designed to divert attention from Mayor Wagner's investigation Commissioner J. Lee Rankin.

Democrats charged that the measure introduced by Senate majority leader Walter J. Mahoney (Rep., Albany) was a Republican counter move to the Rankin investigation. The Republican move to follow the Rankin investigation with an inquiry into New York City's finances was regarded as equivalent to a threat to subpoena Mayor Wagner and other New York officials if they refused to cooperate with the Rankin probe.

Mayor Wagner announced yesterday he would cooperate with Rankin.

Democrats charged that the Republicans had rushed the Mahoney bill through the Senate without giving it the consideration given other measures because it was a political move designed to divert attention from the Rankin probe.

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State Senate Majority Leader Walter J. Mahoney, Republican, who introduced the resolution to extend the "watchdog committee"

Council Shv

Pro-West Bloc Gains In Greece

170 Seats Seen For Karamanlis

By Harold McGuire

By Wireless to the Herald Tribune

ATHENS, Feb. 21—Conservative parties and their candidates have forty seats in the new Greek Chamber. Greek Parliament has pro-Western Premier Constantine Karamanlis will have a fairly comfortable working majority of 170 Deputies. Political pundits made this estimate after a process of calculating the winners in Sunday's election drawing to end.

The result will much better than friends of Mr. Karamanlis had expected. The government spokesman said that the Premier after results of all parties had been tabulated, on his—partly because of the Cyprus issue and partly because of general discontent over the low Greek living standard—would come out with an offer to the Parliamentary voice giving the country to the Communist-backed opposition.

Seats for Greek

Mr. Karamanlis has 170 Deputies for sure, with another five or six likely and an undetermined ten of the opposition deputies expected to support him. Mr. Karamanlis said that Mr. Karamanlis has said.

The party-lining Joint Democratic Left which has filled the body of Greek politics created by the outlawing of the Communist party in 1947 elected thirteen of opposition Deputies.

The chief rival of the Joint Democratic Left put another

Eden Wins Test On Finance Plan

LONDON, Feb. 21 (AP)—Prime Minister Eden's government tonight had been given a strong Labor attack on newly enacted anti-inflationary measures.

On a vote of confidence Conservatives supported Sir Anthony's Government by 300 to 299.

The vote came after a two-day debate on Great Britain's troubled financial position.

'Real' Peace Hope Seen By Bulganin

Bids Reds Stress Atom Power Use

By R. J. Cutler

From the Herald Tribune Bureau

MOSCOW, Feb. 21—Prime Minister Marshal Nikolai A. Bulganin declared today that there now exists a realistic prospect for consolidating universal peace. This prospect has risen about by continuation thanks to the consistent peace policy of the countries belonging to the Socialist camp.

At the same time he noted that the twentieth century is ushering the era of atomic energy and said that this source of power must be fully utilized for the cause of bettering mankind.

Chinese Friendship Bond

The two powerful chiefs of China, Premier Chou and Marshal

Senate Unit Of 8 to Sift Pressures

Broad Inquiry, Fund of $350,000

By Don Irwin

WASHINGTON, Feb. 21—The Senate by partisan leadership tonight introduced a resolution creating an eight-member special committee to investigate all and all attempts to influence legislation through campaign contributions, political activities, lobbying or other activities.

The measure authorizing such a study was offered by Sen. Lyndon B. Johnson, D., Tex., the majority leader, for himself and Sen. William F. Knowland, R., Calif., the minority leader.

The sweeping resolution, prepared by the policy committees of both parties, authorizes expenditure of up to $350,000 for the inquiry and requires the special committee to report by Jan. 31, 1957.

Hearings for Action This Year

Sen. Johnson emphasized in debate that the committee would not present recommendations of its certain reports to the committee and would hope that legislative changes might be achieved on the Democratic-Republican

Action on the measure was postponed until tomorrow. The delay complying with normal Senate procedure will make it impossible for committees from any single group to be appointed approval of the resolution when it is put forward for a vote.

The members of the special committee will be picked by Vice-President Richard M. Nixon as the recommendations

Beat Blackout Pete—New Puzzle Worth $1600

HAVE FUN—WIN BIG CASH PRIZE—SEE PAGE 22

BROOKLYN EDITION — 5 Pages of Brooklyn News Follow Page 5

NEW YORK Journal-American — 7TH SPORTS · RACING · SPORTS COMPLETE — No. 24,800—DAILY — WEDNESDAY FEBRUARY 22, 1956 — 5 CENTS

reveals Change of Heart:

Marilyn (Like Any Girl) Wants A Husband, Child—or Children

ut Star Has Do Plans Yet

Rounding Up 115 in Alabama:

Seize 9 Clerics In Bus Boycott

Legislature Will Probe City Regime

By SANFORD E. STANTON

ALBANY, Feb. 21—The Republican legis-

Latest News

Mate Denies Lu Ann Was Fired

Loring Bunell, husband manager of Lu Ann Simms, today denied the singer was "released" from her contract as a performer at the Statler Hotel in Detroit. "Lu Ann closed there Saturday night," Bunell said, in an interview in his apartment at 414 E. 53d st. "But she did so at her own request."

Westinghouse Strike Parley Held

WASHINGTON, Feb. 22 (INS)—A three-man panel of labor conferees today with company officials to negotiate the strike of 40,000 workers in 29 plants.

Quiz Seeks Arranger of Tanks Deal

By HOWARD HANDLEMAN

WASHINGTON, Feb. 22—The controversy over tanks for Saudi Arabia and arms for Israel mixed in Capitol

One Leader Of Church

"Prodigal Worms of Ruin," by Guy Richards on Page 8

MONTGOMERY, Ala., Feb. 22 (AP)—Nine Negro ministers including a world leader in the African Methodist Episcopal Zion Church were arrested today on indictments charging

IN TODAY'S EDITORIAL PAGE

ST. LOUIS POST-DISPATCH — FINAL — PRICE 4 CENTS

ST. LOUIS, WEDNESDAY, FEBRUARY 22, 1956—60 PAGES

MILITARY ORT BACKED AVAL AIR ON CHIEF

Subduing Colorado Kidnaper

115 INDICTED FOR NEGROES' BUS BOYCOTT

104 PATIENTS CROWDED IN ONE ROOM IN SUDAN DIE

EISENHOWER HAS DECIDED TO RUN, ADAMS AND HALL SAID TO REPORT

SENATE ORDERS INQUIRY INTO CAMPAIGN GIFTS, LOBBYING BY 79-1 VOTE

Boycotters Shift To Ballot Drive

Afro-American P. 1

(See Editorial on Page 4)

MONTGOMERY, Ala. — "We are going to stage a block by block canvas of this city to encourage colored residents to register to vote in the coming election.

"It is an educative project because in order to qualify an applicant is required to take a written examination.

"For an educated person it is not too difficult. However, the questions can bother a person without certain advantages of education."

Baltimore, Md.

THE REV. MARTIN L. KING, president of the Montgomery Improvement Association made the statement to the AFRO, Friday, indicating that the "passive resistance" demonstrators were turning next to the ballot box.

Sat. 4-7-56

AS FOR THEIR primary goal, the change of the racial policies of the Montgomery Bus Lines, the Rev. Mr. King said that leaders of the association are mapping future strategy.

"The next two weeks will be among the most important in our movement," the Rev. Mr. King said.

"We are going to thoroughly examine the possibility of setting up a free-transportation system in Montgomery.

* * *

"FIRST, WE will resubmit a bid for a franchise to operate a transportation system in Montgomery.

"Without attempting to prejudge it, it is my belief that our request will undoubtedly be rejected. Our first offer was."

ASKED IF the movement was bogging down, the Rev. M. King replied:

"The people are just as determined as ever to walk until their demands are met.

"The demands remain: (1) More courtesy by the bus drivers; (2) seating on a first-come-first-served basis; and (3) the hiring of colored bus drivers."

IF THEY are met would the demonstration end? the minister was asked.

"That is what we have requested. At this point, I don't think the bus line officials can do anymore than grant the demands."

However, the Rev. Mr. King pointed out that a case attacking that state's segregation laws is pending in the U.S. District Court.

A three-judge panel has been appointed to hear the case that was filed by Fred Gray, 25-year-old attorney, on behalf of four Montgomery residents.

"The question of segregation will be left up to the courts," the Rev. Mr. King stated.

* * *

THE REV. MR. KING was fined $500 and costs by Montgomery County Circuit Court's Judge Eugene Carter on March 22.

The conviction was on a charge of leading a conspiracy to violate the state's 25-year-old boycott law. Judge Carter took seven seconds to rule after a four-day trial. P. 0

Ninety-two other leaders of the boycott movement were indicted on similar charges, however their cases were continued until the appeal of the minister's case is completed.

Sat. 4-7-56

WHILE THE legal staff of the association works feverishly to attack the bus situation from a legal angle, the association's voter registration committee is attempting to awaken the citienry to the power of the ballot.

Rufus Lewis, former football coach at Alabama State College and president of the Citizens Club, an organiation that is restricted to registered voters, is chtirman of the registration committee.

Baltimore, Md.

"COLORED PERSONS have been systematicly excluded from voting in Montgomery," Lewis told the AFRO.

"If we can't get some satisfaction by appealing to them, we might have to go into the courts," he indicated.

"But, we haven't gone far enough yet to tell just what we can do," he added.

* * *

IF THE Improvement Association decides to take its registration problems into the court, the attack will be aimed at Alabama's registration qualifications.

The qualifications were written into the State constitution as a substitute for the outlawed Boswell Amendment.

The Boswell Amendment, held unconstitutional by the Supreme Court, required applicants to be able to "understand and explain" the Federal Constitution.

The current Alabama requirement calls for prospective votes to undergo a written examination and satisfy registration officials that they are of "good character."

* * *

LEWIS, explaining the complaints against the board here, stated that it "was a subtle sort of thing."

"When colored persons try to register, they are told they will be notified if they are qualified. But white people sometimes get their ceritficates right then and there.

"Sometimes, colored persons are never notified and they have to go back, some of them half a dozen times.

"If they finally do get registered, they have been delayed and delayed."

* * *

LEWIS SAID the difficulties have increased noticeably since the organization of the Montgomery White Citizens Council.

"We get even less results now," he said. "Fewer and fewer are registered.

At nearby Macon County, where Tuskegee Institute is located, colored residents have been thwarted in their drive to register by a non-functioning board of registrars.

* * *

TWO OF THE three board members have resigned. It is an old tactic to have vacancies on the board. For a period of 18 months in recent years, the county had no registration board.

It is significant that the State Senator from Macon County is Sam Englehardt, a leader of the White Citizens Councils.

Colored persons constitute about 84 percent of the population, yet only a handful vote.

City Approves Bus Line Cut

Advertiser P. 1

Wed. 4-4-56

Montgomery City Lines Inc. was reduced another 135 miles yesterday on request of the company granted by the City Commission. Information on how many miles the company has been reduced since the boycott of buses by Negroes began could not be obtained from company officials.

Montgomery, Ala.

The reduction was gained by merging the two buses which serve east Montgomery section. One bus formerly served that section until last Nov. 5 when they split the mission, J. H. Bagley, manager of the Montgomery City Lines, said that since the boycott on Dec. 5, 1955, the company had been operating 367 miles daily on the two routes "for a few white passengers." He said the revision will save 135 miles per day.

The bus will continue to serve the Veterans Administration Hospital and Gunter Air Force Base.

$500 Fine or 140 Days

Herald Tribune

Negro Cleric Convicted In Bus Boycott, Appeals

Fri. 3-23-56 P. 1

New York, N.Y.

By The United Press

MONTGOMERY, Ala., Mar. 22.—A Circuit Court judge today found a young Negro minister guilty of conspiring to boycott segregated city buses and sentenced him to a $500 fine or 140 days at hard labor.

The trials of eighty-nine other Negroes on the same charge were continued until a higher court rules on the first case, that of the Rev. Martin Luther King jr., twenty-seven. Mr. King immediately appealed to the state Circuit Court of Appeals. Execution of his sentence also was held in abeyance pending appeal.

Judge Eugene Carter announced his verdict at 4:45 p. m. Immediately after the summations of the four-day trial were completed.

Mr. King, the jurist said, had "started a fire he couldn't stop" as president of a new Negro rights organization which, the state said, conceived, financed and executed the boycott.

The demonstration, now in its sixteenth week, had put the city bus line in a deep financial hole, since more than half of its normal passenger volume was Negro. Negroes have used private motor pools and in some cases walked to their jobs.

The alleged leaders of the boycott were prosecuted under a little-used 1921 law making it illegal to conspire to the detriment of a normal business operation. As a defense, the Negroes contended the boycott was a spontaneous protest against what they called abuse and arrogance from white bus drivers, which, they said, constituted a "just cause" for such a demonstration.

Herald Tribune

Mr. King, who said he had "somewhat expected" to be convicted, said the verdict would only serve "to make our people more determined." He could have received a maximum punishment of six months in jail, $1,000 fine or both under the statute. P. 6

Mr. King reaffirmed his stand taken earlier that his case was traveling under the "aegis of the United States Constitution" and that "we will continue our passive resistance boycott with love and non-violence."

As Mr. King walked from the courthouse, more than 100 Negroes crowded around him to wish him luck. The crowd was jubilant, apparently convinced the case would be appealed all the way to the United States Supreme Court. There were cries of "Long live the King" and as the large group posed for photographs, one Negro shouted: "You going to ride the buses?" and was answered by a chorus of "no."

Judge Carter first announced the $500 fine. But thirty-five minutes after the courtroom was cleared he had a bailiff call back Mr. King and his battery of Negro lawyers. The judge explained he had forgotten the alternative punishment of 140 days at hard labor in the event he was unable to pay the fine.

There was little reaction from the audience jammed into the courtroom.

In summing up the prosecution's case, Solicitor W. F. Thetford called Mr. King the "leader" of the Montgomery Improvement Association, the guilding force behind the boycott. Mr. Thetford said the M. I. A. was 'a selfish little group of men seeking' power in their own right." "If they were looking for publicity, they got it," he said.

Negro attorney Arthur Shores spoke twenty-five minutes in concluding the defense. He said: "The spark that set off the protest was spontaneous."

Mr. Shores said the association was born "to control the emotions" of Montgomery Negroes aroused by the arrest of Rosa Parks Dec. 5, the action which touched off the fifteen-week-old boycott.

He said that after the Negroes submitted their request for more courteous treatment, first-come, first-served seating, and Negro bus drivers, Mayor W. A. Gayle "instituted a get-tough policy and told his police force

to crack down."

Another defense attorney, Fred Gray, charged that the state had "utterly failed to show any connection between King and a conspiracy."

Mr. King testified that he told his followers to let their consciences guide them in the boycott. He was the last of nearly forty defense witnesses

Bus Boycott Chief Planning Appeal

World-Telegram + Sun P. 6

By the United Press.

MONTGOMERY, Ala., March 23.—Defense lawyers said to-

State Segregation Law Faces U. S. Test Today

Post-Herald Birmingham, Ala.

MONTGOMERY, May 10 (U.P.)—A segregation suit growing out of the continuing Negro boycott of city buses will be heard here tomorrow by a three-judge panel in Federal Court.

The suit, filed on behalf of four Negro women Feb. 1, seeks to declare unconstitutional Alabama segregation laws and to enjoin the city and state from enforcing them.

Fri. 11-56

Named as defendants in the suit are the Montgomery City Commission, Police Chief G. J. Ruppenthal, the State Public Service Commission, the Montgomery City Bus Lines and two bus drivers.

Sun. 5-11-56

State and city attorneys contend that the federal panel has no jurdisdiction in the matter, arguing that the case has not yet been through state courts, the accepted procedure.

Negro attorneys, however, argue that the panel is within its rights in hearing the suit.

If the federal judges take jurisdiction and rule tomorrow, the outcome either way probably will be appealed to the Supreme Court.

A battery of city and state lawyers, led by Atty. Gen. John Patterson, will represent the defendants. Atty. Fred Gray, 25-year-old boycott leader, heads up a group of Negro lawyers.

In another development yesterday, Circuit Judge Walter B. Jones ordered City Bus Lines to return to the practice of separating the races. The firm had on April 24 taken down the color bar after the Supreme Court upheld a South Carolina court's ruling banning segregation on intrastate buses.

Jones granted the city an injunction forcing the transit company to obey segregation ordinances.

Buses were operating today under Jones' order, but Negroes still continued their boycott, now in its sixth month.

day they would fight the case of a mild-mannered young Negro minister convicted of conspiring to boycott Montgomery city buses "all the way to the United States Supreme Court."

New York, N.Y.

Circuit Judge Eugene Carter yesterday convicted the Rev. Martin Luther King, 27, of starting "a fire he couldn't stop" in leading a boycott that has crippled the City Transit Co. for more than 15 weeks.

Judge Carter ordered the accused leader of the boycott to pay $1000 in fines and court costs or serve 386 days at hard labor under a litttle-used Alabama law making it a misdemeanor to enter a conspiracy to boycott a business. Mr. King was freed and the fine suspended pending outcome of the appeal.

The defense announced it would appeal the decision and the cases of 89 other Negro defendants facing identical charges were ordered continued until final disposition of Mr. King's appeal.

The Rev. Martin Luther King, convicted in Montgomery, Ala., last night as a leader of the Negro bus boycott, is scheduled to address a church audience here Sunday, it was announced today.

Mr. King is scheduled to speak in Brooklyn's Concord Baptist Church, 833 Marcy Ave., at 3 p.m. on Palm Sunday at a meeting sponsored by the Brooklyn club of the National Assn. of Business and Professional Women.

NAACP Hit as Having Unrealistic Viewpoint

Constitution Fri. 3-9-56 P. 4

Decatur — The problem of integration is very complex, more so than slavery, I think. Slavery was a matter of invested capital, not ideals for equality.

Herald Tribune Fla.

Integration as now interpreted by NAACP is purely a mental illusion. The urge to get something for nothing is not new—but is very short-sighted. A quick profit is no foundation for security or standing in the community. NAACP is striving to make the Negro imagine that these hundreds of years of trial and error in social and economic growth of the white race is to be had by decree or court ruling.

JOE THOMPSON.

INJUNCTION SOUGHT

Advertiser

City Turns To State Courts To Head Off Bus Integration

Wed. 5-2-56 P. 1

Montgomery

Montgomery city officials turned to the state courts yesterday to try to head off Montgomery City Lines' announced intentions to desegregate city buses.

In a suit filed in Montgomery Circuit Court, the city asked for a temporary injunction to restrain the bus company from putting its desegregation policy into effect.

Circuit Judge Walter B. Jones has set a hearing on the city's petition at 10 a.m. Thursday.

A non - segregated seating arrangement on buses, said the city "threatens the public health and safety by creating a clear and present danger of race riots, disorderly conduct, assaults, affrays, bombings and other physical attacks."

The bus company announced an end to traditionally separate seating facilities for white and Negro passengers on April 23, following the U.S. Supreme Court's refusal to review a South Carolina case concerning bus segregation.

Company attorneys immediately interpreted the court's action as a ruling against segregated travel facilities, and ordered the local bus firm to comply.

Subsequently, however, students of constitutional law determined that the court's refusal to reivew the South Carolina case was based on a technical legal point and did not affect segregation.

Bus Boycott Trial Hears Accusations

Herald Tribune Thurs. 3-22-56

New York, N.Y.

Defense Begins Case in Alabama

P. 10

MONTGOMERY, Ala., Mar 21 (UP).—A Negro woman testified bitterly today that members of her race stopped riding buses because white drivers abused "all of us 50,000 Negroes in Montgomery."

Applause broke out in the courtroom, filled mainly by ninety Negroes charged with conspiring to boycott the buses at this testimony of Mrs. Ella Perkins. Circuit Judge Eugene Carter rapped loudly for order saying "Here, here, we can't have any of this."

The scene came as the defense began its case in the nonjudy trial of the Rev. Martin Luther King jr., first of the ninety defendants to be brought to trial. The state had rested two hours earlier.

The defense indicated that it would try to show the Negroes stopped riding the buses in a big spontaneous demonstration protesting their mistreatment rather than by organized boycott. The defendants were charged under an old Alabama law against any conspiracy that interferes with the normal operation of a business. Conviction carries six months in prison and/or $1,000 fine.

The first defense witness, a Negro woman, said she stopped riding the segregated buses because of the way a "nasty" driver treated her. Another, a Pullman porter, said that several years ago a driver forced his pregnant wife to give up her seat to a white person.

But the most dramatic testimony came from Mrs. Perkins, the sixth to testify along the same line.

She said she stopped riding the buses Dec. 5, the day the boycott is alleged to have started, but she did not give a specific reason until Judge Carter pressed her. Then she said "because we were all mistreated" on the buses.

"Who is 'we all'?" the judge asked.

"All of us 50,000 Negroes in Montgomery," the woman replied.

The state rested after two and one-half days of testimony designed to show that the Negroes formed an organization, collected funds and set up motor pools to compete with the public transit system and wreck it economically. Normally the busloads here are 60 to 70 per cent Negro.

Date Set For Ala. Bus Case

Daily Worker Atlanta, Ga.

MONTGOMERY, Ala. - (ANP) - A May 11 hearing has been set on a federal suit attacking the constitutionality of local and state laws requiring segregation of races on buses.

Wed. 4-11-56

Federal Judge Frank M. Johnson, Jr. informed attorneys last week that evidence in the case will be heard by a three-judge court.

The suit, filed by four Negro women on Feb. 1, charges that current city and state laws requiring racial segregation on public transportation violated rights guaranteed them under the 14th Amendment to the U. S. Constitution.

Defendants named by the women include members of the Montgomery City Commission, the Alabama Public Service Commission, Police Chief G. J. Ruppenthal, Montgomery City Lines Inc., and two bus drivers.

The federal suit is the second filed by Negroes in the South in an attempt to knock down existing transportation segregation laws. A similar suit against the South Carolina Electric and Gas Company, which operates city buses in Columbia and Charleston, is pending in the U. S. Supreme Court.

Montgomery Ready To Fight In Court for Bus Segregation; Panel Votes Ike's Rights Plan

Constitution
Atlanta, Ga

No Franchise If Integrated, Carrier Told

Phila. 4-26-56

MONTGOMERY, Ala., April 25 (AP)—Montgomery City Lines faced the threat of court action to revoke its franchise today unless it backs away from its newly announced policy of racial integration.

The City Commission, whose three members all belong to the White Citizens' Council, declared that the bus company will have to abide by city and state segregation laws if it continues to do business here.

RACES APART

Meanwhile, there was still no report of race mixing on the buses despite the company's integration order. Most Negroes still were boycotting the bus line as they have for five months, and those who did ride took seats in the rear.

Hinting at a court suit to break the recently renewed 10-year bus franchise, Mayor W. A. Gayle said the contract can be canceled "if one party breaks the law."

COURT CASE

But it would take court action, the mayor said, since the franchise itself says nothing about segregation.

Said Police Commimssioner Clyde Sellers:

"If the bus company operates in Montgomery, it will have to operate under Montgomery and Alabama laws."

The commission contends city and state segregation statutes are still valid despite a federal court ruling in South Carolina and the Supreme Court's decision backing the federal court.

A spokesman for National City Lines, Inc., of Chicago, which owns the company here, said this morning that his company doesn't plan to change its orders for integration in Montgomery and other Southern cities where its buses operate.

The company operates bus lines in Mobile, Ala.; Jackson Miss.; Tampa, Fla.; Tulsa, Okla.; and Beaumont, Wichita Falls, and El Paso, Texas.

Officials at Tampa and Jackson said segregation would be continued on buses operating in those cities despite the company statement in Chicago.

Constitution

The Montgomery statement was made at a news conference before it was disclosed later in the day that government attorneys in Washington are divided in their opinion of the meaning of the Supreme Court's ruling Monday.

They said the court might have ruled all bus segregation invalid, the first interpretation given to the decision, or that it may have merely dismissed an appeal on the grounds that the case hadn't been finally determined in the lower courts.

Phila. 4-26-56

The Virginia Transit Co. announced it would discontinue segregation on its lines in Richmond and Norfolk today and said the Portsmouth, Va., Transit Co. also would adopt the new policy.

A few Virginia Transit Co. bus drivers permitted mixing of the races Tuesday. No incidents were reported.

In North Carolina, the Duke Power Co. said it was complying with the Supreme Court decision but did not expect any great change in its bus operations at Durham and Greensboro.

Several Louisiana and Mississippi officials said segregation on buses would be continued despite the Supreme Court ruling.

But in Florida, J. B. Osteen, traffic manager of Florida Greyhound Lines, said his company would obey the new court order as soon as interpretation and procedure have been worked out. A Florida Trailways Bus System spokesman said, however, that his company would operate under Florida law which calls for segregation on buses within the state.

Would Start Bus Line of Their Own, But Permission Denied Leaders In Montgomery

Call P.1
Tue. 4-6-56
Kansas City, Mo.

MONTGOMERY, Ala. — (INS) — Leaders of the Negro bus boycott in Montgomery have been denied permission to establish and operate an all-Negro bus company.

The city commissioners turned down the request on the grounds that the present Montgomery city lines "provided excellent bus service for the entire city."

They also stated that the city could not afford to support two bus lines.

The Negro leaders also discussed with the commissioners a proposal for a first-come, first-seated arrangement for Negroes on city buses and the hiring of Negro drivers on routes where most customers are Negroes.

Mayor W. A. Gayle advised the leaders to take up the issues of seating arrangements and Negro drivers with the bus company.

TO DRIVERS

Earlier Wednesday, Franklin pledged to back any driver who is arrested for violating segregation laws.

The parent firm ordered all its Southern companies to desegregate Monday after a U. S. Supreme Court decision which declared Jim Crow laws on all public transportation unconstitutional.

"Pressure From All Sides"

Montgomery Bus Mgr. Suffers Heart Attack

Daily World
Atlanta, Ga

BY PAUL BURTON

MONTGOMERY, Ala. — (INS) — The Manager of the Montgomery City Lines, Inc., operators of the boycotted buses, suffered what was described as a "severe heart attack" Tuesday night, it was disclosed.

J. H. Bagley, 58-year-old native of Montgomery, was stricken after weeks of severe pressure caused by the four and a half month old boycott.

Phila. 4-26-56

The attack, suffered late Tuesday night immediately after a conference with an executive of the parent firm of the Montgomery Bus Line, was not disclosed until Wednesday.

Bagley's duaghter, Mrs. Margaret Tillery, said his doctor predicted recovery. Babley was still in an oxygen tent in Jackson Hospital in Montgomery.

Mrs. Tillery said she was "positive" the pressure of the boycott caused the attack.

"He's been under pressure from all sides," she said. "He's been trying to satisfy the city, the state, the Negroes and the National City Lines (parent organization) of Chicago." She added, "He's been working night and day trying to find a solution to this thing."

Bagley suffered the attack immediately after the conference with B. W. Franklin, vice president of the parent firm, who came to Montgomery Tuesday night to try to settle the boycott.

PLEDGED BACKING

WHITES HARRASSED FOR HAULING MAIDS

Commercial Appeal

Housewives At Montgomery Threatened By Phone

Wed. 10-17-56

MONTGOMERY, Ala., Oct. 16. —(AP)—T campaign of harrassment by anonymous phone calls and letters is being conducted against white housewives who drive their Negro maids to and from work, the Montgomery Advertiser said Tuesday night.

Negroes in Montgomery have been refusing to ride segregated city buses since last December. Bus boycott leaders operate a car pool that provides transportation for many of the Negroes.

Memphis, Tenn.

The Advertiser said male callers have threatened physical violence and used profanity in talking with housewives.

Most of the calls, received after midnight, were reported to have consisted of the single sentence:

"Isn't it about time you went to get your nigger maid?"

Letters reported received in several sections of South Montgomery last week end, about the time the calls began, said in full:

"Dear friend: Listed below are a few of the white people who are still hauling their Negro maids. This must be stopped. These people would appreciate a call from you, day or night. Let's let them know how we feel about them hauling Negroes."

A number of prominent Montgomery residents were listed.

COURT HOLDS KEY TO BUS BOYCOTT

Times P. 54-L

Montgomery Negroes Firm as They Await Verdict on Segregation Appeal

Sun. 10-14-56

Special to The New York Times.

MONTGOMERY, Ala., Oct. 13 —After ten months, the Negro boycott of Montgomery City buses continues without let-up or official effort to end it.

New York

No further action, by either the boycott leaders, the City

Commission or the bus company, is expected until the United States Supreme Court acts on an appeal from a special panel of three Federal judges. They ruled in June that city and state transportation laws requiring segregation were unconstitutional.

The action was brought by several Montgomery Negroes after the boycott reached a stalemate. The ruling was appealed to the Supreme Court by attorneys for the Montgomery City Commission and the state. At the time of the decision, the City Commission issued the following statement, which is presumably still the official attitude:

"There is no doubt that an end of segregated seating arrangements on public conveyances in the city of Montgomery will effect a drastic change in the habits of the people.

"This change, which would alter customs which have been in existence since before the city was founded, would have an obviously severe impact upon its citizens. The commission is of the opinion that every step possible should be taken to prevent such change * * *."

Commissioners Join Council

All three City Commissioners —including Mayor W. A. Gayle —joined the Montgomery White Citizens Council soon after the boycott began. All are avowed proponents of continued segregation in all phases of community life.

The boycott began Dec. 5 after the arrest and conviction of a Negro seamstress, Mrs. Rosa Parks, for refusing to give up her seat and move to the rear of a city bus to make room for whites.

The Montgomery Improvement Association was formed by local Negroes, with the Rev. Dr. Martin Luther King Jr. as spokesman. The boycott began that same day and has continued unabated since.

By the bus company's own estimate, some 95 per cent of the former Negro commuters have refuse dto ride buses. Before the boycott began, Negroes comprised about 70 per cent of the company's passengers.

In February, Dr. King and about ninety other Negroes, mostly ministers, were arrested for violation of a 1921 anti-boycott law. The indictments were aimed principally at the operation of a car pool that was organized soon after the boycott began.

Dr. King Convicted

In March, Dr. King, the first to be tried, was convicted and fined $500 plus $500 in costs. He appealed and the trials of the other defendants were continued, at the request of the prosecutor, pending the outcome of the case, which is still before the Alabama Court of Appeals.

Dr. King has been free on bond since, still serving actively as the boycott leader.

With local and out-of-state contributions, churches participating in the boycott bought a number of new station wagons—fourteen at last count—plus several older models that have been assigned to the car pool.

In addition to these, about two hundred privately owned automobiles are still in use in the car pool.

For the most part, the boycott has been without violence, though tensions and ill-will have resulted. Small charges of dynamite were set off at the homes of Dr. King and two other boycott leaders.

Birmingham Cops Defy U. S. Law

Courier 9/1/56 p.2

Enforce Railroad Station Jim Crow

Pittsburgh, Pa.

Sept. 1-22-56

BIRMINGHAM, Ala.—This city, through stern police methods and rigid enforcement of its jim-crow laws, is defying the ICC desegregation order.

Interstate travelers enjoy integrated facilities at the Terminal Station, and other similar spots, no longer than they can be advised of and escorted to separate waiting rooms.

According to Assistant Police Chief J. C. Lance, four out-of-towners among a delegation of some 104 en route through the city to their homes after attending the National Baptist Convention, Inc., in Denver, Col., somehow were found in the waiting room "reserved for white only" at Birmingham's Train Terminal Station around 6:50 A. M., Tuesday, Sept. 11.

DET. LIEUT. J. R. Davis said a Rev. Mr. Hall, from Montgomery, Ala.; his father, also a minister from Atlanta, Ga., and two other persons were the four who were asked to leave the "Reserved for White" room.

Police said that the four were not threatened in any way but were told that they would be placed under arrest on suspicion of "disorderly conduct" if they refused to leave.

By that time, the train arrived and the four boarded it for home without further incident.

Upon arriving at the station, for a brief lay-over, the other 100 persons immediately headed to the "colored waiting room," police said.

Other policemen on the scene were Sgt. M. E. Giles and Patrolmen A. B. Swindall, J. W. Allbritten, D. W. Hill and J. W. Pace.

It Will Take More Than A Court Ruling To Solve Montgomery's Problems

Courier-Journal

AN immediate aftermath of Supreme Court ruling against segregation in all public transportation pointed to two things in connection with the Negro boycott of buses in Montgomery, Ala., and a slightly less-immediate aftermath raised some questions.

Hardly had the news of the Supreme Court action broken on Monday when Montgomery City Lines, Inc., operating the Montgomery buses, announced it was abandoning segregation of Negro and white passengers on its buses.

This quick action indicates one thing clearly and another which apparently can be fairly inferred:

1. The bus boycott, now nearly five months old, has been giving the bus-line company fits in the pocketbook.

2. National City Lines, Inc., which is operated out of Chicago, and which is not essentially Southern-owned or Southern oriented, owns the Montgomery company. The inference, on the basis of Monday's quick action in scrapping segregation, seems to be that National City Lines was looking for some way to get off the hook without flying in the face of Southern laws—and found it in the Supreme Court ruling.

It isn't conjecture that the Montgomery City Lines had been hurting, and hurting severely, as a result of the boycott. Officials of the company—stoutly maintaining that they planned to continue segregation—told me in Montgomery early in March that the firm's income had declined at a rate of some $400,000 a year.

By SAM ADKINS,
Courier-Journal Staff Writer

And this in spite of the fact that bus fares had been increased 50 per cent—from 10 to 15 cents.

Non-Southern stockholders, it seems fair to say, might not be overjoyed at the prospect of continuing to see revenues dwindle for the sake of keeping Southern segregationists happy.

Hard To Believe

However, I find it difficult to believe National City Lines thought its notice that segregation was to end Tuesday morning would mean segregation actually would end then.

J. H. Bagley, manager of the Montgomery bus lines, is a Southerner. So are his aides. And they know about as well as anybody the depth and bitterness of the feeling among the white majority in Montgomery against integration of the races—on buses or anywhere else.

It was no surprise that Montgomery Police Commissioner Clyde Sellers threatened to have police arrest any person who mingled with the other race on a bus, or any driver who failed to enforce segregation. Not only Sellers, but the Mayor and all members of the City Commission of Montgomery are members of the (White) Citizens Councils movement, which has as its primary goal retention of racial segregation.

Meanwhile, the Montgomery Negroes have pending a suit attacking constitutionality of Montgomery and Alabama segregation laws, with a hearing scheduled in federal court on May 11.

Assuming the federal court will hold that the Supreme Court ruling invalidates any law which calls for segregation in public transportation—will that mean an end of the Montgomery boycott and other racial problems?

What About Minister?

And what about the Rev. M. L. King, Negro minister and boycott leader who was one of 90 indicted under an old and little-used State antiboycott law? Mr. King is the only one of the 90 tried so far. He was fined $500, and has appealed the verdict. How would invalidation of State segregation laws affect him and the rest of the 90?

About whether such a ruling would end racial troubles in connection with Montgomery's buses—who can tell? The bus company obviously is willing to end **segregation now.** But the City Administration is dead set against ending it. The question, then, seems to be: would the City officials dare possible contempt-of-court proceedings by ignoring any court decision and by police power continue to enforce segregation? Only they can supply the answer—if such an answer ever is required.

Having seen it in operation and talked with many of its participants, I don't believe the boycott will end until the Negroes are certain that integration is the policy of the City, as well as of the bus company.

It has been said the Negroes also are holding out for a demand that Negro bus drivers be hired for certain lines. I don't believe that is a hard-and-fast demand, rather, that it was inserted as something of a bargaining point.

About Mr. King and the others indicted under the antiboycott law:

The constitutionality of that law has been challenged; and actually a part of the original law has been declared unconstitutional. Nevertheless, it is not per se a segregation law. If the State law is ruled sound (and it may take an appeal to the U.S. Supreme Court to get a final decision), it may be that setting aside the segregation laws would have no bearing upon the indictments.

The greatest danger in Montgomery, I believe, lies in the feelings, the temper, of the people of both races. It is going to take great wisdom and restraint on both sides to prevent trouble, no matter what the courts rule. Whether that wisdom and restraint will be forthcoming remains to be seen.

Voice Of The People

Give Honor Where Honor Is Deserved

The King Cole incident at the City Auditorium brings out a few facts which cannot, should not and must not be ignored by white Alabama citizens. Negroes are one section of "we the people" with the same rights, duties and responsibilities to our nation, state and community as any white citizen. A Negro with an outstanding talent in any worthwhile direction should be appreciated, admired and complimented by white as well as Negro citizens. Negro youths as well as white youths should have a common objective—the welfare of our U. S. A.

Playing down and ignoring superior qualities of a Negro is neither Americanism nor Christianity. Realistically it is not good sense. Wise parents do not praise some of their children while at the same time mortifying with criticism one or more of their other children. Why treat Negro children with less respect than white children?

W. G. KITTS,
1216 Woodland Avenue.

Why Not Blame Sponsors Of Cole?

You would think from the letters in this column condemning the men in the Cole incident that he was president of the U. S.

While I do not approve of violence, neither do I like unfairness and I do not think it fair to blame these men altogether and start calling them hoodlums without hearing their side of the story. From what I hear of them they are ordinary hard-working men.

After all they are for segregation and that is what we want in the South above everything else.

The racial situation being so tense why not blame whoever sponsored Cole's appearance there?

There are people who would like to discredit the Citizen's Council. If the people do not stand together and do something we will lose the fight for segregation as it is evident our newspapers and men in public office are not going to help.

It is too bad we do not have some men in office like our sister states of Mississippi and Georgia.

Since when is it wrong to be proud of your race, any more than your country? There is nothing more disgusting than to see anyone turn against his race and kind and for anyone born and bred in the South to turn against the Southern way of life is the same as turning against your country.

MRS. ALICE L. STARR,
Route 2, Box 163, Eastaboga, Ala.

Bucks For Buses

Editor, The Advertiser:

I wish to compliment you on the interview as published in *U.S. News & World Report.*

Enclosed you will find a dollar bill. Please pass this on to the Montgomery City Bus Lines. I am starting a crusade in Georgia and South Carolina, the territory that I travel. The crusade is to be "Bucks For Bus Lines And The Protection Of The White Race." I intend to send them a buck each week to try to "whip" or at least help out on the situation over there.

If enough people in the South could hear of my plan, I'm sure the Bucks will pour in so fast that your colored preachers there will be forced to "call the dogs." When a Negro realizes that he can't hurt them any more, he will be glad to start riding.

More power to you good people in Montgomery and please get the news of this movement on the wires.

LEE BURNSIDE.
[Harvey's Metal Weather Strip Co.]
Atlanta, Ga.

Father Divine Is Watching Montgomery

FOR the last several weeks we have been monitoring the foreign press to see what is said under Montgomery and Tuscaloosa datelines. It was thus that we came across a couple of copies of *New Day,* the weekly tabloid voice of Father Divine, published in Philadelphia.

Pg. 1 of the first copy is devoted entirely to a scare head, in black type two inches high, proclaiming: I HAVE COME TO RENDER JUSTICE & Lift Up the Fallen—FATHER DIVINE. Pg. 1 on the other contends that "Division Among the People Causes Cosmic Forces of Nature to Be Destructive in Tornadoes, Floods, Volcanoes, etc."

Half of the back page of the first is devoted to a lib-lab account of the Montgomery bus boycott, reprinted from *The New York Post.* Father Divine apparently forbids the use of the words "Negro" and "white" in his paper as if they are obscenities. When identification by race is necessary, "N——" or "W——" is used, with an s after the dash if plurality is to be noted.

DULY edified by the news from Montgomery, we turned to the masthead inside to see what the official policy of the publication is and were informed: "A righteous nation under Father Divine is rising, electrifying the atmosphere . . . Americanism is

our religion and we live it each day of the week! This great baptism of Americanism in deeds and actions we preach . . . Father Divine's True Followers do not accept tips or gifts . . ."

★

THIS seemed forthright enough to warrant further reading, so we turned to a two-page attack by Father Divine on one of the world's largest insurance companies. We gather an agent of the company had offended the Father in some obscure racial way. Whereupon, in an open letter to the president, Father Divine starts out by reminding the insurance executive that if Hitler had "taken cognizance of my message to him," World War II would have been avoided.

Similarly, such disasters as the Winecoff Hotel Fire in Atlanta in 1946, the Gulf Hotel fire in Houston three years before, and the Cocoanut Grove night club fire in Boston the year before that —all were examples of the "iniquities of the parents which are visited upon them and their children for acts of prejudice, bigotry, segregation and intolerance." Prior to most of these happenings, Father Divine had warned the principals involved that disaster impended unless they mend their ways.

★

CONTINUING to document his powers of retribution, Father Divine recalls the time he went down to Rockaway Beach and was denied a bath house. "They thought the water too good for ME [he invariably refers to himself in capital letters] to go into; however, I said, 'If WE cannot go in, nobody else will go in.' Shortly after that, tar came up in the water at Rockaway Beach as never before and spoiled the whole season."

★

A LIKE experience in Miami in 1947 was followed by the "red tide" which killed thousands of fish and cleared the beaches of tourists. And then there was the time when he had been discriminated against at a beach near Great South Bay in New York. Result: ". . . Within a week, seaweed and stinging jellyfish came up in the bay, making it impossible for the citizens themselves to swim in the water."

★

ON AND ON, catastrophe after catastrophe, until Father Divine gets to the point: "It may work out the same with enterprises with which [the insurance company] is connected." Having served fair warning, Father closes modestly,

> . . . Well, Healthy, Joyful, Peaceful, Lively, Loving, Successful, Prosperous and Happy in Spirit, Body and Mind and in every organ, muscle, sinew, joint, limb, vein and bone and even in every Atom, Fibre and Cell of MY BODILY FORM . . . I am, Rev. M. J. Divine, Ms.D., D.D., (Better known as FATHER DIVINE).

★

BENEATH Father Divine's verbose warning is a layout of news stories showing what happened when the insurance company failed to get right with Father Divine. The first is headed: "Wife of chairman of —— Insurance Company Drowns in Atlantic Boat Mishap." The second reports how the president of the company, to whom Divine had addressed his ultimatum, was canned shortly after. The third describes how the insurance company's safety engineer died in an eight floor fall. Following all three stories is the grim caption: "Things Don't Just Happen."

★

WE UNDERSTAND from *The New York Herald Tribune's* Bob Bird, who has been in Alabama for the past several

Help Conditions at Home

Eagle June 4-5-56

We are all gravely concerned about the bus boycott in Montgomery, Ala. And rightly so, for what concerns Negroes in Alabama will in some way have bearing on the lives of Negroes elsewhere in the United States. P.4.

We have expressed many interests about economic pressures and infringement of suffrage directed toward Negroes in Mississippi and Georgia. In a like manner, this is no more than right. As Negroes, members of a minority group in America, we should take more than just a casual interest in the problems facing our brethren in various sections of the country, in this case the Old South.

As a matter of fact, the abuses against people of color the world over have their effects on us one way or another. Every time a Negro makes a step forward the race as a whole is benefited. By the same token, backward steps in some instances not only hurt the individual but the entire group.

Negroes in Tulsa and throughout Oklahoma have had the right to vote for some 40 years. This right, granted by the Constitution, is more than just a privilege. It is a responsibility of any citizen in a Democratic form of government, regardless of color. However, in the case of the Negro it should have special significance.

In Tulsa, as in every other community in our "land of the free," the white man "has arrived" as the expression goes. But the Negro, even in the so-called liberal states, still has mountains to climb and rivers to cross. These "mountains" and "rivers" are mainly concentrated in the areas of employment, education, housing, use of public recreational facilities, and transportation.

Negroes in Tulsa, like the Negroes in Montgomery, need to learn the value of strength in numbers. This strength in our particular case can and should be exercised at the polls. When the leaders of the majority race, especially those in politics, see that Negroes in Tulsa are exercising their right to vote, they will become more inclined to act in bhalf of the Negro. Instead of making pre-election promises that fade after the election, they will be forced to stand by their word on many issues. This has proved to be true in many cities where Negroes have decided to take a stand and get out the vote. Local elections are just as important as the National elections. And in view of the ways in which local governments often ignore national laws, local elections might be considerd more important as directly concerned with the individual. In other words, local officials are called upon to handle immediately situations involving the rights of citizens to include the interpretation of laws.

Since the roles performed by these local leaders concern the Negro as much as any other citizen, the Negro should have a voice in putting those persons in office. The voice is exercised at the ballot boxes.

Through organized and intelligent voting Negroes in Tulsa can be heard. Improvements can be soon realized in many areas. The level of economy among Negroes, where the masses are concerned, is comparatively low for a city the size of Tulsa. But when the city's officials are made aware that the Negro's vote is an important one when multiplied, they will be more prone to advocate fair and equal employment—starting in the city hall.

Organizations like the Tulsa Branch of the National Association for the Advancement of Colored People, the Greenwood Chamber of Commerce, and the North Tulsa Ministerial alliance among many others can take the lead in such a program. Again we say, in unity there is strength.

Bus Boycott Continues as Montgomery, Ala. Local Officials Defy Supreme Court Edict

State Press Little Rock, Ark.

Negroes in Montgomery, Alabama, voted unanimously to continue the five-month old boycott of city buses, Thursday nite despite the company's order to end segregation.

The Negroes vowed to refrain from riding city buses as long as city and state officials persist in their determination to enforce segregation laws. Nearly 5,000 Negroes attended the meeting, which was held at the Day Street Baptist church.

The resolution to continue the boycott was presented by Rev. M. L. King, jr., president of the Montgomery Improvement association.

The company operating the city buses has announced an end to segregation as far as its policy goes, and has instructed bus drivers to refrain from enforcing it.

The resolution presented to the group stated that:

City and state officials have indicated both orally and in writing that they intend to, and will use, all means available, including the arrest of bus drivers and passengers, to enforce segregation laws.

Since the officials have taken upon themselves to defy the Supreme Court edict, the Negroes have accepted the situation as unchanged, and therefore the boycott is still on.

The boycotters had originally asked for employment of Negro drivers on predominantly Negro routes, and better seating arrangement on the then segregated buses when the boycott started, December 5, 1955. But the Rev. Mr. King, said that the integration order satisfied that demand.

to continue the boycott because of the attitude taken by city and state officials.

A summary of the situation reveals that in the border states bus desegregation—like that of the schools — will come about with some immediacy, but that in the die-hard states of Alabama, Georgia, Mississippi, South Carolina, Florida and Louisiana, stiff resistance will be encountered.

THE NON - DIXIECRAT states are moving quickly to comply with the mandate of the highest court of the land.

Jim crow on city busses died quietly in Virginia Wednesday.

The policy of segregating the races on intra-city buses had been languishing for the past two years.

The death blow was struck Tuesday afternoon when Warren R. Pollard, president of the Virginia Transit Co., Richmond, announced that his operators were being instructed not to enforce segregation.

* * * *

COMING 24 HOURS after the U. S. Supreme Court had summarily dismissed an apeal by a

man sat together and chatted amiably.

On a Chamberlayne Ave. bus two colored women sat on the longitudinal seat in the front of the bus.

* * * *

PUBLIC SCHOOL pricipals called special assemblies Wednesday to warn pupils against demonstrations on the buses.

Bus drivers in Richmond and Norfolk said they had not enforced the segregation law on their vehicles in recent years, except on the complaint of a passenger.

A tobacco worker, waiting for a bus at a Church Hill intersection told this reporter:

"We dont' especially want to sit in the front of the bus, we just didn't like being forced to sit in the rear."

With these words he climbed aboard the bus and took a seat about midway of the vehicle.

* * * *

THOUGH VIRGINIA'S major cities ended bus segregation, many smaller communities clung to the old policy.

Spokesmen for business in Mar-

any other. You just coudn't tell there had been a change. I only saw one colored person sitting in the front of the bus during the 15 trips I made today."

* * * *

"OUR FIGHT here is not a fight with bitterness and hatred. It is one for right and freedom and truth. Somehow, I believe that no matter how difficult it seems now and then, in the end the truth, righteousness and freedom always win."

IN NORTH CAROLINA, the Duke Power Company immediately announced the desegregation of its lines in Durham and Greensboro. A spokesman said no reaction or opposition was expressed by city officials at either place.

San Antonio, Texas, became the first major southern city to be completely desegregated when city buses were added to the things where segregation could not longer be practiced.

All other public facilities, including schools were already integrated.

Little opposition was offered to integration in El Paso, Wichita Falls and Tulsa, but in some border states, cities were "dragging their feet" in complying with the mandate of the Supreme Court.

IN LITTLE ROCK, Ark., for example, David Durbin, vice president of Citizens Coach Co., said transit company attorneys would not advise a company policy until the decision had been studied.

Frank Smith, state executive secretary of the NAACP, retorted that the association would seek an immediate end of segregation of the buses there. He said the first step would be a request, but declined to say what further steps are planned.

In Birmingham, Ala., too, the bus segregation situation is "being studied", according to city commissioners, Birmingham ordinances requre racial segregation on city buses, it was pointed out.

"Sit Anywhere" Bus Riders Are Told

Afro-American 12-1-56

From AFRO Correspondents

Bowing immediately to the mandate of the U.S. Supreme Court, bus companies in almost a score of southern cities desegregated their intrastate buses this week.

Among those cities are Dallas Fort Worth, Houston, San Antonio, El Paso and Beaumont Texas; Richmond, Norfolk and Portsmouth, Va.; Tulsa, Okla.; Louisville, Ky., Witchita Falls, Kan; Knoxville, Tenn.; and Durham and Greensboro, N.C.

Although integration has been ordered by officials of bus lines it operates in eight southern cities, the National City Lines, with headquarters in Chicago, has met with resistance of city officials in Montgomery, Ala., and other Deep South states, to changes in racial seating policy.

THE ALABAMA Public Service Commission ordered National City Lines to withdraw its integration order affecting Montgomery or "suffer the consequences."

City and police officers threatened to arrest busline officers and employees or even passengers who try to enforce integration. Sticking to its guns, however, a company spokesman, B W Franklin, promised to lend support to any driver arrested for permitting racial integration on a bus in Montgomery.

There, the bus protest movement entered its 21st week when a mass meeting, led by the Rev. Martin L. King, voted to authorize the Montgomery Improvement Association

South Carolina transit firm as being "frivolous and without cause," the order ended jim crow on busses in Richmond, Norfolk andd Portsmiddle sections.

On Wednesday morning — the first day of the no segregation policy — bus drivers wheeled their vehicles from the terminal slightly apprehensive.

But Virginians of both races took the transition in stride. Almost without exception white passengers—conditioned by custom—took seats in the front of the buses. Colored passengers sat in the rear or middle sections.

Reporters making spot checks of the buses were hardpressed to find incidents worth reporting. On one Broad St. bus a white and colored

tinsville, Danville and Petersburg, said they would maintain segregated seating, at least for the immediate future.

It is expected that these companies will abandon the segregated seating policy as soon as opinions are rendered by their attorneys.

Bus segregation has also been ended in Charlottesville, Roanoke and Lynchburg.

WILLIAM M. CAGE, manager of Fredericksburg's Colonial Transit Co., said "no problem exists." He said the company had not enforced segregation in the past.

A jewelry store messenger who makes a living riding the buses (to deliver small packages) told the AFRO:

"Today was no different from

POLICE COMMISSIONER Charles F. Hackmeyer of Mobile said Tuesday that segregation of bus passengers will be continued despite a decision of the company operating the city buses to desegregate. Mayor Joseph N. Langan said, however, he felt the city ordinance ordering segregation on buses was invalidated by the Supreme Court's Monday ruling.

"I don't see there is anything the Mobile city government can do about it." Langan said. He proposed that bus segregation be continued on a voluntary basis.

LESS RECONCILED to the inevitable, however, is Georgia's Gov. Marvin Griffin, who pledged himself to resist the bus desegregation ruling at all odds. He called it "another example of an overt usurpation of the liberties of the people."

The most adamant of the cities resisting the Supreme Court ruling are Montgomery, Ala., where the bus protest movement is underway, and Jackson, Miss., where a White Citizens Council is firmly entrenched.

Mayor A. C. Gayle hinted at a court suit against the National City Bus Line to break its recently renewed 10-year franchise if the company did not rescind its desegregation order.

Said Police Commissioner Clyde Sellers "If the bus Co. operates in Montgomery, it will have to to operate under Montgomery and Alabama laws."

HORACE CORT, a white photographer for the Associated Press, reported that a white bus driver threatened to kill him if he took a picture of some of the few colored persons who boarded a bus, Wednesday.

In Jackson, Miss., the White Citizens Council, Wednesday commended Mayor Allen Thompson for his stand the previous day against the Supreme Court decision outlawing bus discrimination.

The mayor had declared that he "saw no reason whatsoever for any change in our policy of segregation on buses..."

12 Montgomery Bus Lines Discontinued

Boston Pil

MONTGOMERY, Ala. — Sunday service was discontinued this past Sunday on 12 of the 14 city bus routes here because the passenger load hasn't warranted continued operations, Mayor W. A. Gayle said Friday.

Birm, Ala

Since the boycott began on December 5, the company has discontinued service along most predominantly Negro routes and has increased fares from 10 to 15 cents.

It is estimated, unofficially, that the boycott has cut the bus company's revenue as much as 50 percent.

Tues. 3-13-56

Mayor Gayle also said any contributions would be welcomed to help city buses out of a financial problem brought on by the boycott.

Negro Bus Driver Bids Are Accepted

Daily World P.1

Atlanta, Ga.

MONTGOMERY BUS LINES TOLD TO CONTINUE BUS SEGREGATION

Thurs. 5-10-56

A state court judge in Montgomery, Ala. yesterday ordered Montgomery City bus lines to continue segregation, but the Nashville, Tennessee Transit Company at the same time was accepting Negroes as bus drivers.

For first time, the Nashville Transit Company accepted applications from Negroes for jobs as bus drivers. The firm says qualifications are the same as for whites. Driver applicants must be at least 25 years old; have no police record; be a high school graduate, have top credit rating. The plan was announced after meeting bus line officials and representatives of Citizens Rights Committee. Committee member, Rev. L. Evans, says similar plans are set for discussion today with Chattanooga bus officials. Rev. Evans is pastor of a Negro church.

Meanwhile, in Montgomery a state court judge ordered the Montgomery City Lines to comply with Alabama State laws requiring segregation in buses.

Circuit Judge Walter B. Jones granting the request of city officials held all city and state segregation laws still remain in force. He ordered the subsidiary of National City Lines, of Chicago, to "comply with and abide by all the provisions" of the local laws.

The company announced an end to its policy of enforcing segregation laws after a recet Supreme Court decision was interpreted as outlawing intra-state bus seating segregation. Judge Jones said a subsequent interpretation of the court's action held it to be merely sending a case back to a lower court for further proceedings. Jones declared:

"There is no straight-out decision of the Supreme Court of the United States holding that a city or state may not require the separation of the races on buses where carriage of passengers is solely intrastate."

The bus company's desegregation action was ineffectual. Montgomery Negroes continued to boycott the buses, as they have since a Negro woman was arrested in December for refusing to move to a rear seat.

Informer Sat 15-12- Houston P.11

No More Back Seats in Norfolk, V a, and 14 other Southern Cities.

Montgomery Officials

Order To Force Bus Bias Sought

Daily world P. 1

Wed. 5-2-56 Atlanta, Ga.

MONTGOMERY, Ala. — (INS) — City officials at Montgomery Tuesday sought an order from a state court to force the local transit system to abandon its announced policy of operating non-searegated buses.

Mayor William A. Gayle and two other city commissioners asked the court to issue an injunction, the effect of which would be to force National City Lines, Inc., of Chicago and its Montgomery subsidiary to maintain segregation on its vehicles in compliance with state law.

The bus line announced last week it would no longer enforce segregation, which the U. S. Supreme Court held was unconstitutional. There has been no actual integration, however, since city officials threatened arrest of any persons violating the strict state laws.

PUBLIC NUISANCE

The city's court complaint charges that the bus company's desegregation order is "a public nuisance injurious to the public health, morals, comfort, welfare and peace of the community." The action in announcing an end to segregation, the city official said, "creates tension .(and)... is in violation of an established social pattern."

NO DATE

The state court set no date for a hearing on the city's petition. Officials of National City Lines withheld comment.

Most of the city's 35,000 Negroes, meanwhile, continued their boycott of city buses which began Dec. 5 when a Negro woman was arrested for refusing to move to the rear of a bus. Leaders voiced intentions to continue the boycott as long as "jim crow" buses are operated in Montgomery.

A suit attacking the state's segregation law is scheduled for hearing in Federal Court in Montgomery May 11.

The Montgomery Bus Situation

Informer Sep, Houston, Tex.

By LENORA ROLLA

MONTGOMERY, Ala. — The trouble here in Montgomery did not just start, it stems from the beginning of the war, when whites could not get rubber and gas for their cars and had to use buses extensively. It was then that Negroes were asked to give up their seats to whites, even though they were sitting back of the door, which was normally the point that marked the seats in the back off from those for whites. There was supposed to be in front of the door a certain number of undesignated seats, but the whites never observed these during the war years. Negroes sitting behind the door were often asked to move.

PROTESTS, ARRESTS, ABUSE

On one occasion in 1942, a young lady was asked to move, and instead of moving requested that she be given her money back and said she would get off the bus. A white carpenter on the bus was so angry that he threatened to saw her head off. Lawyers consulted told her she could sue but they did not advise her to, although she had been arrested and fined. Friends went to see the president of the company ... he cited like instances involving whites, which Negroes did not believe.

Also during the war Negroes were compelled to get on the front and pay the bus driver, then get off and go back and go in the side door. As was to be expected, sooner or later a Negro was left while walking from the front to the back door. When he went down to protest he was abused and the claim was that Negroes had started the custom of walking back.

In another instance, when a Negro was ordered to get off the bus and go to the back, he asked for his money back but was refused.

As an interlude, in 1944 when 35.6 per cent of the arrests in Montgomery were of Negroes, the Negroes decided to conduct among themselves a Good Conduct Campaign. After two years, only 29.8 per cent of the arrests were Negroes. The difference was so noticeable that they were asked not to give publicity to it.

Later the Federated Club of Women protested to the company against bus fare raises, and pointed out that 75% of the fares on the buses were Negroes. So it can be seen that Negroes have always been the main part of the bus company's business. But Negroes' blood really reached the boiling point over the fact that when the bus got into the Negro area, and there were vacant seats, undesignated from the door frontward, the bus drivers still would not let Negroes sit down in them.

There were about 10 seats back of the door which were for Negoes, and about 16 seats front, which in fact were always for whites whether they sat in them or not.

THE LAST STRAW

In March 1955 Claudette Colvin, a high school girl, was seated in an undesignated seat, which means just in front of the door. There were four other kids in that area, and the conductor ordered them to move. Three of them moved, Claudette refused to move. She was handcuffed and carried to the jail. A committee of nine citizens, consisting of Negroes, white ministers and the bus attorneys were appointed to recommend some rules that could be published so the people would know just what was what on the buses. No publicity was to be given.

Sept 16-30-56

The bus driver, who was responsible for the high school girl's arrest, admitted he was wrong and refused to go to the hearing, saying he was not going up there and let those intelligent Negroes make a fool of him. Nothing came of the committee so far as publicizing the rules was concerned.

On October 20, 1955, Mary Louise Smith, 16, was arrested for refusing to heed the bus driver's order to get up. This arrest was kept secret and Negroes did not know about it until a white man, who had seen the incident, told a disc jockey who she was and gave her name and address and offered to testify.

Then on December 1, or thereabouts, Mrs Rosa Parks, sitting in the last fluid seat, or what is called the undesignated seats just before the door, was told by the bus driver to give up her seat and move back. She refused and was arrested, as all of the readers have learned by this time.

HOW BOYCOTT BEGAN

As a matter of fact, only a one-day protest was planned over Mrs Parks' arrest. She was not abused, and she was advised by her friends to go to court.

Now as to the boycott, the plan was to get out about a couple of thousand hand bills, notifying the people of the boycott. While this was being done, some nosy white reporters got in the wind of it, and they gave full cry in the daily papers and over the radio. Thus the Negroes, who would not have known about the boycott, or would not have thought about it, got it dramatically by these eager beavers.

Then the next thing was that orders went out for the police to follow the buses and keep down disturbances. Negro leaders now say freely that a number of the ordinary Negroes believed that the police meant to arrest them on the buses, so they did not go out to get on the buses. This was another assist by the authorities of Montgomery in arousing the Negroes and in welding them together on staying off the buses.

The first mass meeting was reported to have been at the Holt Street Baptist church of which Rev A S Wilson was pastor. An interesting thing is that the whites have been investigating from the date of that first mass meeting, as to who made arrangements for the church, and they have not found out yet.

The boycott was 98 per cent effective the first day. The Negro leadership was caught fast asleep. The boycott of the masses of people marched on off and the leaders had to scurry to catch it.

The church will hold aboout 800, and there were between 5000 and 8000 trying to get into the church. Neither the leaders, the whites downtown, or anybody else had ever seen anything like it. Like the wave of excitement that runs through a group of ants when somebody hits the bed, somehow there was a communion of interest among all the Negroes in Montgomery that gripped, inspired and held them together.

PLANS WORKED OUT

As the leaders began to catch up, they worked out orderly plans of procedure. Rev Martin Luther King was not the normal leader. Circumstances and his innate ability finally projected him to the front.

In the first place, his home was bombed. When the people came surging to his place in angry protest, Rev King quietly met them and told them, "We do not hate anybody, and we aren't going to offer any violence toward anybody, we are going to pray for all the people." It was on the anvil of those words that the will to boycott without violence was formed. Because it was evident that Rev King had full control of himself, and was willing to walk in the path of the Master, the people instinctively trusted him.

There were volunteers a-plenty with cars, and it only became necessary for the leadership to catch up and to get on top of the problems with plans and with organizational schemes. Organizational stations were set up, 50 dispatchers were selected. Better than 300 cars all told were organized in this pickup service, and the cars were all insured, drivers were secured and organized and assigned. Some of the pickup stations were in the white neighborhoods.

As quiet as it's kept, great assistance was given to the boycott in those early days by whites, who contributed their cars and their services. Not only did many of the white families bring their servants home and go get them, but they also brought others along, going in the same direction. This be-

came so noticeable and so effective that the City Council protested it, and asked the white housewives and owners to stop it.

Leaders of the boycott wrote a letter to the National City Alliance, owners of the Montgomery buses. The president came down on a Thursday to Montgomery, but Negroes did not know that he was there until Saturday. In the meantime, he had been meeting with the Alabama Citizens Council, with the Alabama Council on Human Relations, with the City Commissioners, and also, of course with his own bus line officials.

By Attorney General—

Post-Herald

Court Asked To Void Race Case Against PSC

Birm., Ala.

Wed. 3-28-56

MONTGOMERY, March 27 (AP) —Atty. Gen. John Patterson filed a motion in U. S. District Court here today to dismiss a pending segregation suit against members of the Alabama Public Service Commission.

The suit challenges constitutionality of the state law and city ordinance in Montgomery requiring separate facilities for white and Negro race in public transportation. It was an outgrowth of the racial boycott still continuing in Montgomery against segregated city buses.

Patterson, as the state's chief legal officer, asked for dismissal of the complaint that the segregation laws should first be tested in state courts instead of before a three-judge federal panel which has been named to hear the pending suit.

The attorney general also contended that the petition filed by four Negro women fails to show that the Public Service Commission has jurisdiction over Montgomery City Lines buses. The bus company here is under the City Commission's jurisdiction.

Originally, five Negro women filed the suit against the bus company and members of the City Commission. An amended complaint later added members of the PSC.

One of the Negroes, Mrs. Jeannetta Reese, withdrew her name, saying she didn't know what she signed when she penned her name to the court suit. Negro Atty. Fred Gray insisted she did.

No date has been set in federal court for a hearing on the complaint.

Post-Times Herald

Defies Company Action

Montgomery Sticks To Bus Segregation

Washington, D. C.

Wed. 4-25-56

MONTGOMERY, Ala., April 24 (AP)—An order to stop segregation on city buses brought angry threats of reprisal today from city and state officials who vowed to keep the races apart as long as possible.

Despite the decision from Montgomery City Lines., Inc., to abandon its policy of separate seating of white and Negro passengers, there were no reports of actual mixed seating on the first day.

A reporter who spot-checked the buses said all the Negro riders he saw were seated in the rear, according to the traditional segregation pattern.

Neither was there any indication that the bus company's action would bring an immediate end of the five-month boycott by Negroes who have refused to patronize the segregated buses since Dec. 5.

The Rev. Martin Luther King Jr., boycott leader convicted of violating Alabama's anti-boycott law, said "there will be no change in our position immediately." He did not elaborate.

Comparatively few Negroes rode the buses today.

City and state officials insisted Alabama's segregation laws are still in effect despite the Supreme Court decision of yesterday.

The ruling applied directly only to South Carolina, and Alabama officials contended segregation laws here will remain intact until a court order is directed specifically at them.

Until the city and state laws are knocked down, Police Commissioner Clyde Sellers and other city officials and President Jack Owen of the Alabama Public Service Commission declared segregation will be rigidly maintained.

Post-Times Herald

The City Commission, all three of whose members belong to the White Citizens Council, issued a statement saying it "does not consider that the Supreme Court construes Alabama laws or city ordinances by which we are governed." The council is dedicated to preservation of racial segregation.

"We, therefore, expect the bus company and all other persons to abide by all existing laws and ordinances," the statement added.

Sellers said he would order the arrest of any passenger or bus driver who permits or indulges in desegregation.

"As far as I'm concerned, this damn thing (the Supreme Court ruling) applies only to South Carolina," Sellers said. "Until they tell us in this suit filed here that it applies to us, I'm going to enforce all city laws to maintain segregation." A hearing on the anti-segregation suit is slated for May 11.

Owen sent a telegram to President Roy Fitzgerald of National City Lines in Chicago, parent company of Montgomery City Lines, demanding that the integration order be withdrawn.

"This company has no choice but to comply with the decision of the Supreme Court," Vice President B. W. Franklin of National City Lines told the Associated Press. "For that reason we are not going to attempt to enforce segregation."

The company also operates bus lines in Mobile, Ala., Jackson, Miss., Tampa, Fla., Tulsa, Okla., Beaumont, Wichita Falls and El Paso, Tex.

Alabama Bus Hearing Tomorrow

Constitution

Atlanta, Ga.

Wed. 5-2-56

MONTGOMERY, Ala., May 1 (AP)—Expressing fear of "race riots and violence, city officials have gone into court in an effort to force city buses to comply with segregation laws.

Montgomery City Lines announced a week ago drivers would no longer enforce separate seating arrangements for white and Negro passengers.

There have been no reports of actual integration, however. Most Negroes are still boycotting the buses and those who are riding have stayed in the rear of the buses where they always sat.

A hearing on the city's injunction suit, filed late yesterday, is set for 10 a.m. (CST) Thursday before Circuit Judge Walter B. Jones.

Another complaint challenging constitutionality of city and state bus segregation laws and filed by Negroes is pending in U.S. District Court. It will be heard May 11.

MONTGOMERY BUSES REMAIN SEGREGATED

Commercial Appeal

Reprisals Are Threatened If Integration Comes—

Few Negroes Ride

Wed. 4-25-56

By The Associated Press

MONTGOMERY, Ala., April 24.—An order to stop segregation on city buses brought angry threats of reprisal Tuesday from city and state officials who vowed to keep the races apart as long as possible.

Memphis, Tenn.

Despite the decision from Montgomery City Lines, Inc., to abandon its policy of separate seating of white and Negro passengers, however, there were no reports of actual integration on the first day.

All Seated In Rear

A reporter who spot-checked the buses said all the Negro riders he saw were seated in the rear.

Neither was there any indication that the bus company's action in refusing to continue enforcing city and state segregation laws would bring an immediate end to the five-month-old boycott by Negroes who have refused to patronize the segregated buses since last Dec. 5.

Rev. Martin Luther King, boycott leader convicted of violating Alabama's Anti-Boycott Law, said, "There will be no change in our position immediately." He didn't elaborate.

The Negro Baptist minister said a mass meeting is scheduled for Thursday night and some action might be taken then.

No More Ride

Comparatively few Negroes rode the buses Tuesday despite the announced end of segregation. R. C. Mills, assistant manager of the Montgomery City Lines, said the number was about the same as the number who continued to use the buses throughout the long boycott.

The bus company previously had estimated that as about five to 15 per cent of the normal Negro passenger load.

City and state officials meanwhile insisted that Alabama's segregation laws are still in effect despite the Supreme Court decision which said all bus segregation is unconstitutional.

Police Commissioner Clyde Sellers said he would order the arrest of any passenger or bus driver "who permits or indulges in desegregation."

Montgomery City Lines is a subsidiary of National City Lines, which also operates at Jackson, Miss., Tampa, Fla., Mobile, Ala., Tulsa, Okla., and Wichita Falls, Beaumont and El Paso, Texas, where segregation has been practiced.

The desegregation order also was handed to Jackson drivers, but Mayor Allen Thompson said: "There will be no change whatsoever."

Passengers threatened with arrest—

Montgomery challenges bus riders to integrate

Drivers warned to observe laws of state and city

News P.1
Tues. 4-24-56
B'ham, Ala.

MONTGOMERY, Ala., April 24—(AP)—City and state officials reacted defiantly today to the end of bus segregation in the Cradle of the Confederacy, threatening prosecution.

Police Commissioner Clyde Sellers in Montgomery said he would order the arrest of any passenger or bus driver involved in race mixing under the newly-announced desegregation of Montgomery City Lines, Inc.

The bus company abandoned segregation in the wake of yesterday's Supreme Court decision holding enforced separation of the races unconstitutional.

PRESIDENT JACK OWEN of the Alabama Public Service Commission demanded that the integration order on the Montgomery buses be withdrawn. He also directed all public carriers in the state to "strictly adhere to all present existing segregation laws in our state or suffer the consequences."

The Supreme Court decision yesterday applied immediately only to South Carolina since only that state was involved in the litigation which brought the ruling.

Owens sent a telegram to President Roy Fitzgerald of National City Lines, Inc., in Chicago, the parent company of Montgomery City Lines. It said "I hereby defy the ruling handed down by the U. S. Supreme Court."

"ALABAMA STATE law requiring segregation of the races on buses still stands," Owens telegram said. "I demand that you withdraw your order approving integration on your buses in Montgomery."

Sellers said he would order the arrest of bus drivers and passengers alike if he found white and Negro patrons sitting together on the buses. He is a member of the White Citizens Council.

"I'll be responsible for any arrests and I'll give the direct orders for those arrests," Sellers declared.

"As far as I'm concerned, this damn thing applies to South Carolina only," the commissioner explained, referring to the Supreme Court decision holding bus segregation unconstitutional. The ruling came on an appeal from South Carolina.

A SIMILAR suit attacking Montgomery and Alabama segregation laws is pending in U. S. District Court here and a hearing is scheduled before a three-judge panel May 11.

"Until they tell us in this suit filed here that it (the Supreme Court decision) applies to us," Sellers said, "I'm going to enforce all city laws to maintain segregation.

"That's the way I feel. I'm a Southern white man and I want to continue to be one."

Bus drivers who permit desegregation on their buses also face prosecution, the official said.

A reporter for The Alabama Journal, cruising the city, said all the Negroes he saw on buses were riding in the rear, the section reserved for them in the past.

News P.8

A spokesman for the bus company, Asst. Manager R. C. Mills, said "everything's working out fine. We don't expect any trouble."

MILLS SAID the company will continue to provide separate school buses for white and Negro children because the routing of the buses to white and Negro schools "automatically segregates them."

The school buses operate in the morning and afternoon on special routes, hauling only school children.

Meanwhile, the future course of the boycott was undetermined, but the Rev. Martin Luther King Jr., one of the leaders, expressed hope that the end of segregation would terminate the long protest.

King said the decision will be left to the Montgomery Improvement Assn., an organization formed to support the boycott. The executive board was called to meet this afternoon with a Negro mass meeting perhaps to follow.

THE NEGRO Baptist minister, who was convicted of violating Alabama's Anti-Boycott Law for his part in the bus protest, said he didn't believe news of the end of segregation had spread enough to bring many Negroes back to riding the buses this morning.

The car pool which has provided transportation for Negroes throughout the boycott was still operating this morning.

AN ELDERLY Negro woman, unaware she was taking part in an unprecedented occasion, became the first of her race to ride on an unsegregated bus in Montgomery.

But the unidentified woman moved to the formerly segregated section in the back after boarding the bus in the chill dawn at historic Court Square, where the first buses of the day make the initial stop to take on passengers. She was the only person waiting at the bus stop.

The first buses to roll under the tradition-smashing edict did not begin operating until after 5 a.m. Most of the drivers on the early shift first learned of the company's desegregation order when they reported for work at dawn.

THE ORDER to stop assigning seats according to race put the bus company squarely in the middle between the Supreme Court ruling and a stern warning earlier yesterday from Mayor W. A. Gayle that the company continue to maintain strict racial segregation in its vehicles.

The company's directive bore the name of Manager J. H. Bagley.

Before the desegregation order was posted, Gayle hinted that legal action might be taken if bus officials disregarded state and city laws requiring segregation.

CITY POLICE said they had no orders to make any arrests of drivers or bus company officials.

The bus company's desegregation decision was timed to become effective with the start of operations at 5 a.m. today.

Montgomery has a population of about 120,000. About 50,000 are Negroes.

When the Supreme Court ruling was announced yesterday, Mayor Gayle emphasized there would be "no change" in the City Commission's policy. "We will do everything in our power to maintain segregation on city buses," Gayle said.

"We're going to enforce the state and city ordinances just as we have been doing, and we expect the bus company to continue to abide by these laws."

The boycott has been in rigid effect since Dec. 5 when Mrs. Rosa Parks, a Negro seamstress, was fined $14 in police court because she refused to move to the back of a bus.

A MONTGOMERY COUNTY Grand Jury indicted 90 Negro leaders about three months ago for violating Alabama's anti-boycott law. King, the first and only Negro tried thus far, was convicted and has appealed a $500 fine.

THE MASS REFUSAL of Negroes to ride the Montgomery buses has forced the company to raise its rates 50 per cent and drastically curtail operations. It has been estimated that 95 per cent of the Negro customers, who once made up about 75 per cent of the total patronage, have stopped riding buses.

Bus fares were hiked from 10 to 15 cents in a move to offset the loss in revenue caused by the boycott. Officials said the company continued to lose money even with the higher fare, but they never disclosed the figures.

Estimates of the economic loss to the company and to Negroes, as well as to white persons whose businesses were affected, have been placed at hundreds of thousands of dollars.

Early in the boycott, officials of both the Montgomery affiliate and the parent concern issued statements saying the company had no choice but to maintain segregated seating because of the state law.

THE MONTGOMERY CASE marked the first concrete reaction in the South to the Supreme Court decision extending the ban on racial segregation to public transportation within the borders of a state.

Negro leaders rejoiced but there was no immediate indication whether similar action might be taken elsewhere in the South.

Some white Southern leaders termed the decision by the high tribunal still another invasion of states' rights and a new step "in federal dictatorship." A Negro spokesman hailed the ruling as marking an end to the separate but equal doctrine as a legal principle.

One governor and several public officials pledged to do everything legally possible to resist the new decision affecting transportation on city buses and trolleys.

The Supreme Court took only 10 words to dismiss an appeal from a U. S. Court of Appeals decision in Richmond, Va., that segregation on intrastate (within the state) buses violates the Federal Constitution.

THE CASE originated in Columbia, S. C., where Sarah Mae Flemming, a Negro, filed suit for $25,000 damages for alleged violation of her civil rights because a bus driver enforced against her a South Carolina law requiring segregation on intrastate buses.

THE ACTION, coupled with earlier decisions and an Inter

Driver threatens AP photographer

MONTGOMERY, Ala., April 24—(AP)—An Associated Press photographer was threatened by a bus driver as he attempted to take a picture of a bus operating without racial segregation.

As Photographer Horace Cort of Atlanta pointed his camera toward the bus at a downtown stop, the unidentified driver jumped out with fist drawn back and snarled, "if you take my picture, g—— d—— you, I'll kill you."

The driver didn't object to taking pictures after he was out of the bus.

state Commerce Commission order last November ordering an end to segregation on interstate trains and buses and in waiting rooms used by interstate travelers, covered all conceivable angles of public transportation.

Robert L. Carter, assistant special counsel for the National Assn. for the Advancement of Colored People who argued the case in the Supreme Court, said in New York that the decision ended the "separate but equal doctrine as a legal principle."

Twelve states have laws prohibiting integration on public transportation within the state. They are Alabama, Louisiana, Georgia, North Carolina, South Carolina, Mississippi, Texas, Arkansas, Florida, Oklahoma, Tennessee and Virginia.

GOV. MARVIN GRIFFIN of Georgia, an outspoken foe of integration, termed yesterday's decision "another example of an overt usurpation of the liberties of the people. . . ."

"We shall oppose this latest decision just as we are resisting the decision in the school segregation case by all possible legal means," he said.

In Louisiana, State Sen. William Rainach, chairman of a joint legislative committee on segregation, said the decision was a new step "in federal dictatorship."

Several Southern attorneys general were attending a regional meeting of the National Assn. of Attorneys General at Old Point Comfort, Va., when the decision was announced in Washington.

ATTYS. GEN. J. LINDSAY Almond Jr. of Virginia, T. C. Callison of South Carolina, in whose state the bus case originated, and John Ben Shepperd of Texas issued a joint statement which said in part:

"We are not surprised at the action of the Supreme Court. . . . in view of the trend of the court's ruling in recent years. It is another unwarranted invasion of state and municipal rights. It simply means now that the states and cities cannot determine the type of vehicles that operate over their streets, the manner of their operation or, that based upon the factors of health, safety and morals, that separation of the races is a proper exercise of the traditional police power of a state."

Gov. Luther Hodges of North Carolina also termed the decision "a further invasion of states' rights." In Miami, Fla., Atty. Gen. Richard W. Ervin proposed that a special session of the Florida Legislature be called in June to study the entire field of segregation.

"The court is going entirely too fast and is not being mod-

Montgomery Negroes Will 'Crawl First' Before Giving Up Boycott

Call. Fri. 4-6-56 P. 2 Kansas City, Mo.

By Conrad Clark

BOSTON. — (ANP) — Negroes of Montgomery, Ala., will "crawl first" before giving up their bus boycott, declared Atty. Fred D. Grey on Friday night.

The chief counsel for the indicted leaders of the protest movement was the principal speaker before an audience of 1200 at the Union Methodist church, South End, sponsored by the Sigma Chapter of Alpha Phi Alpha fraternity, the Interdenominational Minister's alliance of Greater Boston and other civic organizations.

Grey said that the sentiment of the Negroes in Montgomery could be summed up by what an aged woman told him:

"I'll walk and walk and walk, until I drop. And then I'll crawl."

Grey spoke in place of the Rev. Martin Luther King, his client, a Boston-educated leader of the bus boycott who was convicted last Thursday of violating an old Alabama law of conspiracy to boycott.

The Rev. Mr. King wired his regret for not appearing, saying he has been ordered by his doctor to rest.

Grey said that "the bus boycott is not a racial movement, and it is time for all white people in America to realize the evil of segregation and to do something about it."

He said that in Montgomery, bus drivers have legal powers and "when they talk to you, that's the police talking."

Before concluding his talk, Grey told how "often, sick pregnant or old Negroes are told to relinquish their seats, even to white children."

Last year three Negroes were arrested and convicted of violating the city's segregation law, the attorney said. and one of them was a 15-year old girl who was sitting in the rear Negro section.

She was told to get up, because a white man was standing.

Since then, a move has been instituted in Federal Court in Montgomery to have both state and city segregation laws declared unconstitutional the defense counsel said.

Prior to the main speaker's talk the Rev. Clayton Brooks Halo, president of the Boston Council of Churches praised Rev. King's efforts which "deserve our backing, both the spirit and in finances."

Jail Bus Boycott Leader

Afro-American

MONTGOMERY, Ala. — Ride the buses or else!

That is the fantastic threat of the mayor, the police commissioner and the local chapter of the White Citizens Councils to colored residents of this town ~~city~~ buses.

Baltimore, Md.

Frustrated by the bus boycott of the Montgomery Improvement Association which began on Dec. 5, the city officials have initiated a "get-tough" policy.

This policy is primarily aimed at the owners of automobiles in a 200-car pool, which has been transporting citizens about the town.

Sat. 2-4-56

ONE OF THE victims of the "ride-the-bus-or-else" campaign of Mayor W. A. Gale and company was the Rev. M. L. King, leader of the improvement association.

He was arrested Thursday evening for speeding, charged with driving 30 miles an hour in a 25-mile zone.

* * *

ON SATURDAY, the Rev. Mr. King was fined $10.

"The arrest has made our group more determined than ever," the Rev. Mr. King told the AFRO, Saturday.

"The city officials have embarked on a two-point program.

"First, a campaign of intimidation through a series of harassing arrests in an effort to tear down our morale;

"Secondly, they are attempting to provoke violence."

Explaining his arrest, the Rev. Mr. King said:

"I pulled up at McDonald and Monroe Sts., the biggest of our pickup stops, to pick up some passengers.

"There were two detectives asking each driver where he bought his gas and if he was charging the passengers.

"They were also taking down the license numbers of each car.

"I overheard one of the detectives tell another, "There is that King fellow."

* * *

"THE DETECTIVES went over to a nearby car in which two policemen were seated and said something.

"When I drove off, the police car trailed and I was very careful not to exceed the speed limit.

"When I had driven about 12 blocks to Grove and South Jackson Sts., the police car pulled along side and one of the officers beckoned me to the curb.

"The officer said that I was speeding. I was ordered to follow him to the station. The Rev. R. D. Abernathy, pastor of the First Baptist Church, was on the scene and offered to put up my bond.

"The officer refused, saying that he could see me the next morning indicating that they were going to keep me in jail overnight.

"HUNDREDS OF people came to the jail and they let me out on my own bond after holding me about 20 minutes.

"The courtroom was jammed this morning when my case came up. The judge wouldn't let us introduce witnesses to point out that the officers had trailed me from the pickup stop.

"My arrest was very unusual for a traffic case. The usual procedure is to issue a ticket and to appear in court."

Fred Gray, attorney for the improvement association, estimates that about 10 persons have been arrested on minor traffic charges since the "get tough policy" was intiated.

There was a report on Jan. 22 that the demonstration was over.

The Rev. Mr. King said that the report was erroneous.

The leader of the demonstrators said that no representative of the association had talked with city hall in several weeks.

It appears that three ministers, the Rev. W. K. Kines, the Rev. B. F. Mosely, and Bishop D .C. Rice had reportedly met with city officials.

Afro-American

HOWVER, ON Monday night, Jan. 23, the largest mass meeting of the demonstration to "get-the-record-straight" showed up at the Beulah Baptist Church.

The throng said in no uncertain terms that they would not ride the buses until their demands are met, the Rev. King revealed.

Sat. 2-4-56

Their demands are:

1. More courtesy of the drivers toward passengers; 2. A first-come-first-served seating arrangement: and 3. the hiring of colored bus drivers.

About $2,000 was collected at the Jan. 23 mass meeting, the Rev. Mr. King told the AFRO.

The city officials offered the ministers in the unauthorized "conference:"

P. 3

(1) More courteous treatment; (2) reservation of 10 seats in front for whites and 10 seats in the rear for colored; and (3) no authority to suggest who the company should employ.

When this was reported to the mass meeting, the crowd jeered it.

Mayor Gale, in issuing a "get-tough policy," said:

"The colored people are laughing at white people behind their backs — the white people who haul the maids and cooks to and from work.

"They think it's very funny and amusing that whites who opposed the colored boycott will act as chauffeurs to colored persons who are boycotting buses.

* * *

"THE CITY council urges the white people of Montgomery to cease the practice of paying blackmail transportation money in any form or fashion.

"The colored servants in refusing to ride the buses are fighting to destroy our social fabric just as much as the colored radicals who are leading them."

Police Commissioner Clyde Sellers said he has instructed police to "break up" colored groups which, he said, have been "loitering" in white residential sections.

Speaking of colored servants getting rides with white motorists to and from their jobs, Sellers said:

"We do not intend to allow them to become nuisances in white sections."

* * *

THE BOYCOTT is so effective the bus rates have been raised 50 per cent. From 10 to 15 cents for adult fares and five to eight cents for children.

Virtually 100 per cent of the colored residents have boycotted the buses. About 75 per cent of the patronage had come from colored riders.

The boycott stemmed from the Dec. 1 arrest of Mrs. Rosa Parks, who refused to get up out of her seat for a white person and was fined $14 on Dec. 4 for violating the state's segregation laws.

67 Arrests Hit Leaders Of Boycott

Constitution

Thurs, 2-23-56

P. 1

10,000 Expected At Mass Meeting

Atlanta, Ga.

MONTGOMERY, Ala., Feb. 22 (AP). Negro religious and political leaders, including 20 ministers, were arrested on boycotting charges today in a wholesale roundup of defendants indicted by a grand jury for their mass protest against bus segregation.

Bus boycott leaders scheduled a mass meeting for tomorrow night at the First Baptist Church and predicted 10,000 Negroes would attend to pray "that justice will prevail."

WALKING DAY FRIDAY

In addition, the Rev. Ralph D. Abernathy, chairman of the negotiating committee for the bus protest movement, said Friday has been proclaimed "prayer-pilgrimage day," and all Montgomery Negroes are expected to walk rather than ride automobiles.

The grand jury returned indictments late yesterday against 115 defendants accused of taking an active part in the 11-week-old racial boycott against Montgomery City Lines buses. Late tonight, 67 persons had been arrested.

Dates for their trials will be taken up Friday at their arraignment.

FINE CHANGED TO JAIL

Thousands of Negroes have refused to ride the buses since Dec. 5, the day a member of their race, Mrs. Rosa Parks, was fined $14 for refusing to move to the colored section of a bus. City and state laws require segregation.

Mrs. Parks was sentenced to 14 days in jail in lieu of the fine today after Circuit Judge Eugene Carter, the jurist who ordered the grand jury investigation, turned down her appeal from the previous conviction in city court.

She appealed Judge Carter's decision to the state Supreme Court, and immediately afterward was arrested on a boycotting indictment.

UPHELD STATE LAWS

Judge Carter upheld city and state segregation laws when the issue was raised in Mrs. Parks' defense. He imposed the jail sentence after she refused to pay the fine and announced she planned to appeal the conviction. All of the defendants brought to the county jail and fingerprinted were released as soon as they put up bond of $300 each. They were charged with violating a state law against organized, illegal boycotting. Maximum sentence for violation is six months in jail and $1,000 fine.

Alabama Citizens To Walk Today In Arrest Protest

Daily World 1/1 Atlanta, Ga.

BY PAT J. McDONNELL

MONTGOMERY, Ala. — (INS) - Montgomery's Negroes plan to observe a "total walking day — today by shunning all motor vehicles in protest against mass arrests of leaders of the 12-week-old bus boycott.

The boycott was still in force Thursday as police served the 8th of an expected 90 warrants for violations of A 1929 labor law banning boycotts.

Prominent Negro political leaders about 2 ministers and clerks,4 maids and manuel laborers and had been caught in the dragnet which Sheriff deputies claimed had accounted for almost all of those indicted. All are free under $300 bond.

REV. KING ARRESTED

The Rev. M. L. King, a key leader whose home was bombed during the bus protest, announced after his arrest Thursday that the Negro population would be asked to give strict observance to a 'prayer-pilgrimage Day" in which even private cars and Negro taxis are to be shunned.

The Rev. Ralph Abernathy, who was arrested Wednesday, said he expected "several thousand" persons to attend a prayer meeting for "guidance" at this First Baptist Church last night.

Abernathy said "the eyes of the world are focused here to see Southern Justice in action" and added:

CITES RIGHT TO PROTEST

..."It is an American's right to protest against undemocratic and inhuman practices, yet because we are Negroes, the grand jury has indicted us.

The Montgomery Grand Jury handed down 11 true bills Tuesday listing what was at first believed to be 115 names. The jury warned that continuance of anti-segregation pressures would "inevitably" result in violence.

Rev. King denied that there were any violent intentions behind the boycott actions of the city's 35,000 Negroes, and added:

"We feel that we are within our legal rights. The great genius of American Democracy is that it permits every citizen the right to protest."

The mass boycott began December 5 when Mrs. Rosa Parks refused to comply with Jim Crow seating laws and was fined. The fine was upheld in Montgomery Circuit Court Wednesday.

Here Are Names Of Montgomery Heroes

Chicago, Ill.

MONTGOMERY, Ala. — Here is a partial list of persons indicted and arrested in the controversial bus boycott case:

Rev. Ralph D. Abernathy, pastor of the First Baptist church, the first man to be apprehended.

E. D. Nixon, president of the County Negro Democratic association, whose home was bombed during the boycott.

(Rev. M. L. King, whose home was also bombed, was out of town and reportedly not among those indicted.)

Rev. J. W. Hayes and Dr. S. S. Seay, respectively presiding elder and executive secretary of the Home Missions board of the AME Zion church.

Rev. R. James Glasco, secretary of the Negro Ministerial alliance, where the grand jury charged the boycott originated.

Rev. Leroy Bennett and Rev. Aaron Hoffman, a Baptist minister.

Rev. W. J. Powell, pastor of the Old Ship Methodist church.

Miss Jo Anne Robinson, president of the Women's Political Action council of Montgomery, and reportedly a teacher at Alabama State Teachers college.

Rev. W. L. Alford, Beulah Baptist church; Rev. Joseph H. Cherry, who has a circuit of six churches.

Others included C. W. Lee, Mose Bishop, Mrs. Alberta James, an unemployed maid who drove in the car-pools; Siberian Heard, Hillian H. Hubbard.

Also Mrs. A. W. West, sr., Isiah Ferguson, Frank Powell, a brick worker; Thomas Gray, Robert Jackson, Eli Judkins, a drug company worker and Heustis James Palmer.

Among those picked up were P. M. Blair, unofficial mayor of the city's Negro population; Jammie Parks, head of a Negro high school and Dr. M. C. Cleveland, of the Day Street Baptist church.

Dr. Cleveland is also chairman of the foreign mission board of the National Baptist convention.

Mrs. Rosa Parks, whose arrest last Dec. 1 over her refusal to give her seat to a white man touched off the 12-week-old boycott, was among those taken into custody.

Others who posted bond yesterday included August McHaney, prominent insurance executive and his wife, Cora; Charlie Polk, E. H. Ligon, Mrs. Ida Mae Caldwell, Mrs. Euretta Adair, wife of a physician; Burl Avarhart Simon, Peter McBride, I. W. Bonner, son of Bishop Isiah Bonner; Reynold Young, Arthur Murphy, Mrs. Irene Moore West, Jimmy Campbell, Booker T. Holmes, Otis A. Carlton, Walter Moss, B. J. Simms and Osborne Chambliss.

Also Mentha H. Johnson, Fred Lee Davis and J. E. Pierce, an undertaker.

Rufus Lewis, manager of the Citizens club was arrested, taken into custody and made to post bond. Later it was learned that he was not among those indicted.

Others arrested before sheriff's officers closed up shop for the night were Willie James Kemp, John Green Hill, Lonnie Charles Walker, George Hill, Eddie Lee Posey and Moses W. Richberg.

The latest to be arrested are:

The Revs. E. N. French, Hillard chapel AME church, and R. D. Lambert, Maggie Street Baptist church; Lottie Varner, Audrey Langford, George Henderson, Thomas Parks, Frank Taylor, Sam Bornett, John H. Garrison, J. H. Baker, Henry Williams, J. N. King, R. B. Binion, James McCalin, Willie James Kemp, John Green Hill, Lonnie Charles Walker, George Hill, Eddie Lee Posey, Moss W. Richberg.

Other ministers include the Revs. Arthur Murphy, Oak Street AME church; B. J. Sims, St. Marks Episcopal; Siberia Heard, Bryant Baptist; and Burl Avarhart, Love and Peace Baptist church, and J. E. Pierce, professor of political science, Alabama State college.

38b 1956

THIN CRUST OF PEACE

Advertiser p. 1

Dixie Looks For Answer To Heal Racial Strife

Montgomery, Ala.

Sun. 3-4-56

By BEM PRICE

BIRMINGHAM, Ala., March 3 (AP)—Here in the self-styled "heart of Dixie," the time of racial crisis is now.

In the past three months subsurface racial tensions repeatedly have broken through the thin crust of apparent peace.

Alabama, of course, is not alone in its battle against any shift in the South's racial patterns.

There have been riots at the University of Alabama at Tuscaloosa over the admission of a Negro woman.

In Montgomery, a Negro boycott of the public transportation system is now in its 14th week, though 99 of the movement's leaders were indicted under an old labor law.

The number of strongly pro-segregation White Citizen Councils has grown from about 40 to more than 60 in Alabama in the last eight weeks.

The Alabama Legislature has approved a resolution declaring the U. S. Supreme Court decision of May 17, 1954, to be "null, void and of no effect."

In that now historic decision the Supreme Court held that segregation in public schools because of race was unconstitutional.

The voices of moderation in Alabama have been few. Gov. James E. Folsom called the nullification resolution "hogwash." He also has appealed for an interracial committee to seek means of lessening racial tensions.

Another Alabama House resolution asked for an investigation to determine whether the National Assn. for the Advancement of Colored People is Communist controlled.

The NAACP has been the guiding hand behind the fight against segregation throughout the South.

The running fight to maintain racial barriers was not confined to Alabama during the past week.

In Mississippi legislators also called on Congress to submit a constitutional amendment to the 48 states, declaring that the states alone have the right to regulate public schools.

Advertiser

In addition the Mississippi House set up a $5,000 library fund to acquire books on the races of mankind. The floor debate specified they should be books indicating the white man's superiority over the Negro.

P. 2-A

Before this measure was sent to the Senate, however, Rep. Walter Phillips from Hancock County, warned that such a measure would border on "thought control." He said Hitler advocated a master race "and had paid the consequences."

Virginia is another state which has protested the court decision in a legislative resolution. Georgia has declared it to be "null, void and of no effect."

In Louisiana the state brought action to dissolve the NAACP under an old anti-Ku Klux Klan law.

The suit, filed by Atty. Gen. Fred S. LeBlanc, asked the state court also to ban NAACP meetings.

The law under which the suit was filed requires every type of organization to file annual membership lists with the secretary of state. This, the state charged, the NAACP has failed to do for the past three years.

LeBlanc's action came after the NAACP twice had shaken Louisiana in a matter of days. Actions brought by the NAACP ended with a federal court ruling knocking out the state's 1954 laws designed to get around the U.S. Supreme Court's ban on school segregation.

The NAACP followed this decision with a suit last Wednesday asking for integration in New Orleans public schools.

The two Alabama cases which have attracted world wide attention, of course, are those of Autherine J. Lucy, a 26-year-old Negro secretary and ex-school teacher, and the Montgomery bus boycott.

For 29 months the Lucy woman sought the right to enroll at the University of Alabama through the federal courts. She won and became the first Negro ever admitted to the 125-year-old school.

It was a short-lived victory. Riots broke out on the school's campus. The Board of Trustees suspended the Negro woman. She sought a contempt of court motion against 13 trustees and university officials. Federal Dist. Judge H. Hobart Grooms rejected the contempt motion, but ordered the Lucy woman returned to school by Monday.

Within hours after that court action, the trustees met again in secret session and ordered the Negro coed "permanently expelled" on disciplinary grounds.

The next move is up to the NAACP and there was no immediate indication when it would come or what it would be.

In New York, NAACP attorney Thurgood Marshall said "it is pretty clear in my mind what we can do," but he said it would require some "checking" first.

The Lucy woman returned to New York with Marshall after the expulsion for "rest, peace and quiet." She said she was "completely disheartened," but added that she would return to Alabama next week to renew her fight to reenter the university.

The tensions developed over the Lucy case were indicated by the fact that three university officials and an Alabama Circuit Court judge testified in federal court she might be killed if she tried to return to the campus.

Further complicating the Lucy case was a damage suit by three construction workers and a truck driver for four million dollars.

The four civil damage suits, filed in a state Circuit Court Friday stemmed directly from charges made by the Lucy woman and her attorneys in the federal court action which were droppel on the day of the hearing, last Wednesday.

The Montgomery boycott began almost immediately after the Dec. 1 arrest of a Negro woman for refusing to take a seat in the section of a bus reserved for Negroes upon orders of a bus driver.

The transportation company's business fell off an estimated 60 per cent. Bus fares were hiked from 10 cents to 15 cents to meet the increasing deficit.

Finally, a grand jury in Montgomery, a town of 125,000 with a Negro population of 46,000 indicted 99 boycott leaders for violation of a 1921 law making it illegal for two or more people to conspire to hinder a business operation. Oiriginally, the law was adopted as the result of a labor union dispute. Hearings on these boycott cases will be held March 19.

Hudson Denies Saying NAACP 'Paying' Wife

BIRMINGHAM, Ala., March 3 (AP) — The husband of Pollie Hudson today denied saying she was a "guinea pig" of the National Assn. for the Advancement of Colored People, and received money from the NAACP.

Edward Hudson, a steelworker, issued a typewritten statement asserting he never made allegations attributed to him in a Circuit Court answer to his wife's petition for a divorce.

The 23-year-old Birmingham woman applied for admission to the University of Alabama but was rejected on the grounds of her "conduct and marital record."

"I deny that my wife is being paid by anyone to my knowledge," the statement said, "and this statement is wholly false and I hereby make public my denial of each and every allegation contained therein."

Morrell Montgomery, attorney for Hudson, said, "The statements in his answer to his wife's complaint are true according to the representations he made to me."

Montgomery said he may ask for a hearing in the case at which Hudson could be questioned under oath about the allegations.

Our Opinions

Defender p. 9 Sat. 3-10-56

Chicago, Ill. 3-10-56

True Leaders Of The People

As we have stated before, Negroes in America now are getting a new type of leadership from the ranks of the clergy. Historically, the ministers and our church leadership have played significant roles in our development and progress.

In modern times, however, the civic, political and business leaders have had a larger share of the public stage and there were those who regarded the religious leadership among us as backward and self-seeking. The rise of many new sects and various type of over-publicized prophets all seemed to indicate that the quality and character of our religious leadership left much to be desired.

Today, however, we are witnessing the emergence of heroes of the masses who are carrying the message of the pulpit into the market place. Such stalwarts of the church as Martin Luther King and Ralph Abernathy of Montgomery, Alabama, are not only doing a great constructive job of leadership themselves, but they are giving inspiration to their colleagues all across America.

The clergymen of Montgomery who are in the forefront of the leadership of the boycott have shown the kind of statesmanship that will win over all obstacles, the kind that Gandhi used to deliver freedom to his native India, the only kind that a minority so situated as ourselves in America can employ and win without leaving open wounds of lasting bitterness.

Once again we salute the ministers of Montgomery and join with all those who wish them Godspeed in the mission upon which they have embarked. We pray also that their good works will inspire all Americans to help build a better society with love and freedom for all of God's children.

Montgomery Boycott Has Businesses in a Dither

Big Islander Thur. 3-8-56 P.1

Des Moines Register

Montgomery, Ala. (CNS) — The still-going-on boycott of the city's buses by Negroes has business of all kinds in a dither. Shops that are near the bus stops report "almost no business" since the boycott began.

But the city's businesses aren't the only ones to suffer. It seems that shows scheduled to enter the city are trying to get out of the dates. For Montgomery is a "dead" town in many respects.

The touring "Holiday On Ice" is trying hard to e released of its engagement March 20-24. It plays at the Coliseum which is on the outskirts of town and thus is very dependent on all kinds of transportation for a success. Usually its Montgomery stand is very prosperous one, yet if it has to go through its date now, it doesn't expect much of a crowd at all in the tension-ridden city. The Ice Show isn't the only one suffering. All theaters are at a standstill.

Montgomery Bus Boycott Arouses Nation

Outside the Jail—Orderly crowds stand outside the County Jail in Montgomery, Ala., during the arrest of 115 leaders in the current bocott of city buses. Montgomery police kept a nervous eye on the huge throng of Negroes but no violence was reported.

Everyone Walks—Cooks and maids on their way to work at Cloverland, a section about four miles from the Montgomery, Ala., City Square. The nurse in the rear chose to walk even though nurses and doctors were exempted. She said that if others could walk she could too.

Young 'Hoofers'—The rain which fell on Montgomery, Ala., during "walking day" did not dampen the walking spirits of the town's Negro population and least of all the young folk. Here is a group of students on their way to school, sharing umbrellas.

Alabama Boycott

Evening Star

The strategy adopted by the authorities in Montgomery, Alabama, in an attempt to break a Negro boycott of a busline is almost beyond belief. P. 22-A

This boycott, started in protest against Montgomery's bus segregation arrangement, began on December 5. It has been extremely successful, with nearly 42,000 Negroes finding other means of getting to and from their destinations. As a result, 115 Negro leaders now have been indicted under an antiunion law, adopted in 1921, which makes it a misdemeanor to conspire or agree "to interfere with or hinder business."

Washington, D.C.

It is hard to believe that this is happening in 1956, and we suppose that the indictments, if the Negroes should be convicted, will ultimately be thrown out by the courts. Meanwhile, however, the spectacle remains—the spectacle of white people, who are staunchly opposed to integrated schools, attempting to compel Negroes to patronize segregated buses. And this in the face of the fact that the Negroes, surprisingly enough, are willing to accept a modified system of bus segregation—a first-come, first-served plan under which whites would start seating from the front and Negroes from the rear.

The Montgomery grand jurors, speaking through the indictment, said this: "It is the feeling of this grand jury that if we continue on our present course of race relations, violence is inevitable. The leaders of both races are urged to take a long and thoughtful look into the future." This is a remarkable expression to come from a grand jury which seems to think that Negroes can be compelled to patronize segregated buses. And it is even more remarkable, perhaps, for what it implies, but does not explicitly state.

The implication is, or seems to be, that reason and a sense of fair play are being destroyed in Montgomery by rising racial feeling. If this is correct, it is indeed time for the leaders of both races, and, in this instance, especially for the leaders of the white race, to take a long and thoughtful look into the future.

Bus boycott bumper strips available at Sunday meeting

Entered Los Angeles, Calif.

Fri. 3-9-56

Support of the boycott against the jim crow bus line of Montgomery, Ala. is the goal of a conference called for Sunday afternoon at 2:30, sponsored by an interracial trio of leaders, the Rev. V. J. Waldron, pastor of the United Brethren church; Mrs. Willie Lee Thompson, chairman of the Southeast Inter-Racial Council; and J. R. Thomas, chairman of the Florence Fair Employment Practices Committee.

The Rev. Waldron whose church at 66th and San Pedro will be the conference scene is white. The organizations are interracial,

According to the call, purpose of the conference is to stimulate active support of the boycott through fund raising and a demand on U. S. Attorney General Brownell for federal action to protest the civil rights of Negroes.

According to announcement, flourescent rubber gummed bumper strips carrying the slogan, "Paul Revere Rode, Alabama Walks for Freedom — Demand Federal Protection of Civil Rights" will be available at the conference as well as posters, over-sized post cards, directed to Attorney General Brownell, and an educational leaflet.

The poster depicts a Montgomery minister standing in front of jail bars, one of the 90 Negro leaders indicted or arrested for inspiring the boycott.

The material may be obtained by calling J. B. Thomas, 823 E. 94th st., or phoning LU. 5-4012.

Vote To Continue Montgomery Bus Boycott Until All Demands Are Met

Defender P.1 Sat. 5-5-56 Chicago, Ill

MONTGOMERY — At a specially called meeting here Thursday night, 2,500 members of the Montgomery Improvement association vowed "we will never go back to jim crow buses."

This, in effect means continuation of the boycott, now almost five months old, in spite of announcement by the local bus company that it will not enforce jim crow regulations in compliance with a recent Supreme Court ruling.

Monday, the Supreme Court voided all state and local laws requiring racial segregation on buses.

One of the chief reasons for continuation of the boycott is the failure of city officials to comply with the high court decision. Complete abolition of jim crow on the city's buses, however, still may not satisfy the MIA.

Earlier, when he was asked to comment on the court's decision Rev. M. L. King, president of the MIA, indicated the organization may not be willing to call off the boycott until some Negro drivers are employed.

The resolution authorized the directors of the M. I. A. "to do any and all acts that are deemed necessary to perfect our desires."

Two lawsuits attacking the municipal and state statutes requiring segregation in buses are in the courts. One of the suits is scheduled to be heard in Federal court May 11.

The Montgomery City lines, inc. itself, has issued a desegregation order on its buses, but city officials have threatened to arrest anyone who violates municipal segregation ordinances.

Rev. King, unofficial leader of the bus boycott, called the meeting which engaged in singing religious songs before getting underway with an opening prayer.

After the resolution was read, the Rev. B. D. Lambert moved that it be adopted unanimously and declared:

"The Negroes of Montgomery will never go back to jim crow buses."

The bus company — which wants to end almost five months of boycott — has met all the demands of the Negroes except one, drivers for predominantly Negro routes.

The bus company stated this was impossible in the near future because union contracts require that furloughed men be rehired before new men are considered.

Meanwhile, at an all-white meeting of the white Alabama Congress of Parents and Teachers Association in Montgomery, 500 delegates voted unanimously to defy the national PTA stand against segregation in public schools.

A conference between the Montgomery city commission and officials of the boycotted bus line also failed to settle the segregation question on the transit system.

The officials scheduled another conference.

The city commission firmed up its position that segregation should be maintained on the buses in a brief statement which read in part:

"The City commission has heretofore taken the position that the recent decision of the U. S. Supreme Court did not pass on the statutes of Alabama and the ordinances of the city of Montgomery. We are now advised that there is a question as to whether the Supreme Court even passed on the statutes of South Carolina.

"We have conferred with representatives of the city lines, but have reached no conclusions."

Bus company officials refused to comment on the meeting.

BUS FIRM ORDERED TO DROP INTEGRATION

Commercial Appeal P.1

Circuit Judge Asserts U. S. Can't Prohibit States From Segregating

Memphis, Tenn.

By The Associated Press

MONTGOMERY, May 9. — Holding that the Supreme Court hasn't outlawed bus segregation yet, Circuit Judge Walter B. Jones directed Montgomery City Lines Wednesday to abandon its new integration policy.

The state court jurist ruled nothing in the United States Constitution gives the Federal Government the right to prohibit states from segregating bus passengers in intrastate transportation.

Thurs. 5-10-56

Orders Firm To Comply

He held Montgomery city and Alabama state segregation laws constitutional and ordered the bus company to "comply and abide" with them.

Judge Jones' decision granting an injunction against further compliance with the bus company's recent integration order came at the request of the City of Montgomery, whose officials and attorneys predicted rioting and other violence if the segregation laws are broken down.

The judge took note of that threat and observed in his written order:

"A situation of tension and unrest has been created in the City of Montgomery, which is likely to explode into violence at any time, if not restrained."

Boycott For Six Months

Most Montgomery Negroes have boycotted city buses for nearly six months, even despite the company's instructions to its drivers to refrain from enforcing the segregation laws. Negro leaders voted at a mass meeting recently to continue the boycott until city and state officials recognize integration.

There have been no reports of actual integration aboard the buses even though the company abandoned segregation as a policy. Negroes who have continued to patronize the buses have remained in the rear where they always sat.

Judge Jones' decision came only two days ahead of a scheduled Federal Court hearing on a suit challenging constitutionality of city and state segregation laws. A three-judge panel will try the suit Friday. The complaint bears the names of six Negroes and was filed as an outgrowth of the bus boycott.

'No Straight Out Decision'

Judge Jones wrote in his decision that "There is no straight out decision of the Supreme Court of the United States holding that a state or city may not require the segregation of the races on buses where carriage of passengers is solely intrastate."

A Supreme Court ruling April 23 was interpreted as outlawing segregation on city buses, but some lawyers later contended it didn't settle the issue.

The decision dismissed an appeal from a ruling of the United States Fourth Circuit Court of Appeals which, in turn, has held bus segregation in Columbia, S. C., unconstitutional and had sent the case back to the original trial court to determine the question of damages.

Judge Jones questioned the validity of the Federal Court of Appeals' ruling, holding it "is not well reasoned, is not sound law" and "at best it is simply the guess of the Fourth Circuit Court of what the Supreme Court will hold."

Basing his conclusion on the 10th Amendment to the United States Constitution which says powers not delegated to the Federal Government by the organic law or prohibited to the states are reserved for the states or the people, Judge Jones asked:

"Where in the United States Constitution is there any delegation of power to the United States Government to say that a state cannot make reasonable regulations for the carriage of passengers on public conveyances wholly within the state?

'Where In Constitution?'

"Where in the Federal Constitution is there one word, one sentence, or one paragraph, saying that the sovereign states of this union, the states which created the Federal Government —and many of whose Constitutions antedate the Federal Constitution—are prohibited from making . . . reasonable rules for the separation of the races?"

Continuing, he said the power claimed for the Federal Government by the Court of Appeals in the South Carolina bus case "does not exist and never has existed."

"It is a power reserved to the states and their people. This court will not be a party to filching the power from the state," he said.

Reynolds C. Mills, assistant superintendent of Montgomery City Lines, said the company will comply with Judge Jones' order.

Court To Air Plea By City In Bus Hassle

Advertiser Thurs. 5-3-56 Montgomery, Ala.

By FRANK McCardle

Intent on preserving segregation on city buses, Montgomery's city officials will carry their fight to Circuit Court today in a suit against the Montgomery City Lines Bus Co. P.1

Judge Walter B. Jones will begin hearing arguments at 10 a.m. on a request for an injunction against the bus firm requiring compliance with local and state bus segregation laws.

Meanwhile, a long bill of demurrer was filed in Circuit Court yesterday by attorneys of the bus company in an attempt to have the suit dismissed.

HELD INVALID

The demurrer was based principally on charges that the bill of complaint filed by the city fails to show any violation of the ordinances and statues requiring segregation on buses, and that under Federal Court decisions, "such ordinances and statues have been held to be invalid and unenforceable under the Constitution and laws of the United States."

City officials have threatened to seek revocation of the bus company's franchise unless the integration order is rescinded. City and bus company attorneys have had two conferences but reached no agreement.

HEALTH, SAFETY

The suit avers that continued adherence to the bus company's desegregation policy begun here on April 23 "threatens the public health and safety by creating a clear and present danger of race riots, disorderly conduct, assaults, affrays, bombings and other physical attacks."

It further states that the decision be made by one of the "Honorable Judges of the Circuit Court of Montgomery County, sitting in equity."

Following a Supreme Court decision then generally believed to declare racial segregation on intrastate buses unconsitutional, Montgomery City Lines ordered its drivers on April 23 to cease enforcing racial segregation on local city buses.

Advertiser

The manager of National City Lines, Inc., of which the Montgomery bus lines is an affiliate, said here later the national organization intended to maintain non-segregated conditions on local buses in compliance with the Supreme Court action. P. 10-A

In the demurrer the bus company cited the case of Flemming vs. South Carolina, which gave rise to the controversial Supreme Court ruling. Pointing out that "there is no basic distinction between the laws and ordinances of South Carolina (considered in the Flemming case and those of the City of Montgomery and State of Alabama" mentioned in the city's suit, the respondent (bus company claims the Supreme Court decision, which dismissed the appeal from the U.S. District Court, left in full effect the lower court's decision.

Therefore, the bill of demurrer asserts, "said ordinances of the City of Montgomery and state statutes no longer afford it protection against law suits under the Civil Rights Act or state and federal laws."

Injunction filed to stop Montgomery bus integration

News P. 12
Wed. 5-2-56
Birmingham Ala.

MONTGOMERY, Ala., May 2—(AP)—The City Commission has filed an injunction suit in Circuit Court here seeking to stop city lines buses from continuing a policy of non-segregation.

It was filed Monday and is aimed at a racial integration policy announced by the bus company April 23.

A hearing has been set for 10 a.m. (CST) Thursday before Circuit Judge Walter B. Jones.

The privately operated bus company, Montgomery City Lines, has instructed its drivers to refrain from enforcing segregation of their passengers.

But there have been no reports of actual integration. Negroes riding the buses have kept to the rear seats.

THE CITY COMMISSION last week announced that it would continue to enforce the city and state segregation laws and demanded the busy company obey them.

Mayor W. A. Gayle hinted that the charter granted to the bus company, a subsidiary of National City Lines, Inc., of Chicago, could be revoked if the bus line here violates the law.

Bus line officials posted a notice that segregation laws would no longer be enforced by the company after last Monday's ruling by the Supreme Court.

The City Commission has insisted that the Supreme Court dicision applied only to South Carolina and that the Montgomery city and Alabama state laws are still in effect.

Montgomery's Law Forces Negroes To Give Whites Seats

Globe & Independent
Nashville, Tenn.
Jan. 3-2-56

Colored Seamstress Refused To Give Up Hers And Got Arrested And Then It Happened; Customers Adopt "Right To Walk And Get Arrested," Bus Company Willing To Forget It All If Negroes Will Just Come On Back And Ride Again; They Refuse

The true story that led to the terrific bus-boycott in Montgomery, Ala., and to a coersive attempt by authorities to subject Negroes to a repulsive form of slavery, has not been revealed by many newspapers in the South.

This was revealed in the Sunday, February 26 issue of The Washington, (D. C.) Post and Times Herald, one of the nation's leading daily newspapers. On a recent visit "Up East," a Nashvillian purchased a copy of the Washington daily and has called the Globe's attention to what is a different story in the daily to what has been published up to now.

The accepted version of the cause of the bus boycott has been that a colored woman patron of the bus company refused to obey the Jim Crow Law of Montgomery and got arrested. To many here it seemed that the woman had no semblance of an excuse for disobeying the Jim Crow Law. This is not wholly true, judging from what was published in last Sunday's Washington daily.

GETS TRUE STORY

Possibly the Washington paper, itself, was not satisfied with what came out of Montgomery as the true story of the arrest and boycott. What the paper published as the real facts, it can be assured, would have precipitated here in Nashville a boycott as severe as that going on in the "Capital of the Confederacy."

The Washington daily sent to Montgomery one of its crack newspaper reporters named Robert E. Baker. It was after he had painstakingly checked on the bus boycott that he came up with an enlightening story which was headlined: "NEGRO RACIAL PROTEST ORGANIZED, EFFECTIVE." Mr. Baker's first paragraph was as follows:

Globe & Ind.

"MONTGOMERY, Ala., Feb. 25—The Negroes of this bustling city have come up with the first organized—and apparently effective—protest by their race in the Deep South's gripping segregation problem.

Independent

"Eighty-nine of their leaders, including 26 clergymen, have been arrested and face trial. Ten more leaders face arrest.

P. 4

After reciting the fact that Montgomery is a city of 125,000 persons, 46,900 of them Negroes, Mr. Baker reports also that "two miles from Montgomery is Maxwell Air Force Base with 8000 persons and a $50 million annual payroll" is located.

Says he:

"Last December 1 was a Thursday. The Montgomery Fair, department store on North Court St., closed its doors as usual at 6:00 o'clock. Rosa Louise Parks, 43 year old Negro seamstress, employed there, left to catch her usual Cleveland Ave. route bus. She was on her way home, 634 Cleveland Ct. in Washington Park, a Negro residential section.

On Montgomery St., she boarded, paid her dime fare and sat down beside a Negro man on the third seat from the front. Two Negro men were sitting on the seat across the aisle. The rear of the seat was filled with Negroes.

MRS. PARKS REFUSED

At the next stop ,the front seats filled with white riders. At the third stop, more white passengers boarded and had only standing room. The bus driver said the Negroes would have to move the third seats from the front on each side of the aisle to make way for the standing passengers. The three men stood and moved to the aisle. But Mrs. Parks refused. The bus driver said he would have to call the police.

"Then go ahead and call them," said Mrs. Parks.

"He did and two policemen took her to City Hall where she spent a brief time in the lockup before she was freed on $100 bond."

Mr. Baker then cites the Montgomery ordinance which says there is a "separatae but equal" provision in the law. It requires the driver to assign passengers so the races are separate. (It does permit the driver to assign Negro nursemaids, who are in charge of white children, to seats among white passengers.)

"Section 11 gives the bus driver the power of a police officer in carrying out the bus segregation law and makes it illegal for the passengers to refuse to obey the driver's seat assignment.

"In Montgomery and many other Southern cities, there is no definite segregation line in the buses. It is up to the bus driver's discretion. For example, buses going out to the well-to-do section in the morning are filled to the front with Negroes who work as domestics. On the return trip downtown, the bus is filled to the rear with white passengers on their way to work.

"This practice leads to the most galling objection of all Negroes: Having once boarded the bus and obtained a seat with other Negroes, they sometimes are forced to give the seat up to late-boarding white passengers.

"Mrs. Parks is well known in the Negro community, highly respected and active in church work. She is a member of the National Association for the Advancement of Colored People, an organization feared and hated by many Southern whites.

LEAFLETS CIRCULATED

"The day following her arrest,—Friday, Dec. 2, leaflets were circulated among Montgomery's Negroes, protesting the action as unjust.

"The reaction spread like wildfire, said the Rev. Martin Luther King, 27-year old Negro pastor of Dexter Avenue Baptist Church and an active NAACP member.

"A Mass meeting was held that Friday night. A second meeting on Monday night in the Holt Street Baptist Church was attended by 5,000 persons. The Montgomery Improvement Association was formed with King as president. The leaders asked Negroes to stay off the buses until these demands were met:

***More courtesy from the bus drivers. They call us black cows, black apes sometimes, said King. Often they make us get on the bus by the back door.**

***"First come first-serve bus segregation policy, with Negroes filling up seats from the back, while passengers filling seats from the front. That is the way it is done in Mobile, Huntsville and Atlanta, said King, "and that is all we want.**

***"Negro bus drivers on dominantly Negro routes. This would help overcome the discourtesy shown now, said king.**

The speed with which the boycott was organized, the Washington paper said, caused many whites to believe Mrs. Parks was a "plant" that is she boarded the bus with the intention of causing an incident and a test case.

"I had nothing further from my mind," said Mrs. Parks. "That just isn't true." she said: "I have been asked to move, but this time I just didn't."

Said Mayor Gale: "I could not say if it was a put-up-job or not. But this boycott was mighty well organized, mighty quickly.

The Washington daily tells of Negro taxicabs uniting and carrying passengers for the bus fare of ten cents. This was ruled against the law by the city which ruled taxicabs must charge regular taxi rates.

"Then came the car pool. More than 300 cars joined in it. Forty-six pick up and dispatch stations were set up. The Negroes rode free, made contributions to their churches, which in turn donated funds for gas and oil to the car pool drivers. This got around the law which would have made cars taxicabs if the passengers paid the drivers directly.

"The system was hurting. The Mayor announced a get-tough policy Said he, "I am tired of pussy-foothing around."

NURSEMAIDS EXEMPT

"White employers of domestics were asked not to pick up their maids in their cars. A grand jury met, seized records of the Montgomery Improvement Assoication, indicted 99 persons including King and Mrs. Parks, who by this time had appealed her case after conviction in Record's Court and Circuit Court.

The lower courts held it unlawful for two or more persons to enter into conspiracy for hindering, delaying or preventing any persons, firms or associations from carrying on a lawful business. Convictions carry a fine of from $100 to $1,000 and up to six months of hard labor. It is stated this law has been used in various cases, including labor disputes and once by an insurance company to stop scandalous rumors

The article reveals that the bus company and Montgomery's Negro citizens have held meetings, trying to come to terms and end the boy cott, which is seriously affecting the company. Bt no agreement had been reached, Mr. Baker states. He reports the following as the final offer from Mayor Gale and the city:

***Courtesy of the bus drivers quaranteed with periodic inspections.**

***The first ten seats in buses could be reserved for white passenger and ten in the rear for Negroes; the middle 16 seats to be on a first come first served basis; when it was apparent no more white passenger would board a bus, the driver coudl assign seats as required. Special all-Negro and all-white buses would be used during rush hours. All passengers would enter the front door. City Commissioners would assure the Negroes of no retaliation for the boycott.**

THESE NOT "OLD NEGROES"

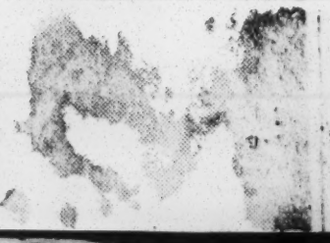
After this offer was turned down, the commissioners are reported as saying "As far as we are concerned there is no use to talk with them any more. We will just have to wait and see. "These are not our old Negroes. There are outside agitators behind this thing. Here in Montgomery we have had very fine relations between the races but we are not going to have completely integrated buses."

Trials of the arrested crowd of passengers have been set for March 19. In the mean time, Negroes continue to carry out their Double P—Day—Prayer and Pilgrimage They have adopted a song set to the tune of "Tis the Old Time Religion." Two of the stanzas are:

"We are moving on to victory, we are moving on to victory, we are moving on to victory, with hope and dignity.

"We shall all stand together, shall all stand together, we shall stand together 'till every one free."

While racial segregation on common carriers has been outlawed by the Supreme Court edict, it is understood that it is still the law for carriers operating exclusively within states.



Alabama 'Pilgrimage'

Herald Tribune
Sat. 2-25-56 P. 1

Negroes Walk to Work To Protest Bus Arrests

New York, N. Y.

By The United Press

MONTGOMERY, Ala., Feb. 24.—Negroes walked to work in the rain today in a silent pilgrimage protesting the arrest of their leaders who organized a boycott of segregated buses and have made it stick for eleven weeks.

Ninety of the leaders, charged under an obscure law, pleaded innocent at their arraignment. The defendants also walked through the drizzle to enter their pleas at the courthouse.

Obeying their ministers, who urged that mass demonstrations be avoided, the Negroes walked in pairs or small groups. Some 150 Negroes held a prayer meeting at a church after the arraignment.

A few blocks away in the state capitol, Gov. James E. Folsom met with Alabama editors and publishers and announced he would appoint a bi-racial commission to study "deteriorating" race relations in the state.

The bus boycott and the Autherine Lucy riots at the University of Alabama resulted in a "serious situation confronting us in Alabama," Gov. Folsom said. He said the commission would aim at removing the "fear" he said is prevalent among both races.

"Luckily there has been no death or bloodshed arising from our differences," he said, "but I am a little bewildered to see how our race relations in Alabama have deteriorated."

Reporters who toured the streets in Montgomery's Negro residential areas noted many Negroes walking, but others were seen in cars.

The Rev. Ralph D. Abernathy, one of the twenty-six Negro ministers arraigned today, had proclaimed the day as "prayer-pilgrimage" day and said he expected "no race-loving Negro" would drive his car or ride in other vehicles.

Herald Tribune

City police reported they could detect no change in downtown traffic flow.

P. 4

The arraignment of the boycott leaders, indicted earlier this week by a grand jury, went off smoothly. Three Negro attorneys represented the defendants, who were called before Judge Eugene Carter in eleven groups, representing the eleven cases reported by the grand jury. Solicitor William Thetford said trials had been set for the week of March 19.

Identical Indictments

The Negroes were charged under identical indictments that said they entered a "'conspiracy, combination, agreement, arrangement or understanding for the purpose of hindering, delaying or preventing" the city bus line from carrying on its business. If convicted, they could receive a maximum jail sentence of six months.

Fifteen of the indictments were dismissed at the request of the solicitor because names were duplicated or the persons named had appeared before the grand jury and were therefore exempt from prosecution.

The boycott was termed a "spiritual demonstration" by ministers at a mass meeting last night, and they urged the boycotters to avoid large gatherings on the streets where "anything might happen." Only a handful of Negro spectators were present at the arraignments.

The Negroes pledged last night to continue the boycott until they have achieved their aims—more courteous treatment from bus drivers and a "first come, first served" seating policy.

Associated Press wirephoto

MASS ARRAIGNMENT—Part of the crowd outside the Montgomery County Courthouse yesterday after Negro leaders were arraigned on indictments in connection with the racial bus boycott.

Associated Press wirephoto

BOYCOTT LEADERS—The Rev. Ralph D. Abernathy, left, and the Rev. Martin Luther King jr., leaving Montgomery County Courthouse after their arraignment.

Brands Report Of Settlement Of Montgomery Bus Drive "Misleading"

Leaders Say No Solution In Montgomery Bus Situation

Daily World Atlanta, Ga. Jan. 1-24-56

MONTGOMERY, Ala. — Authentic leaders here in the 50-day old stay-off-the-buses campaign yesterday branded as completely false a story which had appeared in public print that they had held a conference with Montgomery city officials which produced a solution to the eight-week old protest.

The Rev. Martin Luther King, Jr., president of the Montgomery Improvement Association and pastor of downtown Dexter Avenue Baptist Church, when questioned on a wire service story which quoted the Mont gomery City Commission as saying that an agreement had been reached for settling the refuse-to-ride protest which began Dec. 5 said the story was misleading.

Mr. King said that no representative of the association which he heads had talked with City Hall on January 21. He added that he learned that a Rev. W. K. Kines, a Baptist minister; the Rev. B. F. Mosely, a Presbyterian minister and Bishop D. C. Rice, Holiness minister, reportedly had held conference with the City Commission.

However, the Rev. King said that the three ministers did not speak for the MIA and had not been authorized to confer with the city officials as representatives of the protesting group. He said that he later talked with Rev. Kines and Rev. Mosely who explained how they were brought into the City Hall conference.

A mammoth set-the-record-straight mass meeting was scheduled for Beulah Baptist Church Monday night, January 23. Five neighborhood report-to-the-people meetings were scheduled for Thursday night, January 26.

One of the ministers in the "conference" with the City Commission charged that he was "hoodwinked" into the meeting, according to Rev. King. The MIA president said that he was told by one of the ministers who attended the City Commission's "conference with three Negro ministers" that he was asked to come see about an insurance policy. But was advised that before talking insurance he would have to help find a way to settle the "boycott" of the buses.

Daily World

The statement attributed to the Montgomery City Commission said that the conference agreed that the "City Commission and the bus company must abide by all laws regulating public transportation."

But that the following ideas had been agreed upon, subject to ratification by Negro leaders and upon a request for restoration of bus service in those areas where it had been discontinued:

1. More courteous treatment.

2. The 10-seats plans — setting aside 10 seats in front of the bus for white passengers and 10 in the rear for Negro passengers.

3. No authority to suggest who the company should employ as bus drivers.

MIA leaders (2) are insisting on a first-come and first-served seating and (3) the employment of Negro bus drivers on buses running into Negro districts.

The City Commission's plan also provided "special buses for strictly Negro use" during the peak-load hours on bus lines running into predominantly Negro residential areas.

The Rev. King indicated that a meeting of MIA leaders was held Sunday at which the City Commission plan was rejected as inadequate.

Meantime today the franchise of the Montgomery City Lines, Inc. was scheduled to come up for renewal Action on the franchise had been postponed last Tuesday.

A delegation from the Montgomery Improvement Association was scheduled to attend the City Commission meeting this morning, according to Rev. King.

Arrest of Mrs. Rosa Parks on Dec. 1 and fining her Dec. 5 set off the refuse-to-ride campaign. The conviction was appealed to Circuit but no date has been set for its hearing.

But officials have complained that the reduced bus loads growing out of the protest have resulted in a droppage of revenue. City officials, trying to aid the company, granted it a temporary 50 per cent bus fare raise. Negro patrons before the protest gave the company 75 per cent of its bus-riders. Company and city officials have indicated that the protest has resulted in about a 90 per cent fall off in Negro riders.

Montgomery bus boycott continues

News Mon. 1-23-56

MONTGOMERY, Ala., Jan. 23 —(AP)—A boycott of Montgomery city buses entered its eighth week today with no letup in sight despite a compromise proposal announced by the City Commission seeking a settlement.

Birmingham Ala.

There was no immediate word from boycott leaders over their reaction to the plan announced Saturday.

P. 1

The Rev. M. L. King, Montgomery Negro minister and spokesman for the protesting Negroes, said his group was not represented at a meeting with the commission from which the compromise plan came.

The commission proposal included a pledge that courtesy would be extended to all patrons and that seats be reserved on each bus for white and Negro passengers.

Ten seats at the front would be reserved for whites and 10 seats in the back for Negroes. During rush hours special buses would be used to carry Negroes exclusively to and from predominantly Negro sections.

The Negro spokesman had asked for a "first come, first served" policy on all bus seats.

Police Commissioner Clyde Sellers also announced that the Police Department has been ordered to "break up" Negro groups which he said have been "loitering" at certain times of the day in white residential districts.

Capital bus boycott— Whites urged not to ride Negroes

News Wed. 1-25-56 P. 23

Birmingham

MONTGOMERY, Ala., Jan. 25 — (AP) — White Montgomerians were urged by Mayor W. A. Gayle yesterday to quit giving rides to Negro employes who have been boycotting the city buses.

Ala.

"The Negroes have made their own beds," the mayor said, "and the white people should let them lie in it."

38b

The mayor's appeal followed his announcement that the City Commission has adopted a get-tough policy and would make no further efforts to compromise with Negro leaders on a settlement.

Ala.

Mayor Gayle said Monday that boycott leaders have repeatedly turned down all "reasonable" proposals for a settlement and the City Commission, consequently, is through "pussyfooting around" with them.

In his statement yesterday, the mayor said Negro maids and cooks who are refusing to ride the buses are "fighting to destroy our social fabric just as much as the Negro radicals who are leading them.

"THE NEGROES are laughing at white people behind their backs—the white people who haul the maids and cooks to and from work. They think it's very funny and amusing that whites who are opposed to the Negro boycott will act as chauffeurs to Negroes who are boycotting the buses."

"The City Council urges the white people of Montgomery to cease the practice of paying . . . blackmail transportation money in any form or fashion."

HE ADDED that many Negro boycotters have been hitchhiking rides to work, "and we do not intend to allow them to become a nuisance in white sections."

Boycott leaders have established a number of "pickup" stations around the city where Negroes wait for rides provided by an organized car pool of sympathizers.

Negro have refused to ride the buses since Dec. 5 in protest to the segregated seating arrangement required by law.

Meanwhile, the city signed a 10-year franchise yesterday with Montgomery City Lines, the company which has operated the buses here since 1936.

Unlike the previous contract, the new franchise contains a provision that the bus company can cancel its obligation to provide bus service in the event of a boycott "or other disorders be-

FOR NEGRO SERVANTS

End To Free 'Taxi Service' Requested By Mayor Gayle

Advertiser

Montgomery Ala

By JOE AZBELL
Advertiser City Editor

Mayor W. A. Gayle, speaking for the City Commission, urged white Montgomerians yesterday to halt the practice of using their automobiles as "taxi services for Negro maids and cooks who work for them."

Pol. 1-25-56

He said the maids and cooks by boycotting the Montgomery City Lines are "fighting to destroy our social fabric just as much as the Negro radicals who are leading them."

"The Negroes are laughing at white people behind their backs. They think it's very funny and amusing that whites who are opposed to the Negro boycott will act as chauffeurs to Negroes who are boycotting the buses.

"The City Commission urges the white people of Montgomery to cease the practice of paying Negro maids, cooks or other employes 'blackmail' transportation money in any shape, form or fashion. This practice of extorting transportation money from whites under the threat of not showing up for work is shameful. The Negroes are merely using this practice to pay taxi fares so they can stay off city buses. If they want to ride in taxis, let them pay for them out of their own earnings.

"When a white person gives a Negro a single penny for transportation or helps a Negro with his transportation, even if it's a block ride, he is helping the Negro radicals who lead the boycott.

Advertiser

"The Negroes have made their own bed and the whites should let them sleep in it."

Pol. 1-29-H

Commissioner Clyde Sellers also announced that he is instructing the Montgomery Police Department to break up congregations of Negroes who have been loitering for long periods in white residential districts.

Pol. 1-25-56

"We have received complaints from white homeowners that Negroes are loitering in groups on the sidewalks outside their homes and that the habit has become rather chronic. A person has a perfect right to wait for a ride, but the practice of six and eight Negroes huddling together for an hour or more, trampling lawns and making loud noises in white residential districts must cease," he said.

"Actually some Negroes have turned into hitchhikers and we do not intend to allow the hitchhikers to become nuisances in the white sections."

Commissioner Frank Parks said that he had received dozens of calls from businessmen who said they were going to "lay off Negro employes who are being used as NAACP instruments in this boycott."

All three commission members said that the innocent Negroes who are being used as pawns in the hands of radicals "should wake up."

Meanwhile, a "tremendous ovation" was heaped on Mayor Gayle yesterday for his stand in ending Negro boycott talks and telling Negroes that "whites didn't care if the Negroes never rode the bus again if it meant destruction of the city's social fabric."

In stores and on the streets, white residents praised Mayor Gayle, Commissioner Sellers and Commissioner Parks for their "leadership in cutting the legs off the Negro boycott."

The consensus among whites was that they didn't care if the Negro boycott of the city buses "continued forever" and one man declared, "I hope the Negroes walk until they get bunions and blisters."

At the City Hall, Switchboard Operator Katherine Brown said she was swamped at the switchboard with hundreds of telephone calls praising the mayor and commissioners.

"In my 19 years at the City Hall, I can remember only once or twice when there were more telephone calls," she said.

In the mayor's office, Mrs. Kate Barnett, his secretary, said the "telephone hasn't stopped ringing and there have been so many people in here this morning to thank the mayor that we haven't been able to do a thing."

Mayor Gayle displayed a thick stack of telegrams received from throughout the state congratulating him on his stand.

"The people are with the commission. They have proved it today. We are going to hold to our stand. We are not going to be a part of any program that will get Negroes to ride the buses again at the price of the destruction of our heritage and way of life," he declared.

Commissioner Sellers said that he, too, had received "scores of telephone calls" and "people have been in my office to volunteer their support."

"I am convinced beyond any doubt that every right-thinking white man and woman in Montgomery is solidly behind us in our stand," he said.

Commissioner Frank Parks said he was "amazed with the avalanche of telephone calls, telegrams and visits."

"Our people want leadership in this matter and we, the City Commission, have resolved that we will furnish that leadership."

Throughout the city, white residents were discussing the commission's stand and many commented that "our governor ought to take a stand like that instead of siding with Negroes."

Attorneys, doctors, and other professional people strongly endorsed the mayor's stand as did mechanics, bus drivers, clerks and others.

The Montgomery Boycott

Nation New York

The boycott of transit buses by the Negro residents of Montgomery, Alabama, has caused a fantastically inept city commission to join forces with the White Citizens Council. Soon after this dubious union came the bombings of the homes of two Negro leaders. Since December 5 some 40,000 Negroes in the "Cradle of the Confederacy" have declined to patronize the bus line, in protest against seating practices that allow drivers to uproot Negro riders at will (see *The Nation*, December 24, 1955). They are not challenging segregation per se, but are only seeking a first-come, first-served allocation of seats on a racial basis. They have formed a jitney service of several hundred cars, have shared rides, and have simply walked. The solidarity, the good order and the high spirits they demonstrate are what especially gall local white supremacists. The seating arrangement they demand is that existing in most Southern cities.

The Montgomery City commission began a sequence of stupidities by declaring flatly that the requested change was contrary to the segregation ordinance—although the ordinance makes no specification as to how the races should be separated. Then Mayor "Tacky" Gayle appointed a committee of whites and Negroes to study the problem, but his naming two Citizens Council chieftains to the group insured that negotiations would be fruitless. After it became apparent that the Negroes were not going to be worn into submission by time alone, Police Commissioner Clyde Sellers, amid great fanfare, signed with the Central Alabama Citizens Council.

On January 21 the city commission said it had conferred with Negro leaders and bus-company representatives, and issued a detailed arrangement for seating which presumably had the approval of all sides. It subsequently developed that the three Negro ministers at the "conference" had thought they were being summoned for other reasons and had not agreed to anything. And no spokesman of the bus line had been present. Nevertheless, when the boycotters rejected the proposal, Mayor Gayle made a great cry about "bad faith" and declared that he was through "pussyfooting" with the situation. He announced that he and the third member of the commission had joined Commissioner Sellers in the ranks of the Citizens Council.

Immediately thereafter, an "avalanche" of congratulatory messages was reported at city hall. W. C. C. headquarters said new members were coming in by the hundreds. Police, acting under explicit "get-tough" instructions, began harassing Negro jitney drivers, and one of the boycott leaders, the twenty-seven-year-old Reverend Martin Luther King, was stopped twice within a few blocks before traffic officers decided he was speeding and hauled him to headquarters for fingerprinting. The night of January 30, either a grenade or a stick of dynamite was hurled against King's house, destroying the front part. No one was hurt.

Pol 102

Mayor Gayle and Commissioner Sellers both made speedy appearances on the scene to denounce such violence. They posted a $500 reward for the capture of the bombers, and this offer was matched by their fraternity brothers of the W. C. C. On February 1 five Negro women filed suit in federal court to have the state and city travel-segregation laws declared unconstitutional. (One of them was subsequently pressured into withdrawing her name.) The same night a blast was set off in front of the home of a local labor leader who is a past president of the Alabama NAACP.

Whether the explosions or the portent of the legal action have jolted Montgomery out of a rising state of hysteria cannot be judged at this writing. Senator "Voice of the South" Eastland was scheduled to make a public address on February 9—an event not conducive to sanity. And Montgomery's white ministerial association, a powerful force in this God-fearing city, is currently absorbed in enforcing the blue laws against Sunday operation of grocery stores.

Blast Rocks Residence Of Bus Boycott Leader

Advertiser Tues. 1-31-56 P. 1

City Offers $500 Reward In Explosion

Montgomery, Ala.

The City Commission last night offered a $500 reward for the capture and conviction of the persons who bombed the home of the Rev. M. L. King last night.

By JOE AZBELL
Advertiser City Editor

A bomb tossed on the porch of the home of the Rev. M. L. King, Negro boycott leader, 309 S. Jackson St. about 9:15 last night shattered windows, ripped a hole in the porch and cracked a porch column. No one was injured.

Neighbors reported that a light colored automobile was seen at the time of the explosion. It was believed to have stopped in front of the home as a white got out and placed or tossed the bomb on the porch.

Coretta King, wife of the Baptist minister, said she was sitting in the front room of the six-room white frame dwelling a half block from the Ben Moore Hotel when she heard footsteps and a thud "like a brick hitting on the porch."

She said she was talking with the wife of Roscoe Williams, Montgomery electrician, and that they feared the "thud" migh be "something dangerous." The two women ducked through a side door to the middle bedroom and went to a third room in the rear. As they reached the third room, they said that they heard the explosion.

In the rear room also was the Kings' seven and a half weeks old baby, Yolanda Denise

Vann Pruitt, assistant state toxicologist, said he believed the bomb to be either a hand grenade or a half stick of dynamite.

HOLE IN CONCRETE

The bomb hit on the south side of the porch about two feet from the concrete steps. It ripped a slight indention about a half inch deep, four inches long and two inches wide in the tile-like porch covering.

The bomb explosion shattered the four windows on the front of the house, sending glasses flying inside the living room on the north side and den and music room on the south side.

The house is about 15 feet from the sidewalk and about 30 feet from the street.

A neighbor, Ernest Walters, 301 S. Jackson, said he saw a light colored car stopped in front of the King house and then move away in a "terrific hurry." Walters said he was walking up his sidewalk when he saw the car and immediately after heard the explosion. He said he saw one man driving the car.

The Williams woman told essentially the same story as the wife of King. She said she was "shocked by the explosion.

Courier Sat. 1-28-56 P. 11

History Shows . . . . . By J. A. Rogers

Pittsburgh, Pa.

THE MONTGOMERY (Ala.) bus boycott shows that Negroes are getting down at last to a practical grip on the solution of their problem. They are hitting jim crow where it hurts most—in the pocketbook. The one-third rise in fares will make Montgomery whites think more than all the pleas of fair-play by Negroes and the good American whites.

Mr. Rogers

The so-called race problem is nothing else but economic. The Negro was brought here, neither for love nor for spite, but to make money, to enrich others. The first slave was the Indian, but he couldn't deliver. The Negro could and every argument used, including so-called race purity and intermarriage had, and still has, no other goal, than to exploit him, to keep him at a stage where he can be most easily plucked.

NOT ONLY the race problem, but life itself has an economic base. Food, which is economic, is the first essential. In all but very primitive lands economics has money as its symbol, and therefore money is the most powerful thing on earth. Some two thousand years ago, Solomon wrote, "Money answereth all things." (Eccl. 10:19). True then, it's truer now. Of course, like everything else, money can be used for evil, but to get the best things in life money is essential.

Therefore should not Negroes use their spending power to help solve their problem? Recently in Harlem I saw a striking example of the effect of this use. One of the largest and oldest grocery and meat markets there promptly folded when Negroes stopped buying there—Weisbecker. The A&P opened a store in the next block with lower prices. Negroes transferred their trade there and Weisbecker closed two days later.

JIM CROW is on the way out and the economic weapon is the one to speed it. Laws, resolutions, speeches are at best secondary. More of boycotts of that nature and 1965, the one-hundredth anniversary of emancipation, might see jim crow near its last gasp.

What of a bus boycott in New Orleans, Charleston, Richmond and other jim-crow cities? Had minority groups like Jews or Poles been jim crowed as Negroes are, they'd have got together on it long ago. Moreover, the boycott will give to many Negroes a backbone where they had only a wishbone before. I'm sure the average Montgomery Negro has had a great lift in self-respect.

As for the Virginia vote in favor of segregation, it is a futile attempt to stave off the evil day. The majority of Americans now go to desegregated schools and this trend will eventually dominate even in Georgia and Mississippi. That Virginia vote has done an immense amount of good. It has chased the question further into the open. Thinking Americans are aroused. And is it not time for Negroes to stop using their buying power as carelessly as they have been?

Bomb Hits Negro's Home; A Leader of Bus Boycott

Constitution P. 5
Fri. 1-31-56

MONTGOMERY, Ala., Jan. 30 (AP)—An explosion shattered windows tonight at the home of the Rev. M. L. King, Negro leader in the bus boycott here. None was hurt.

Mrs. King, wife of the Baptist minister, said she heard something hit the front porch about 9:30 p.m. (CST) just before a "tremendous explosion" rocked the building. The blast made an indentation in the concrete porch.

Mr. King was not at home at the time. Mrs. King and her 7-week-old baby were in the living room with an unidentified Negro woman when the explosion occurred.

Atlanta, Ga.

The Montgomery City Commission offered a $500 reward for information leading to the arrest and conviction of persons responsible for the explosion. Police said the blast was probably caused either by a hand grenade or a stick of dynamite.

Rev. King, 27, is a native of Atlanta. His father, the Rev. M. L. King Sr., is pastor of Ebenezer Baptist Church.

Rev. King has been the main spokesman for the boycotters since the movement began here Dec. 5 in protest to the segregated seating facilities on city buses.

The Negro minister was fined $10 in police court Saturday on a speeding charge. He denied going 30 miles an hour in a 25-mile zone and said his arrest was the result of his activities in the boycott.

Dixie Diary

Afro-American Sat. 2-11-56

By CLIFF MACKAY P. 8

MONTGOMERY, Ala — The inconsistencies and contradictions in what has become generally known as "southern customs" never cease to amaze an outsider.

Baltimore, Md.

There simply is no hard and fast pattern existing, nor is there general agreement among the former Confederate states regarding sectionwide policy on racial matters.

A colored passenger may eat in Atlanta's Candler Airport unmolested, but restroom facilities are marked with foot-high letters "Colored."

In Montgomery here, there are no facilities for anyone to eat, but all travelers use restroom facilities with no thought of segregation.

* * *

NO LIMOUSINE service is available for colored passengers arriving in Atlanta and Birmingham. Unless friends know of your arrival the only alternative is to rent a car and find your way into town the best way you can.

But in Montgomery limousine drivers appear to be interested only in hauling as many $1.50 passengers they can, without regard to color.

The State of Alabama won't sell liquor from the same store to colored and white drinkers in Montgomery; but in Birmingham the state-operated package stores are open to everybody.

Montgomery County provides beautiful electric water coolers marked for "white only" in the corridors of its courthouse; but offers only a single sipgot with no refrigerating attachment for its colored citizens.

Yet two blocks away, the Montgomery City Hall also has electric water coolers which are available to everybody who wants to quench his thirst.

* * *

IN BALTIMORE, downtown department stores would rather lose the business than permit colored customers to try on such items as girdles, hats and bars.

But in Atlanta, Birmingham and even Jackson, Miss., department stores make no distinction between persons entering their doors with money to spend.

While most conductors have thrown in the sponge in the struggle to segregate railroad passengers, there are still one or two of the "bitter enders" left.

A Morehouse College student A. D. King, brother of the Montgomery boycott leader, ran into one on the Atlanta and West Point Railroad the other day.

King was en route to Atlanta from Montgomery and, refusing to heed the conductor's motion for him to board the first car, walked back to the third, in which there were about 12 white passengers.

Not to be defeated, the conductor moved all the white passengers to other coaches, according King the unusual distinction of a private car.

But there was one kink in the arrangement. The unreconstructed conductor got his revenge by turning the heat up in the "pirvate" car to its highest possible point.

When he reached Atlanta, young King said, he was as wet as if he had spent three hours in a Turkish bath.

IF THE prediction of Grover Hall Jr. editor of the Montgomery Advertiser, proves to be accurate, not a single colored Alabaman will be allowed to register next year and many of those already qualified to vote will find their names removed from the poll lists.

The Alabama White Citizenss' Council, we are told, is pushing a county-by-county drive to negate what little political power colored citizens possess. The disfranchisement campaign is being conducted quietly, out of respect and fear of J. Edgar Hoover and his FBI agents.

* * *

SPEAKING OF FBI, we learned from reliable sources that that agency is responsible for police not molesting colored passengers at Montgomery's Union Station.

It seems that a police official announced the day before the ICC integration ruling went into effect on Jan. 6 that his police would be detailed at the station to enforce segregation.

The story goes that he received a call from the FBI warning him that the power of city police did not extend inside a privately owned railroad station. The police were removed and passengers now sit anywhere.

But in Birmingham, police are kept on duty 24 hours a day to prevent colored interstate passengers from exercising their right to use the main waiting room. It appears the FBI needs to call there also.

All of the pastors of churches have forgotten denominational difference and closed ranks to support the bus boycott. That is, all of the colored pastors.

Not so the white preachers—at least the Baptist ones, who apparently do not look with favor on the bus uprising.

Officers of the Montgomery colored Improvement Association which has led the boycott were notified that they could no longer occupy office space in the from Mach 3 Gal 36 Baptist Home Mission Building.

It seems that the Southern Baptist Association (white) pays one-third of the maintenance of the building, while the other two - thrids comes from the colored churches.

So what happesn. The desks, files, and typewriters of the association will be moved over to the home mission office of the AME Zion Church, also located in Montgomery. No white contributions help support it.

* * *

DEMANDS OF the bus boycotters would have been met weeks ago, we are told, but for the fear of merchants that the next demand would be for jobs as clerks and office personnel.

So many of Montgomery's white residents have moved to suburban areas where they do their shopping the downtown stores depend on colored customers for nearly 62 per cent of their business.

* * *

NOT ONLY does Montgomery have separate cabs for colored and white residents, but the police department has obligingly erected parking cab stands signs "for white cabs only." This also violates the 14th amendment.

They apparently got tired and have yet to get around to putting up signs "For colored cabs only."

* * *

POLICE COMMISSIONER Clyde Sellers of Montgomery is convinced race relations would be all right if only meddling out-

He says remarkable progress has been made without the aid of agitators.

Asked to cite some "examples," he pointed with pride to the fact that no longer were racially separate lines required at city hall tax windows, in the postoffice or at the poll tax window in the courthouse.

* * *

Eyewitnesses told the AFRO that the only car they saw speeding away from the home of Rev. M. L. King, after it had been bombed, appeared to contain four men dressed like policemen.

Bus boycotters are also puzzled by the speed with which Mayor W. A. Gayle and Commissioners Clyde Sellers and Frank Parks arrived on the scene. The three high officials were there 12 minutes after the blast went off.

"Looks like they were standing around the corner waiting for it to happen," commented one bystander.

* * *

DEXTER AVE. Baptist Church, the pastor of which is the bus boycott's leader, the Rev. M. L. King, throws a shadow on the former Confederate White House which is located in the rear.

The congregation can look out of their church windows and see the white state capitol across the street. Confederate monument and all.

ONE WAY to reduce the necessity for filing so many anti-segregation suits, believes Ben Moore of Montgomery, is to find some way to compel the state pay the cost of these legal actions.

Mr. Moore operates a modern, fire-proof, four-story hotel which bears his name.

"I'm 64 years old and I've been working in white folks' kitchens all my life. Before this but strike I was all crippled up with arthritis, neuritis and Lord knows what else.

"Since Dec. 5 I've been walking six miles a day, my joints have straightened themselves out and I feel better than I ever felt in my life."

Thus testified one of the bus boycotters at First Baptist Church, last Monday night.

* * *

EMORY O. JACKSON, indestructible editor of the Birmingham World, who has been spearheading the fight to open the University of Alabama, felt fine Wednesday night.

He had just returned from Tuscaloosa, where he accompanied Arthurine Lucy, the first colored student to register at the school in its 124 year old history.

While walking down the street, a teen-age white girl edged up to him, slipped a piece of paper in his hand. The girl nodded, smiled and crossed the street.

After she had gone Jackson unfolded the note under the corner street light. It read:

"Congratulations! Many of us are with you all the way."

$500 Reward Offered

Herald Tribune 2-1-56

MONTGOMERY, Ala., Jan. 31 (UP)—The City Commissioners posted a $500 reward today for information leading to convictions for the bombing of the home of a Negro leader of a race boycott of city buses.

The three commissioners, all members of a pro-segregation white citizens council, went to the scene to supervise investigation after the bomb was tossed against the house last night.

The explosion damaged the front porch and blew out windows of the home of the Rev. M. L. King. His wife, daughter and a visitor were in the house at the time of the explosion. No one was reported injured.

Reserve police were called to serach the area for suspects.

Why Three Judges Will Hear The Bus Case

Advertiser P. 4-A

Some readers have asked why a three-member court will be empanelled to hear the suit brought by Montgomery Negroes against city and state laws governing segregated transportation.

A federal statute requires that when the constitutionality of a state statute is attacked, a three-judge court must hear the case. One of the judges must be a member of the U.S. Circuit Court of Appeals; one a judge of the district court in which the cases was filed (in this case, Judge Frank Johnson); the third may be either a district or circuit judge.

Montgomery Ala.

There's no way in the world of knowing how long it will take to get a final answer in the case. (A district court has already ruled, however, that Columbia, South Carolina, may not segregate passengers on city buses.)

Times 2-2-56

A federal statute requires that cases involving an attack on the constitutionality of a state statute shall be heard as soon as "practicable" after filing. In other words, such cases are given a priority, but "practicable" is subject to a variety of interpretations.

In the appeal of the Negro admissions case, the University of Alabama unsuccessfully argued that the original hearing should have been held before a three-judge court. However, this motion was denied, presumably because no state statute specifically forbids the University from admitting Negroes, and thus constitutionality was not at issue.

The legal maneuvers on both sides are almost without end in a case such as the bus challenge, but we understand that it is unlikely it will drag on as long as the University of Alabama case, which dates back to 1952.

THE GROUP OF PROMINENT NEGRO MINISTERS MENTIONED IN THE CLIPPING FROM THE MONTGOMERY, ALA., ADVERTISER SUN. 1-22-56 were the REVERENDS WRIGHT, MILO AND HYNES. THESE THREE MINISTERS DID NOT REPRESENT THE NEGRO GROUP.

City Commission States Position On Bus Services

Advertiser
Montgomery, Ala.
Sun. 1-22-56

The City Commission, after a conference with a group of prominent Negro ministers yesterday, issued the following statement regarding the operation of buses in the City of Montgomery.

"It was agreed by all present at this meeting that the City Commission and the bus company must abide by all laws regulating public transportation. However, there are certain definite policies which were adopted which will be requested of the bus company by the City Commission and which, in our opinion, will be fair to all citizens of Montgomery, white and colored.

"1. Courtesy on the part of bus operators shall be uniformly extended to all patrons of our city buses and any instances of discourtesy should be reported immediately, giving all details, to the management of the Montgomery City Lines.

"2. On all regular bus schedules the first 10 seats in the front shall be reserved for white passengers and the last 10 seats in the rear for Negro passengers. It is agreed that in accommodating additional passengers, white passengers shall occupy seats from the front to the rear and Negroes from the rear to the front. During the rush hours of the day when large numbers of colored passengers are riding into and out of the colored sections of the city, special buses will be assigned strictly for the use of Negro passengers. The particular routes involved in this extra service will be the South Jackson bus, the Day Street bus, and the Washington Park bus.

"3. Regarding the employment of Negro bus drivers which has been requested, the City Commission has no authority to specify who shall be employed by the bus company, or any other business operating within our city.

"Full bus service will be resumed in Negro sections of the city upon request of Negro patrons and statement of their desire to use this bus service."

The above agreement is concurred in by all three members of the City Commission, as well as by representatives of the bus company and the group representing the Negroes of Montgomery.

'TIME TO BE FRANK'

Mayor Stops Boycott Talk

Advertiser
Montgomery, Ala.
Tues. 1-24-56

By JOE AZBELL
Advertiser City Editor

Mayor W. A. Gayle declared yesterday there will be no more discussions with the Negro boycott leaders until they are ready to end the boycott.

The mayor declared in a dynamic statement of his stand on the boycott that the vast majority of whites in Montgomery "do not care whether a Negro ever rides a bus again if it means that the social fabric of our community is to be destroyed so that the Negroes will start riding buses again."

Shortly after the mayor issued his statement, it was announced that the entire City Commission, Mayor Gayle, Commissioner Frank Parks and Commissioner Clyde Sellers, had joined the Montgomery Citizens Council.

Mayor Gayle said that "We have pussyfooted around on this boycott long enough and it has come time to be frank and honest." He added that the Negro leaders have proved "again and again that they will say one thing to a white person and another thing to a Negro about the boycott."

His full text statement follows:

"The City Commission has attempted with sincerity and honesty to end the bus boycott in a businesslike fashion.

"We have held meetings with the Negroes at which proposals were made that would have been accepted by any fair-minded group of people.

"But there seems to be a belief on the part of the Negroes that they have the white people hemmed up in a corner and they are not going to give an inch until they can force the white people of our community to submit to their demands — in fact, swallow all of them.

"The Negro leaders have forced the bus boycott into a campaign between whether the social fabric of our community will continue to exist or will be destroyed by a group of Negro radicals who have split asunder the fine relationships which have existed between the Negro and white people for generations.

Advertiser

"No other city in the South of our size has treated the Negro more fairly. In Montgomery they have better facilities in schools, hospitals, health centers and the like than in the vast majority of cities. Until the bus boycott occurred, the Negro rode the bus cheaper than Negroes in the vast majority of cities in the nation. Now the boycott has been fabricated by the Negroes into a campaign for forcing the white people of our community to accept their demands or else they will not ride the buses. We attempted to resolve their reasonable complaints but they proved by their refusal to resolve the reasonable ones that they were not interested in whether the bus service was good or not. What they are after is the destruction of our social fabric.

"The Negro leaders seem to believe there is considerable concern among whites on whether the Negroes ride the buses or don't ride the buses. There is no such concern among the whites as the whites are not alarmed about whether the Negroes ride the buses again.

"It is time to be frank about this matter. The white people are firm in their convictions that they do not care whether the Negroes ever ride a city bus again if it means that the social fabric of our community is to be destroyed so that the Negores will start riding the buses again.

"It is not that important to whites that the Negroes ride the buses. This is not a matter of a bus boycott. It is a amatter of a community relationship.

"The Negro leaders have proved they are not interested in ending the boycott but rather in prolonging it so that they may stir up racial strife. The Negro leaders have proved they will say one thing to a white man and another thing to a Negro. They have proved it again and again.

"The Negro is the person who is concerned with bus transportation in Montgomery. They have admitted this by their own claims that 75 per cent of the passengers are Negroes. If they want bus transportation, they can ride the buses. I don't believe the majority of whites care one way or another and certainly not enough to destroy our heritage and way of life so that Negroes will get on buses and ride them.

"The Negro leaders say the boycott will last until their proposals are given 'sympathetic treatment.' If the Negro leaders mean what I believe they mean by 'sympathetic treatment,' then there is no likelihood of the end of the boycott.

"When and if the Negro people desire to end the boycott, my door is open to them. But until they are ready to end it, there will be no more discussions."

Earlier yesterday, there was a restoration of normal bus service on three predominantly Negro routes.

Montgomery City Lines Manager J. H. Bagley said there were "a few more passengers on other routes" but no "noticeable increase on the Negro routes."

Service was reinstated on the Day street, Maxwell Heights and Veterans Court buses. What had been known as the Day street bus during the boycott will become the Holcombe street bus.

Bagley said the company had received numerous requests for resumption of service to the Negro sections. That, coupled with a compromise statement issued

Saturday by the City Commission, led to the decision to restore service. The bus company was not represented at the Saturday meeting.

The Rev. M. L. King, pastor of the Dexter Avenue Baptist Church and boycott leader, chared that the three Negro ministers who talked with the commission were "hood-winked" into attending a city commission meeting Saturday.

It was this statement by King that caused Gayle to declare that Negro leaders were "saying one thing to whites and another thing to the Negroes."

King also charged that the three Negro ministers who had attended the meeting at the invitation of the commission all told him they had been duped into going.

One of the Negro ministers, the Rev. B. F. Mosley, who said he attended the meeting, issued a statement claiming he had not agreed to any compromise plan for ending the boycott.

The Rev. King said that the City Commission statement was "totally erroneous" if it gave the impression an agreement had been reached.

"More than 99 per cent of the Negro citizens of Montgomery have stated their position and it remains the same," he said. "The bus protest is still on and it will last until our proposals are given sympathetic treatment."

Gayle replied to the "sympathetic treatment" statement that there was no likelihood of an end to the boycott if the Negroes mean what he thought they meant by "sympathetic treatment."

Refuse To Ride Bus Leaders Not Intimidated By Whites

World Birmingham Ala. Fri. 1-27-56

MONTGOMERY, Ala. —(SNS)— A frantic and desperate effort by city officials to break the refuse-to-ride campaign which has reduced the bus loads of the Montgomery City Lines, Inc., is underway here in the "Cradle of The Old Confederacy."

But at mid-week, the Montgomery Civic Association which has spearheaded the protest against alleged racial mistreatment on the franchised buses, had not budged.

Here are the developments:

1. All three members of the Montgomery City Commission now indicate that they are members of the Central Alabama (White) Citizen Council headed by State Senator Sam M. Englehardt, Jr., of Shorter, Ala. (The FBI has announced that it is investigating the WCC to determine whether there has been any violation of federal law. Englehardt, a Macon County "white supremacy" advocate has said that he "will welcome" any FBI check on the WCC.

Card-holders in the CA (W) CC, according to their own announcement are Mayor W. A. Gayle; Police Commissioner Clyde Sellers and Public Improvement Commissioner Frank Park.

Mayor Gayle in an angry outburst announced that there would be no more talks with Negro leaders on ending the protest.

2. Mayor Gayle also asked white employers to stop transporting their employees to and from work. He said that Negroes persons caught loitering in white neighborhoods would be arrested.

3. Jan. 24 the commission renewed the franchise with the bus line on a 10-year conditional basis.

4. The Montgomery bus company Jan. 25 requested a copy of Birmingham's bus segregation laws. (Birmingham is said to have the toughest racial segregation ordinances in the country.

(Birmingham, Ala. It was learned here that some civic leaders were discussing a plan by which the validity of the Birmingham bus segregation laws could be challenged in the courts. But the sources asked not to be quoted or identified.)

5. Commissioner Park said Jan. 25 that since announcement of their revised stand on the protest six white business men had called and said they were ready to lay off any persons working for them who were cooperating with the protest. He said that Negro persons been received by the city officials commending them for their counter moves against the protest.

6. Five know-the-facts mass meetings were scheduled by the MIA leadership in different neighborhoods last night.

The protest was touched off by the Dec. 1 arrest and the Dec. 5 fining of Mrs. Rosa Parks, a well-like civic and church worker. The conviction was appealed to Circuit Court but as yet no date has been announced for hearing it.

MIA leaders in their protest have requested (1) more courteous treatment; (2) seating arrangements on a first-come, first-served basis, and (3) the employment of Negro bus drivers on lines operating into areas of predominantly Negro residents.

The second two requests have been rejected. The seating plan offered by the City Commission, according to civic leaders, is less favorable than the seating arrangement previously in operation.

Civic leaders also say that the bus company employs only five Negro workers, all in menial jobs. The bus company has admitted that the protest has cut deeply into its revenue. Negro patrons before the protest gave the company approximately 75 per cent of bus-riding business.

The Rev. Martin Luther King, J., pastor of Dexter Avenue Baptist Church is president of the Montgomery Civic Improvement Association. The various churches, civic organizations and social club groups are backing the protest.

No Letup in Sight

Bus Boycott Goes On Despite Compromise

Herald Tues. 1-27-56 P. 10-A

Miami, Fla.

MONTGOMERY, Ala. — (AP) — A boycott of Montgomery city buses entered its eighth week Monday with no letup in sight despite a compromise proposal announced by the City Commission seeking a settlement.

The Rev. M. L. King, Montgomery Negro minister and spokesman for the protesting Negroes, said his group was not represented at a meeting with the city commission from which the compromise plan came.

"I don't think our people are ready to go back on the buses," he said after the plan was announced.

The city commission proposal included a pledge that courtesy would be extended to all patrons and that seats be reserved on each bus for white and Negro passengers.

Frank Park said he had received dozens of calls from businessmen who said they are going to "lay off". Negro employes who are participating in the boycott. The businessmen, said Mr. Park, claimed the Negroes are being "used" by the National Association for the Advancement of Colored People.

The boycott began Dec. 6 as a protest over segregated seating arrangements on city buses. The demonstration was touched off by court action in which a Negro woman was fined $10 for refusing to move to the rear of a bus.

"Hundreds of messages" were reported sent to commissioners Tuesday, praising them for calling off the talks.

CITY BOARD PRAISED FOR BOYCOTT STAND

Commercial Appeal 1-25-56

Negroes Facing Threat Of Economic Pressure

World

MONTGOMERY, Ala., Jan. 24. —(UP)—City commissioners said Tuesday congratulations were pouring in for their stand against the Negro boycott of City Bus Lines and added some businessmen threatened to use economic retaliation against the demonstrators.

Memphis

Mayor W. A. Gayle charged Monday Negro leaders of the boycott "are after the destruction of our social fabric." He explained the city will not resume negotiations with demonstration leaders until the Negroes are ready to end the boycott.

Meanwhile, Commissioner

DR. M. L. KING, JR. ARRESTED, RELEASED ON SPEEDING CHARGE

Daily World P.1

Montgomery Citizens Push Bus Protest Despite Arrests

Tues. 1-31-56

Atlanta, Ga.

B-U-L-L-E-T-I-N

Word was received in Atlanta last night that the home of Rev. M. L. King, Jr. was bombed by unknown persons. According to the informant, no one was hurt. The King family was absent while Rev. King conducted a mass meeting at Dexter Ave. Baptist Church. Extensive damage was done to the home.

MONTGOMERY, Ala. — (SNS) — Dr. Martin Luther King, Jr., one of the leaders in the "fair bus seating" campaign here which is entering its ninth week was arrested January 26 on "speeding" charges.

He is president of the Montgomery Improvement Association, one of the groups which is leading the protest against the Montgomery City Lines for alleged mistreatment of Negro passengers on the franchised intra-city buses.

The Rev. King said he was arrested after police trailed him for 10 blocks, carted him off to city jail, and fingerprinted him. He was held in jail about 15 minutes.

The militant Baptist minister said that he was charged with exceeding the 25 mile speed limit, which he denied. Arresting officers said he was going 30 miles per hour.

Rev. King said that police officers trailed him as he left a pick-up stop, and when he discharged one of the occupants from his car, ordered him to pull over to the side and said, "You are under arrest."

He said that he was carried to the jail where police at first refused to allow anyone to sign his bond. He said that those who asked to let them make the bond were told they would have to get a bond from City Hall, which was closed.

Word of his arrest began to beat around town and crowds swarmed the scene where police held the militant pastor. Eyewitnesses said they believe police intended to try to keep the Rev. King in jail overnight.

DR. M. L. KING, JR.

As excited citizens poured to the scene police, according to eye-witnesses, told Rev. King he could be released upon a recognition bond, but released him without even giving him a bond to sign, the minister said.

The Rev. King said that police had begun widespread arrests "for the past three days" (Jan. 24, 25 and 26) in an effort, he thought, to try to break up the citizens' free transportation system. "More than 100 traffic violation tickets have been issued and some of the car pool workers have been frightened off," the Rev. King said.

A five-man delegation Jan. 26 representing a partnership known as the Montgomery Transit Company asked the City Commission for a certificate of franchise for jitneys to serve areas effected by the protest.

Mayor Gayle who is leading the effort to break up the protest said that a decision on the jitney request would be handed down today (Jan. 31). Daily World

Meantime he made public a joint statement joined in by Commissioners Sellers and Parks which said: "If the Negroes want to ride a public vehicle, they can ride the city buses." P.4

"There is an abundance of public transportation in Montgomery for those who want to use it. If there is a group of people who don't want to use this public transportation that is their fault."

"We stand firm in our position that the white people of Montgomery are not going to be coerced by the threats of Negroes now or any other time."

Filing the jitney petition were: Rufus A. Lewis, J. E. Pierce, J. W. Bonner, Thomas W. Gray and Ronald R Young

The petition argued that there was "a strong demand for this type of service."

Meantime the Central Alabama (White) Citizens Council, which has conducted a campaign to offset the effectiveness of the protest, said this week that there was a "5 to 1 white-over-Negro margin" and that this freed Montgomery politics of a balance-of-power impact in local elections.

MIA leaders said that in spite of the "campaign of intimidation and wholesale arrests" that the refuse-to-ride protest was standing up under the counter-attack. "Our gorup is not riding the buses," the Rev. King said. He added that bus service had been restored in all of the communities.

A general mass meeting was scheduled for Monday night, January 30 at First Baptist Church pastored by the Rev. Ralph Abernathy.

In a quarter-page ad January 27 in The Montgomery Advertiser, The Montgomery Improvement Association said:

"On December 25, 1955, there was released through these columns from the Negro Citizens of Montgomery explaining the reasons the protest had been staged."

"Since recent public pronouncements have attempted to cloud and distort issues in the protest, we feel that further explanation is needed."

"Negroes want the entire citizenry of Montgomery to know that at no time have we raised the race issue in the movement, nor have we directed our aim at the segregation laws. We are interested in a calm and fair consideration of the situation which has developed as a result of dissatisfaction over bus policies."

"The protest, which has been a non-violent method of bargaining, has been used in a democratic society to secure redress of greivances. This technique, however, has caused some of the leaders of the city to inject unrelated issues — such as "destruction of the Social fabric" or "the southern tradition," which we feel is an effort to evade the real issues involved."

RACE RELATIONS

"We have used the non-violent approach and have sought relief for our complaints within the framework of the law. We deplore any attempt to pit one race against the other. And we are amazed that there are among us those who could impute any sinister motive other than the request submitted to the Bus Officials and the City Commission. We believe that our proposals, if considered fairly, will help to improve race relations in Montgomery."

DEMOCRACY

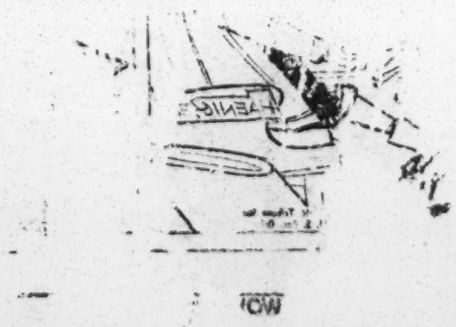
"As we interpret the democratic way of life, we are convinced that it gives to each citizen equal opportunities and privileges to enjoy the benefits of what ever service he is able to pay for, so long as he does not infringe upon the rights of others. Under the present policies of the bus company the rights of Negroes have been infringed upon repeatedly. Up until now our proposals have not been given fair consideration. We have no alternative, therefore, but to continue the bus protest until something fair, just and honorable has been done in our behalf."

THE CHRISTIAN WAY

"We live in a Christian community in which brotherhood and neighborliness should prevail among all people. We can only rely upon these principles to guide those in authority and other people of influence to see that the Christian way is the only way of reaching a satisfactory solution to the problem."

SIGNERS

Stating the message was submitted "to all of the citizens of Montgomery in the name of Him who brought Peace on Earth and Good Will to All Men," it listed as signers Negro Ministers and Congregations, Baptist Ministers' Conference, the Rev. H. B. Hubbard, president; Methodist Ministers' Conference, the Rev. J. W. Hayes, president; the Interdenominational Ministerial Alliance, the Rev. L. R. Bennett, president; Montgomery Improvement Association, Dr. M. L. King, president and the Citizens Coordinating Committee, Rufus Lewis, president.



Put 'Sweets' in Pastor's Gas Tank

Boycott's Enemies Turn To Sugar in Montgomery

Courier Sat. 1-28-56 P.3 Pittsburgh, Pa.

MONTGOMERY, Ala.—Enemies of the Rev. Robert S. Graetz, white, a key figure in the boycott of Montgomery's city buses, are using "sweet" tactics in an effort to get even with the Lutheran minister.

Vandalism was injected into the dispute over jim-crow transportation facilities here when "unknown parties" put sugar into the gas tank of the Rev. Mr. Graetz's car and also cut up his tires.

The Rev. Mr. Graetz is pastor of Trinity Lutheran Church which is located in a heavily populated area of this town and whose congregation is largely Negro.

* * *

THE REV. Mr. Graetz had been using his car to transport workers to and from their jobs as part of the boycott campaign which has cost the local bus line dearly in revenue.

The Rev. Mr. Graetz has been the target of innumerable phone calls, many of which commended him for his stand in support of the boycott. He revealed that out of twenty-nine calls, twelve were from whites and nine from Negroes that could be classified as "friendly."

Eight other calls were "unfriendly" and four of these calls were "hostile."

* * *

ONE PERSON warned him to get out of town. Another white man wrote, "May you have for a son-in-law the blackest Negro that ever originated from the wilds of Africa." Still another said, "Pastor, if I was you I wouldn't call myself a pastor. You're a no-good s—— b——."

Police Commissioner Clyde Sellers also called and, according to the pastor, said, "You know I don't agree with what you believe but I do believe that every man has the right to his own beliefs."

Sellers also pledged the minister that the police department would afford him with protection.

—DIGGEST and the BEST—

Private 'Bus'—The Rev. Robert S. Graetz, white pastor of the all-Negro Trinity Lutheran Church in Montgomery, Ala., loads workers into his car as part of the current boycott against the jim-crow bus lines in the Dixie town. The Rev. Mr. Graetz, who hails from California, has had sugar put into his gas tank and his tires slashed during the campaign.

Memphis Hears 'Montgomery Story' By Dr. Wilson At May 17 Meeting

World, Birm, Ala. Tues. 5-22-56

By RAYMOND F. TISBY

MEMPHIS, Tenn. — (SNS) —

"God was in the plan" of the Montgomery bus protest movement avowed Dr. A. W. Wilson, Montgomery minister and a leader in the now world famous protest move, keynoting a May 17 mass meeting Thursday at Metropolitan Baptist Church, sponsored by the Ministers and Citizens League.

"I say that God was in the plan," declared Dr. Wilson, pastor of the Holt Street Baptist Church in Montgomery and vice president of the Alabama State Baptist Convention, "because every move against us has only served to solidify us and more so because Montgomery Negroes, like Negroes everywhere who had never stuck together more than one week have been united in the move for all these months."

Rev. Wilson said there is no hatred, no bitterness, no desire to fight on the part of Montgomery Negroes "but we just decided we would stop paying our money to be mistreated and to start walking."

Tracing the incidents which led to the protest movement the Rev. Mr. Wilson charged that the bus operators were disrespectful to Negroes, made them pay at the front door and then walk around to the back door, threw their change on the floor, forced them to move on the bus and made them stand when plenty seats were available.

The situation "came to a head" Rev. Wilson stated when Mrs. Rosa Parks, "a moral, intelligent churchwoman whom the Lord told to stand her ground" was arrested for refusing to move from her bus seat.

Mrs. Parks was arrested on a Friday, Dr. Wilson revealed, adding that "out of nowhere" some 250 pamphlets appeared stating: "They have arrested another. Too much has happened. Stay off of buses Monday."

"Now, Montgomery has a population of some 50,000 Negroes and you can imagine how many people those 250 pamphlets would have reached," Dr. Wilson pointed out, "but God was in the plan as the local paper received one of those pamphlets and ran it on the front page giving more publicity than we ever would have had."

That Monday following Mrs. Parks' arrest a mass meeing was held at the Rev. Wilson's church attended by some 5,000 Negroes and the movement "which the white man calls a boycott, but Negroes call it a protest" began.

Prior to the protest move some 30,000 Negroes rode the buses daily but after the move began less than 300 are now riding, he said.

Montgomery Negroes, Dr. Wilson felt, have now set up a transportation system "that operates more efficiently than the city line ever did."

Some 300 private cars plus 13 station wagons recently purchased by 13 Montgomery churches thru the Montgomery Improvement Association are used to transport Negroes throughout Montgomery. "Nobody gets paid," Dr. Wilson said, explaining that the MIA only buys the gas and oil for the cars.

Dr. Wilson, one of the 90 bus protest leaders indicted in the bus trouble, said any Montgomery Negro minister who has not been indicted "is not recognized."

Citing the role of the minister in the Montgomery incident the visiting pastor charged the church "must be interested in more than walking the golden streets of heaven."

"The Negro minister is the one real leader of the race and it is time we start giving the followship the type of leadership they need and want," he avowed.

Dr. Wilson, who pointed out that he was speaking on the night of the second anniversary of the May 17, 1954 public school ruling by the Supreme Court, declared "I'm glad I'm not God tonight."

"At least two kinds of prayer are going up to God today. The colored man in the South and some of his brothers all over the world are giving thanks to God for what we call the second Emancipation . . . In this same South . . . there are meetings of White Citizens Councils . . . protesting what they call Black Monday. The Lord has to answer both sides," he declared.

Referring to the Ministers and Citizens League current drive to boost the number of Negro voter registrants here and the easy manner in which Negro Memphians can become voters, he felt that any Memphis Negro who fails to register "ought to be ashamed of himself!"

Also warning "don't let anybody turn you against the NAACP" the militant Montgomery minister asserted "the Negro in the South must speak up in character and let the world know that he doesn't want any more or any less than any other decent citizen wants."

The Rev. D. L. Varnado, pastor of the Jackson Avenue Baptist Church, introduced the speaker. Others appearing on the program were the Rev. Henry C. Bunton, league president; the Rev. D. W. Browning, the Rev. Roy Love, Lt. George W. Lee, Dr. J. E. Walker, the Rev. T. M. Davis and the choirs of Mt. Olive CME Church, St. Mathew Baptist Church and Collins Chapel CME Church. The Rev. S. A. Owen was host minister.

Birmingham may be 3rd boycott city

Afro-American Baltimore, Md. 7-21-56

(Special to AFRO)

BIRMINGHAM — "There have been rumors of a boycott but we have not discussed that yet."

"We are going to try and use good will in this situation but we will continue to meet and to work out plans for future action."

This was the statement that came on Saturday from the Rev. F. L. Shuttlesworth, president of the Alabama Christian Movement for Human Rights, as he commented on the organization's request for an end to segregatiion on the city's bus lines.

* * *

THE GROUP MADE its request of the Birmingham Transit Co. on Tuesday in a letter which asked:

(1) Seating on a first come, first served basis, (2) the removal of discriminatory signs, and (3) the employment of colored drivers.

The Rev. Mr. Shuttlesworth said the letter also asked company officials to meet with the group's executive committee within the next 30 days to discuss the bus situation.

Up until Saturday, the minister said no answer had been received from the company, nor any indication given of the action, if any, they plan to take.

* * *

MEANWHILE, the Rev. Mr. Shuttlesworth said that a similar letter was being sent to the City Commissioners and a meeting requested so "that the lines might be clearly drawn."

The clergyman explained:

"We don't believe the Commissioners have a right to say who the company will hire and we want to find out exactly where they stand."

The mention of a possible boycott was made by Mayor James W. Morgan following the sending of the letter to the bus company. He said in part:

"I do not think that our colored people here are going to unite in anything of that type which would bring bad publicity to our city. Our facilities here are good. Everything that could be done has been done."

Afro-American

TO THIS, the Rev. Mr. Shuttlesworth answered:

The colored people of Birmingham have as much courage as the people of Montgomery and Tallahassee (where bus demonstrations have been held) and they will follow the right kind of leadership. 7-21-56

"Some people say that the people of Birmingham won't stick together, but time will answer that."

The minister also said that the request for an end to bus segregation "could possibly serve as the opening move in a campaign to improve the economic position of the city's colored population.

"We are part of this economy and we should get some of the dressing from this economy rather than the crumbs that fall from the table."

The minister charged that Birmingham's colored citizens have in the past been relegated to "menial jobs" and declared:

"We should share in the economy like everyone else."

* * *

THE ALABAMA Christian Movement for Human Rights, which the Rev. Mr. Shuttlesworth heads, was organized last June 5 after the ban on the NAACP and is pledged to:

"The removal from our society any forms of second-class citizenship."

According to the minister, the group, which meets on Monday night in various churches, has earned the support of the people and at its last meeting attracted an audience of some 1,500 persons.

To date, the Rev. Mr. Shuttlesworth said he had received a number of messages of support and none that opposed the move to end segregation in the buses.

The minister, who heads the Bethel Baptist Church, said that while there had been rumors of a boycott, his group had not discussed such a possibility.

But he emphasized that while the group awaits word from the company, it will continue to work out plans for future action, and that a boycott might "probably be discussed."

* * *

MEANWHILE in Tallahassee 15,000 bus boycotters are wondering what has become of the pro-civil rights organizations throughout the country.

Not one has rendered them any financial aid during their seven-week protest against "humiliating segregation" on the city's buses.

This was revealed Friday by Daniel Speed, motor pool director of the Inter-Civic Council, which is directing the mass protest movement.

Tallahassee citizens have borne the brunt of financial sacrifices, themselves, in addition to walking weary miles operating their own cars for the benefit of stranded neighbors and being subjected to police harassment for refusing to yield to pressures brought to bear upon them to ride segregated buses.

* * *

NEITHER INDIVIDUAL nor group contributions have reach-

ed the Inter-Civic Council, in sizeable amounts, from outside the state, Mr. Speed disclosed when baring plans to hold a sacrificial mass meeting this Sunday, when offerings from $10 to $1,000 would be accepted.

"We need six more station wagons to keep our motor pool operating," he pointed out," and therefore we are asking our members for major gifts.

At a former mass meeting the previous Sunday, the council again rejected a compromise proposal for ending the boycott submitted by the Tallahassee City Commission to a committee the previous Wednesday, and reaffirmed their determination to do without public transportation until they get integrated seating.

* * *

THE COMMISSIONERS had renewed an offer to permit colored patrons to sit where they wished on buses except for one three-passenger seat reserved for white patrons.

The mass meeting unanimously approved two other commission proposals under which bus drivers would show courtesy to all patrons and colored drivers would be employed for predominately colored routes within 60 days.

The bus protest began on May 28, after two coeds at Florida A. and M. College had been arrested for sitting in seats reserved for white riders.

* * *

AT A THIRD meeting, Wednesday, July 11, the negotiating committee of ICC decided not even to present to the general membership the commissioners' latest compromise offer, because the proposal for segregated seating was still contained in it.

The strikers' main objective is "a first-come, first-served" seating policy.

Meanwhile, it was announced by the Cities Transit Company, which on July 1 had ceased operating in Tallahassee because of its loss of 70 percent of its revenue due to the boycott, that it would resume bus operations on a segregated-seating basis, but over altered routes.

* * *

CHARLES L. CARTER, manager of the firm, said the company was acting in response to the city's Chamber of Commerce, which had pledged its efforts to increase patronage among whites in a ride-the-bus campaign.

Whites, in this city of 40,000, have been without transportation for two weeks and the downtown merchants have been feeling the pinch of lack of customers because of this situation.

Carter made it plain that the new bus routes would cater to white people by operating only in white areas and at such times as the bulk of white riders needed transportation.

* * *

MR. SPEED said that no action has been planned by the ICC, "legally or otherwise" to keep the bus company from renewing its services.

"The spirit is good here," he commented, "they'll have their bus line and we'll have our motor pool. We have not sought a franchise to operate buses," he added.

He said that the Junior Chamber of Commerce, in cooperation with the White Citizens Council was spearheading the drive to get buses back on the street for the "walking whites of Tallahassee."

* * *

"HARASSMENT of motor pool drivers by some Tallahassee policemen has become a pattern in the downtown areas," Mr. Speed said, adding that his own son Leonard D. Speed, 23, had been arrested and ticketed for traffic violation just last week.

The young man, a veteran of four years in the U.S. Navy with an honorable discharge, was profanely abused by the arresting officer and fined $30 because he did not stop "long enough" at a stop sign, a violation usually costing only $3.

"He was pretty bitter because he was not even permitted to show his papers to prove he was a discharged veteran and because he was cursed at,"

Transcripts Ready For Boycott Trial

MONTGOMERY, Ala. — (ANP) — A way was cleared last week for an appeal of the circuit court decision that convicted Rev. Martin L. King, president of the Montgomery Improvement Association and leader of the hard-hitting Negro bus boycott here, when bulky transcripts of the court records involved in the case were completed.

The noted minister was convicted last March of an ancient law charging him with illegal boycotting.

He was found guilty of "fostering an illegal boycott against Montgomery City Transit company."

Rev. King has since headed a powerful Negro crusade to stop riding buses in protest of Alabama's segregated seating system.

The vast record of testimony and evidence in the trial, prepared by a court reporter, will be the largest ever present in a circuit court for a single case.

More than 560 pages are included in the report, requested by Rev. King's attorneys for an appeal of his conviction to the State Court of Appeals.

The Rev. King case became a test case for the indictment of more than 90 prominent Negro leaders accused of promoting the boycott.

1st Report Total Was $2,137.96

Churches, Clubs And Individuals Make Donations

RICHMOND, Va. — Additional contributions made since the first report on money raised by Virginia churches and civic organizations through the Church Coordination Committee of the Virginia State Conference of NAACP Branches raised the total amount of Virginia donations to $3,009.79 for the benefit of Montgomery, Ala. bus boycotters.

The Rev. W. J. Hodges of Lynchburg and Dr. J. B. Henderson of Norfolk, co-chairmen of the committee raising the money, have expressed their sincere appreciation for the contributions made by every individual, church and organization. W. Lester Banks, state NAACP executive secretary, joins the co-chairmen in his expression of appreciation for help given to the committee.

* * *

THE TOTAL amount raised in the first corrected report is $2,137.96. This includes $953.87 which was submitted by Richmond City and Roanoke before the first report was made out. The complete first report is as follows:

Danville Branch, NAACP—Calvary Baptist Church, $32.07; Shiloh Baptist Church, $35.02; Vance Street Baptist Church, $10; Camp Grove Baptist Church, $10.15; Holbrook St. Presbyterian Church, $19.46; Union Hall Baptist Church, $5; Sandy Creek Baptist Church, $2; total $113.70.

* * *

GOOCHLAND County Branch, NAACP — First Baptist, Manakin, $7; Evergreen Baptist Church, $4.25; Jerusalem Baptist Church, $21.32; and St. James Baptist, $15; total, $47.57.

Fairfax County — First Baptist Church, Vienna, $22.

Madison County — Mt. Sinai Baptist Church, $20.60.

Greene County — Standardville PTA, $10.

Covington (Aleghany Co.) —Pine Street Baptist Church, $10.

Petersburg Branch — Zion Baptist Church, $56.25.

Richmond (City) — West End School PTA, $10, and Richmond Branch, NAACP, $250.

Nottoway County — Union Baptist Church, $26.44.

* * *

CAROLINE County — St. John's Baptist Church, $14; Bethel Baptist Church, $12; First Mt. Zion Baptist Church, $15; Caroline Co. Branch, NAACP, $9; total $50.

Isle of Wight (Smithfield)—Hill Street Baptist Church, $20; Sandy Mt. Baptist Church, $11.04; total $31.04.

Charles City, New Kent — Mrs. Cordelia Banks, treasurer, Ruthville, Va., $25. Chesterfield—First Baptist Church, Centralia, $42.09.

* * *

NORFOLK — Mr. W. C. Wilson, $5; Mt. Olive Baptist Church, $25; Jerusalem Baptist Church, $26; Queen Street Baptist Church, $100.46; First Baptist Church of Crestwood, $15.50; Missouri Baptist Church of Suffolk, $10; First Baptist Church of Berkley, $35; Garrett's Community Church, $25; Second Calvary Baptist Church, $5; Shiloh Baptist Church, $54; Union Congregational Church, $10.82; J. F. Felton, $4; the Rev. J. P. Dixon, $5; Bank Street Baptist Church, $125; Union Baptist Church of Kempsville, $12; New Central Baptist Church, $30; Woman's Auxiliary, National Association of Postal Employees, $10; total, $497.78.

Lynchburg—Jackson Street Methodist Church, $37.09; Rose Chapel Baptist Church, $8.86; Oak Grove Baptist Church, $5; Judith Creek Baptist Church, $5.01; Daughters of Elks, Pride of Lynchburg No. 51, $5; Shiloh Baptist Church, Boykins, Va., $6.17; Diamond Hill Baptist Church and Diamond Hill Usher board, $63.50; St. Luke Baptist Church, $25; Eagle Rock Baptist Church, $3; Mt. Zion Baptist Church, $10.08; Payne Elementary School, P.T.A., $20; Mrs. Hazel Boulware, $5; Pleasant Valley Baptist Church, $17.89; Duke and Earl Club, $10; total $221.62.

* * *

ROANOKE (amount submitted earlier by Roanoke branch to national office — State Hill Baptist Church, $20; Central Baptist Church, $27.25; Mt. Moriah Church, $3.25; Jerusalem Baptist Church, $30; Hill Street Baptist Church, $15; Mt. Zion Baptist Church, $61.03; First Baptist Church, Hollins, $10.50; Ebenezer, Kingstown, $6; Fifth Avenue Presbyterian Church, $25; First Baptist Church, Shawsville, $4.96; Bellevue Baptist Church, Calloway, $9.55; St. John AME, $8.

Holiness Tabernacle Church of God, $10; Church of God in Christ (No. 2, $2.50; First Baptist Church, $265; Truevine Baptist Church, Franklin, $10.05; Promise Land Baptist Church, Bedford county, $7.49; St. Paul M. E. Church, $15; Maple Street Baptist Church, $11.04; First Baptist Church, Buchanan, $6; Morning Star Baptist Church, $4.25; High Street Baptist, $125; Mt. Zion AME Church, $25; total, $703.07.

DR. M. L. KING JR. ARRESTED, RELEASED ON SPEEDING CHARGE

World Jan. 1-31-56

P. 1

Montgomery Citizens Push Bus Protest Despite Arrests

Birmingham, Ala.

MONTGOMERY, Ala. — (SNS) — Dr. Martin Luther King, Jr., one of the leaders in the "fair bus seating" campaign here which is entering its ninth week was arrested January 26 on "speeding" charges.

He is president of the Montgomery Improvement Association, one of the groups which is leading the protest against the Montgomery City Lines for alleged mistreatment of Negro passengers on the franchised intra-city buses.

The Rev. King said he was arrested after police trailed him for 10 blocks, carted him off to city jail, and fingerprinted him. He was held in jail about 15 minutes.

The militant Baptist minister said that he was charged with exceeding the 25 mile speed limit, which he denied. Arresting officers said he was going 30 miles per hour.

Rev. King said that police officers trailed him as he left a pick-up stop, and when he discharged one of the occupants from his car, ordered him to pull over to the side and said, "You are under arrest."

He said that he was carried to the jail where police at first refused to allow anyone to sign his bond. He said that those who asked to let them make the bond were told they would have to get a bond from City Hall, which was closed.

Word of his arrest began to beat around town and crowds swarmed the scene where police held the militant pastor. Eyewitnesses said they believe police intended to try to keep the Rev. King in jail overnight.

As excited citizens poured to the scene police, according to eye-witnesses, told Rev. King he could be released upon a recognition bond, but released him without even giving him a bond to sign, the minister said.

The Rev. King said that police had begun widespread arrests "for the past three days" (Jan. 24, 25 and 26) in an effort he thought, to try to break up the citizens' free transportation system. "More than 100 traffic violation tickets have been issued and some of the car pool workers have been frightened off," the Rev. King said.

A five-man delegation Jan. 26 representing a partnership known as the Montgomery Transit Company asked the City Commission for a certificate of franchise for jitneys to serve areas effected by the protest.

Mayor Gayle who is leading the effort to break up the protest said that a decision on the jitney request would be handed down today (Jan. 31).

Meantime he made public a joint statement joined in by Commissioners Sellers and Parks which said: "If the Negroes want to ride a public vehicle, they can ride the city buses."

"There is an abundance of public transportation in Montgomery for those who want to use it. If there is a group of people who don't want to use this public transportation that is their fault."

"We stand firm in our position that the white people of Montgomery are not going to be coerced by the threats of Negroes now or any other time."

Filing the jitney petition were: Rufus A. Lewis, J. E. Pierce, J. W. Bonner, Thomas W. Gray and Ronald R Young

The petition argued that there was "a strong demand for this type of service."

Meantime the Central Alabama (White) Citizens Council, which has conducted a campaign to offset the effectiveness of the protest, said this week that there was a "5 to 1 white-over-Negro margin" and that this freed Montgomery politics of a balance-of-power impact in local elections.

MIA leaders said that in spite of the "campaign of intimidation and wholesale arrests" that the refuse-to-ride protest was standing up under the counter-attack. "Our gorup is not riding the buses," the Rev. King said. He added that bus service had been restored in all of the communities.

A general mass meeting was scheduled for Monday night, January 30 at First Baptist Church pastored by the Rev. Ralph Abernathy.

In a quarter-page ad January 27 in The Montgomery Advertiser, The Montgomery Improvement Association said:

"On December 25, 1955, there was released through these columns from the Negro Citizens of Montgomery explaining the reasons the protest had been staged."

"Since recent public pronouncements have attempted to cloud and distort issues in the protest, we feel that further explanation is needed."

"Negroes want the entire citizenry of Montgomery to know that at no time have we raised the race issue in the movement, nor have we directed our aim at the segregation laws. We are interested in a calm and fair consideration of the situation which has developed as a result of dissatisfaction over bus policies."

"The protest, which has been a non-violent method of bargaining, has been used in a democratic society to secure redress of greivances. This technique, however, has caused some of the leaders of the city to inject unrelated issues — such as "destruction of the Social fabric" or "the southern tradition," which we feel is an effort to evade the real issues involved."

RACE RELATIONS

"We have used the non-violent approach and have sought relief for our complaints within the framework of the law. We deplore any attempt to pit one race against the other. And we are amazed that there are among us those who could impute any sinister motive other than the request submitted to the Bus Officials and the City Commission. We believe that our proposals, if considered fairly, will help to improve race relations in Montgomery."

DEMOCRACY

World

DR. M. L. KING

"As we interpret the democratic way of life, we are convinced that it gives to each citizen equal opportunities and privileges to enjoy the benefits of what ever service he is able to pay for, so long as he does not infringe upon the rights of others. Under the present policies of the bus company the rights of Negroes have been infringed upon repeatedly. Up until now our proposals have not been given fair consideration. We have no alternative, therefore, but to continue the bus protest until something fair, just and honorable has been done in our behalf."

THE CHRISTIAN WAY

P. 6

"We live in a Christian community in which brotherhood and neighborliness should prevail among all people. We can only rely upon these principles to guide those in authority and other people of influence to see that the Christian way is the only way of reaching a satisfactory solution to the problem."

SIGNERS

Stating the message was submitted "to all of the citizens of Montgomery in the name of Him who brought Peace on Earth and Good Will to All Men," it listed as sign-

Montgomery's Bombing

The Talladega Daily Home

Talladega

RACIAL agitation and resentment of that agitation reached a regrettable climax at Montgomery last night when a bomb of some sort was hurled at the home of a Negro minister who has been a leader in the bus boycott of recent weeks.

Ed. 2-3-56

We deplore the situation. We condemn in precisely equal measure the hoodlums who hurled the bomb and the minister who helped to bring on unbearable tension by deliberately working to create a crisis over racial segregation in public transportation.

The City of Montgomery has posted a reward of $500 for information leading to the arrest and conviction of the bombers. That is an action which all right-thinking people will commend.

Under Montgomery city law segregation of the races is required in public conveyances.

Montgomery

The boycott began when a Negro woman was found guilty of violating that law and given a moderate fine.

From week to week the tension has mounted. The boycott leaders, this particular minister loud among them, have turned down proposal after proposal designed to meet whatever complaints Negro passengers might have had.

P. 4-A

Their refusal to go half way in the situation made it perfectly plain that their goal was not an agreement reached in Montgomery's traditional understanding and good will between the races, but the breeding of animosity and controversy in order to attack segregation.

The incident but points up the necessity for calmness on the part of both white and Negro as Alabama charts her course for the difficult days ahead.

Negro Man Jailed For Bus Boycott Row

Post-Herald Sat. 1-28-56 P. 11

MONTGOMERY, Jan. 27 (AP)—A Negro accused of roughing up a Negro woman because she wouldn't join a boycott of city buses was sentenced to 10 days in jail here today and fined $54.

Thomas Carter, 31, of Montgomery, was charged with assault and battery on a warrant signed by Beatrice Jackson, also of Montgomery.

The woman told Judge John Scott in City Court that Carter accused her of "acting smart" by riding buses despite the 8-week-old Negro boycott against Montgomery City Lines.

She said the man knocked her to the ground, tore her jacket and threw a chair at her as she ran into her house.

Carter, however, insisted the boycott had nothing to do with the incident. He said he went to the woman's house to buy whisky and that a dispute arose while he was helping her move a television set and radio set to a taxicab.

Under court orders, police drove to the woman's house and returned with word that the TV set and radio were still in the house today.

Meanwhile, Police Chief G. J. Ruppenthal denied that the arrest of a boycott leader yesterday had anything to do with the bus controversy which started Dec. 5 after a Negro woman was arrested for refusing to move to the colored section of a bus.

The Rev. M. L. King, pastor of a downtown Baptist church, said his part in the boycott was to blame for police picking him up on a speeding charge. The Rev. King was fingerprinted and held for 15 minutes before being released on his own recognizance.

Ruppenthal said there has been "an undue number of arrests of Negroes since City Commission announced a new get-tough policy earlier this week.

"We are continuing to enforce the traffic laws without discrimination to any group," the police chief said.

The City Commission announced Monday that it would make no further efforts to settle the bus boycott, and appealed to white residents of Montgomery to refrain from giving Negroes rides or paying their taxi fares.

All three members of the commission announced they had joined the pro-white Central Alabama Citizens Council which is dedicated to preservation of segregation.

Negro Minister's Home In Alabama Bombed

Star T. P. 2-9 Tues. 1-31-56

MONTGOMERY, Ala., Jan. 31 (AP).—An explosion last night damaged a Negro minister's home in a new flareup of violence stemming from the prolonged boycott by Negroes of the city's transportation system.

Washington D.C.

Minutes after the blast the minister, the Rev. M. L. King, 27, who has been an outspoken leader in the boycott movement appealed to a crowd gathered at the scene to remain calm in the face of mounting racial tension here.

Police said either a hand grenade or dynamite shattered windows at the King home.

No one was injured.

This was the first violence reported since the first week of the boycott last December 5. Shots were fired at a few buses during that first week, but there were no injuries and little damage.

Origin of Movement

The protest movement against segregation laws applying to city buses was touched off by a $14 fine given Mrs. Rosa Parks, a Negro, who refused to move to the rear of a bus.

The Montgomery City Commission offered a reward of $500 for information leading to the arrest and conviction of those responsible for the bombing.

Mr. King's wife, their 7-weeks-old daughter and Mrs. Roscoe Williams, a neighbor, were in the home when they heard a thud "like a brick hitting the front porch."

They ducked into a back room just as the explosion shattered windows, ripped a hole in the porch and cracked a porch column.

300 Negroes Gather

Arriving home 15 minutes after the explosion from a mass meeting at a church, Mr. King asked about 300 Negroes gathered outside his home to be "peaceful."

"Don't get panicky," he said. "Don't get your weapons. He who lives by the sword will perish by the sword. Remember that is what God says . . ."

Mr. King, pastor of the Dexter Avenue Baptist Church, was fined $14 last Saturday for driving 30 miles an hour in a 25-mile zone. He denied the charge and blamed his arrest on Mayor W. A. Gayle's statement that the city commission was through "pusseyfooting around" with boycotters.

Bomb Home Of Alabama Bus Boycott Leader

Weekly P. 1 Sat. 2-4-56

Montgomery (Special).—The bombing of a Negro minister's home Monday night marked the second attempt in less than a week to "get back" at one of the leaders in the nine-week-old bus boycott dispute. In other actions the mayor joined a white citizen's council and urged a "get tough" policy to end the transit difficulties.

Reports indicated that slight damage was caused by a hurriedly tossed explosive from an automobile at the home of the Rev. Martin Luther King, Jr. It was stated that the bomb fell short of the intended target, falling in the yard and smashing windows in the house and damaging a support post.

New Orleans La.

The Rev. King was reportedly not at home when the bombing occurred. However, none of the members of his family, who were in the rear of the house, were injured.

The first sign of violence followed on the heels of Mayor W. A. Gayle's announced intentions of following a "get tough" policy. He charged that Negro leaders in the boycott "are after the destruction of our social fabric" and that "we have pussyfooted long enough."

Weekly 2-16

Issuing a statement warning whites against giving rides to Negro employees who refuse to ride the busses, the mayor said: "The Negroes are laughing at white people behind their backs—the white people who haul the maids and cooks to and from work. They think it's very funny and amusing that whites who are opposed to the Negro boycott will act as chauffeurs to Negroes . . ."

Police Com. Clyde Sellers announced the city's police have been ordered to "break up" Negro groups which he claims have been "loitering" at certain times of the day in white residential areas, apparently referring to persons who wait at designated spots for cars which have been supplying transportation.

The Rev. King was arrested last week on a "trumped up" speeding charge. It was said that the police had trailed him for ten blocks before making the arrest.

Word of the arrest began to travel around town and crowds swarmed to the scene when it appeared the officers had no intention of setting a bond. As the excited citizens poured to the scene, police, according to eye-witnesses, told the militant minister he could be released upon a recognition bond but released him without even giving him a bond to sign.

The arrest of Mrs. Rosa Parks on Dec. 1 and fining her $10 four days later because she refused to stand to permit a white passenger to have her seat, set off the "refuse-to-ride" campaign. The conviction has been appealed to the circuit court but no date has been set for its hearing.

The officials have complained that the reduced bus loads growing out of the protest have resulted in a droppage of revenue. City officials, trying to aid the company, granted it a temporary 50 per cent bus fare raise.

Negro patrons before the protest gave the company 75 per cent of its bus riders. Company and city officials indicated that the protest has resulted in about a 90 per cent fall off in Negro riders.

Tell It To Old Grandma

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Act Of Mercy

Advertiser Mon. 7-9-56

EDITOR, THE ADVERTISER — I read the article about the two white boys in Mississippi who saved the lives of three Negroes.

In behalf of the Negroes in Montgomery and throughout the United States, may I express our deep appreciation and heartfelt gratitude for the unselfishness, courage and goodwill it took for those boys to risk their lives to save those people.

Montgomery, Ala.

Negroes here and elsewhere in years to come, will remember and feel indebted to these and many others, some in our own city and state, who have gone out of their way and far beyond the call of duty to show acts of kindness, justice, and, as in this case, mercy. For such acts have done much to ease the tension and make us feel that we are a part of, not merely tolerated in, this great country. And for those of us who were born, and prefer to remain in the South, these recent acts performed by young people (though we regret the violence) make us feel that our children will have a better and more secure future, free from hatred and fear. And let us hope with less prejudice, and thus a better tomororw.

P. 4-A

Montgomery. AZELEA AVERHART.

◆

Enforce The Anti-Boycott Law

Editor, The Advertiser:

As one who has no financial interest in the bus company but who is interested as a native born citizen in not wanting to see the city bus system illegally destroyed, I would like to call your attention to the state law against boycott.

Title 14, Section 54, of the Alabama Code, provides that where two or more persons unlawfully enter into an understanding for the purpose of preventing the operation of a lawful business they shall be guilty of a misdemeanor. Violation of this law is punishable by fine of not less than $100 or more than $1,000 or imprisonment for not more than six months for the first offense. It is unlawful for anyone to teach or advise others to violate this law.

An individual has the right to ride a bus or not as he or she sees fit and that right should not be interfered with and should be protected by the police, but when certain so-called leaders call a group together and organize a boycott they are taking the law into their own hands and should be prosecuted.

Whether the bus company or its drivers have or have not always themselves obeyed the law and given colored passengers their rights is not the question at all, because two wrongs do not make a right and there is always legal redress against the bus company for anything it does wrong.

The question is whether the officials whose duty it is to enforce the law are going to sit idly by and permit the illegal destruction of a transportation system which is most certainly needed by both races.

It seems to me that instead of granting the bus company an increase in rates at the expense of the general bus riding public, that the city administration would have done better to have enforced the law against boycotts.

A copy of this letter goes to the county solicitor with the suggestion that he give consideration to presenting this matter to the grand jury when it meets at an early date.

Montgomery. FRED BALL.

◆

Housewife Counter-Boycott

Editor, The Advertiser:

All conversations now seem to eventually get on the subject of the bus boycott but as Mark Twain remarked about the weather, "no one seems to do anything about it."

Although I have never had a maid to complain about any mistreatment by a bus driver I have heard of many cases of rudeness of the drivers towards Negro passengers.

Noticing since the boycott how most of the Negroes have become sullen and indolent I feel perhaps the bus drivers dealing with these people collectively have seen a side of them that we dealing with them singly have not seen and evidently the patience of the most tactful drivers has been tried. There are many Negroes like Julie Seale Harris (*Grandma*, Jan 4th) that want to ride the busses but are afraid to. *Where* are these people getting this fear and *who* is putting this fear into them that they cannot ride to work or to town without being afraid of bodily harm?

I think those people who want to ride the bus should band together and ride the bus. There is safety in numbers. On the other hand, most of us housewives have been patient through this past month, allowing our household servants to be late and to leave early when a ride is available (most of the servants taking advantage of us).

The time has come when we housewives must quit being so lazy, get together and tell the help to either ride the busses and get to work on time or quit.

We white people have tried to be understanding of our servants for years and I feel we were understanding until some outside influence put fear in them.

We have been good to our Negroes but now is the time to make them understand a few things. We should quit paying taxi fare, quit going for them or taking them home, quit paying their social security tax, quit lending them money for debts contracted for unnecessary items, etc.

MRS. GEORGE L. FOSTER.

Montgomery.

◆

Fire With Fire

Editor, The Advertiser:

I am very much interested in the fight Montgomery is having to preserve segregation. It is a fight for every Southerner to preserve our white race that our grandfathers bequeathed to us.

Fight in any and every way to prevent integration. Fight boycott with boycott. Don't employ any Negro who does not ride the bus. If they use private transportation, let them find other jobs.

Batesville, Miss. A. B. JOHNSON.

★ Tell It ★

Advertiser

To Old Grandma

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Sun. 7-10-56

Unbecoming Situation

EDITOR, THE ADVERTISER—I am a former citizen of Montgomery but I want to correct Mrs. Samuel Rushing. If she read the Bible as she should she should know that nowhere in the Bible is it mentioned that God created white superior to black, or black superior to white.

Montgomery, Ala.

The Bible clearly tells us this. How can we love God whom we haven't seen and hate our brother whom we have seen? It's the individuals who are superior so far as intelligence is concerned. In the white race we have many individuals superior to other white, the same applies to colored I am white, but I consider that there are white people and there are Negroes too in this country superior to me.

P. 4-A

So far as the constitution is concerned, our forefathers, I am sure, would have written it different had they known how wicked we would have grown. Those good old Christian souls meant everything good. So let's not try and twist things on them.

As for the bus boycott I regret it very much. I am sure there are enough good white people and colored people in Montgomery to get together and settle this matter as it should be, and not allow the bad, selfish characters to dominate this most unbecoming situation.

Selma. VANDEZ UPSHAW.

◆

Ministers Are Not Infallible

Editor, The Advertiser:

I would like to express my appreciation for Novelist Hurston's article which was printed in your Saturday paper. If more of the intelligent Negroes would only speak. You will notice that I said "intelligent" rather than educated. Certainly Novelist Hurston is both and we have some educated Negroes in Alabama and in Montgomery. We have more who are intelligent and maybe not so well educated. Why are they sitting back and letting the few agitators with less than their intelligence do the talking?

Certainly, as the Negro minister wrote last week, "Who, if not the ministers, are supposed to be closer to God and the church." You will notice that he didn't even profess to be closer, he said we are supposed to be closer. I think that we will all agree that even our most conscientious and religious ministers make mistakes and take a wrong turn sometimes—we will also agree that every minister who fills a pulpit is not a consecrated child of God. Oh, that we had no one in our pulpits and churches as leaders but those who are real children of God and led by the Holy Spirit!

Going back to Novelist Hurston's statement that a Negro who was really proud of his race would not want to force their mixing and associating with people who didn't want them. Do the Negroes in Montgomery really force themselves upon each other? Do we whites force our way into the society that looks a little more attractive or fashionable than the one we can afford to be in and actually belong in? If we do, then I can safely say, that person isn't enjoying the fullness of life.

What are our intelligent Negroes thinking about when they THINK they want to force their children into white schools where they are not wanted? Will those Negro children really be happy? Will they feel they belong? Rather don't you think they will have the feeling that they are ostracized, that they don't any longer belong in their own society nor in the white classes?

Don't misunderstand me, I was reared in the South on a farm and we had Negroes on our plantation. I was taught to respect them and do respect them. But the Bible says there is a time and place for all things. There is a place for each of us—but that doesn't mean mixing together in an undesired or unsatisfactory manner.

Montgomery. MARY WHITEHURST.

◆

Biting The Hand That Feeds

Editor, The Advertiser:

It is unfortunate that Negro leaders have seen fit to employ a boycott. Like the U. S. Supreme Court, they have greatly erred. The writer has many friends of the Negro race, but he cannot imagine why any government should have the right to enforce the court's decision. No government should undertake the ramming of social equality down the throats of its people. That's what government is trying to do, and it is absurd. It cannot be done, and should not be tried. We must face that fact.

The white population has been good to the Negroes. In Montgomery the whites have provided excellent schools for the Negroes, and in other ways have helped them. Most Negroes appreciate all that. It is not right to "bite the hand that feeds you," and the boycotters should think about that. We should strive, as different races, to live peaceably, alongside each other. I am sure, if we do that, we shall all profit and be

very happy.
Montgomery. W. H. AREMINE.

Tell It To Old Grandma

Advertiser

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Wed. 1-4-56

Why Is It A Sin To Ride The Bus?

EDITOR, THE ADVERTISER—Can you help some of us cooks? The folks tell us that they pass a law against the colored folks riding any bus. P.4-A

I don't have enough money to ride the taxicab. Last week it took $3.80 for taxicabs. The bus company has been mighty nice to me and so has our bus driver. He helps the old white folks and the old colored folks and is nice to all alike. I wanted to ride the bus and the bus driver said I could, but some folks told me I would get myself in trouble. Montgomery

Mr. Advertiser, can you please help us, so we can ride the bus. The preacher at our church told us not to ride—maybe a year or more, and that it would be a sin, but I don't see how it is a sin for colored folks to ride a bus. Ala.

The bus is more convenient for us. I get to my job late every morning since the boycott. The white lady I been working for is mighty nice to me and I want to stay on, but this boycott is hurting a lot of us colored folks. Please help us if you can and tell the mayor we want to ride the bus like we been doing all the time.

Montgomery. JULIE SEALE HARRIS.

◆

Overbearing Bus Drivers

Editor, The Advertiser:

As the magnificient and successful bus boycott continues I would like to make it a matter of record that there are white bus riders in Montgomery who are honoring the request of our colored friends by refraining from patronizing the City Lines in an effort to express our sympathy.

The plaintive plea of Mayor Gayle, calling for public support of bus service has a futile and hollow ring, coming from a man who has callously ignored the appeals of delegations who have called upon him repeatedly in the past for redress. Someone should scrawl across his office wall, "It is later than you think."

The demands of the Negro populace are extremely moderate and within the law. I challenge any legal light in the state to show how these modest requests are outside of the law, though city hall politicians, City Lines counsel, and curbstone lawyers continue to prattle about the sacrosanct inviolateness of state statutes.

Man and boy, I have ridden street cars and buses in Montgomery for over 40 years. Seamy and sordid have been the scenes I have witnessed. The charges brought by the Negro protestants in their paid advertisement of Dec. 25, are confirmed by personal observation many times over. Has the bus company ever conducted a training program among its drivers stressing curtesy and consideration to its customers?

There are bus drivers who are courteous to both races, but has any effort been made to weed out the belligerent, overbearing and profane drivers who have caused most of the trouble? Would any responsible businessman permit his employes to insult his customers in such ways and expect to remain in business? Are our city fathers less aware of their responsibility than the leaders of Mobile and Houston, Texas? Are our newspapers less capable of keeping citizens abreast of the changing times than the publications of those two cities? Are those of us who sympathize too timid to make our views known? There is ample blame to share among all of us.

Answering the mayor's appeal to save the franchise by patronizing the bus lines, here is one white ex-bus rider who would like to declare that as long as the bus boycott is on, it will be a dreary, rainy day, when I have a sprained ankle, and less than 45c cab fare, before I board one of those yellow rolling cell blocks again.

Montgomery. WILL T. SHEEHAN.

COMMISSIONER AT CIVIC CLUB

Advertiser P.1 Wed. 1-18-56 Montgomery, Ala.

Sellers Asserts 'Fear' Keeping Negroes Off Buses

Advertiser

Eighty-five to 90 per cent of the Negroes of Montgomery want to ride the Montgomery City Lines buses again but they are remaining off the buses because of a fear of physical violence, a city commissioner told a civic club here yesterday. Wed. 1-18-56

Police Commissioner Clyde C. Sellers added in a talk at the Montgomery Junior Chamber of Commerce that if the Negroes received all of the demands they are asking, it would require twice as many policemen as are now on the city force to maintain order and protect the citizens on the buses. Montgomery

"The first come, first serve situation would create a problem bigger than any of us can visualize at this moment," he said. Ala.

The commissioner, giving no indication when he thought the boycott would end, said that it will continue as long as goon squads are in operation and there is a misunderstanding among Negroes about the reason for it.

"The vast majority of Negroes —85 to 90 per cent—want to ride the buses again. The other 10 to 15 per cent never have ridden the buses and never will ride the buses. They own automobiles and don't need the bus service. But it is this 85 to 90 per cent that do need the service and want to ride the buses again."

He said of the three demands urged by the Negroes, only one can be accepted even partially. That one is a request for more courteous service. He added that the state and city laws prevent the adoption of the demand for first, come first serve seating and the demand for 75 per cent of all bus drivers to be Negroes is "completely unworkable".

"It is tragic—more tragic than we realize—that the people of Alabama and particularly Montgomery, are sitting by and not taking an interest in the present situation caused by the bus boycott." P.9A Wed. 1-18-56

"It is a vital thing and means our life blood. We must at all cost strive to preserve our way of life and maintain the southern heritage of our fathers and forefathers. It is important and vital to our very existence as a people," he declared. Montgomery, Ala.

White women of Oregon write Ala. Negroes, "may we be worthy to claim fellowship . . ."

Tribune Mar. 3-30-56 P. 4

Los Angeles, Calif.

A news story in the Tribune of Mar. 9 has inspired 7 white women of Portland, Ore., who are "active in the Council of Churches, denominational leaders, members of the board of the YWCA, Naacp, Fellowship of Reconciliation, and American Friends Service committee" to write a letter to "Church Members of Montgomery, Ala.," care of the Rev. Martin Luther King, Jr., bus boycott leader, humbly claiming "fellowship" with them.

The Tribune story, on the boycott and the philosophy of the leaders, gave them "the information and inspiration to write", Mrs. Ruth Haefner, of Portland, a regular Tribune reader, wrote.

Referring to the description of modern churches by a national Presbyerian official as "warrens for spiritual rabbits who want some magic formula to save their tender skins," the women's letter wanted the Alabamans to know that, "We are not rabbits.

"We believe in revolution," they wrote.

"We became aware of the world' need for change from the Mission Study program 'This Revolutionary Faith'. We, therefore, pride ourselves when we recognize the boycott . . . as a part of the revolutionary movement in the world today and the responsibility each individual Christian has to give it moral and economic support. . . .

"We sense what appears to be a movement — non-violent in character — toward correction of a very bad social practise. For some years we have observed . . . scattered throughout the South . . . a definite pattern . . . in that direction.

"We of the Northwest feel that you are far ahead of us. For if we had worked as hard as you, we would have wiped out the subtle practices of segregation and would not have waited until 1953 to pass a Civil Rights law. We still have much to accomplish here in Oregon. . . .

"Humility does not come easy for us. Though humility is one of the first attributes of a Christian, we find it difficult to practise. For sometime, we have wondered just how . . . it would be for us to change. . . . We have followed Lillian Smith's analysis from the time as a child when she first began to doubt, until her forthright presentation, 'Now Is The Time."

"We know that we have not made such a change. We question our strength. Had we been situated as Lillian Smith, in Georgia, Caroline Burks, in Oklahoma, and Thelma Stevens, in Louisiana, would we have been able to defy the traditions and cut new paths through the maze of segregation?

"You are like the early Christians — the kind Rev. Payne refers to. You know the price that must be paid for freedom and have the courage, conviction, and ask God for the Grace to see it through. . . .

"May we be worthy to claim fellowship with the church people of Montgomery."

Negro, White Bus Patrons Mostly Retain Old Pattern

Wash. Post Herald Sun. 4-26-56

Raleigh, N. C.

MONTGOMERY, Ala., April 25. (UP)—Negroes sat freely with whites on buses in some southern cities today but the same hard core of resistance that has delayed school integration kept the races apart in many others.

Generally, the compliance with the new Supreme Court action foretelling the end of legal segregation in transportation, fell into what is becoming a familiar southern pattern.

Some cities in Virginia, North Carolina and eastern Tennessee, where faint beginnings have been made in integrated education, put up no barriers against first-come, first-served seating. But in most of them Negroes continued to take seats toward the rear, reluctant to make the first break from the old custom.

Segregation Stands.

The unyielding segregation stand was found in South Carolina, Georgia, Alabama and Mississippi although bus lines serving some of their cities instructed drivers not to enforce segregation.

Local and state governments simply interposed their own segregation laws over the Supreme Court's implied authority.

Nowhere was this deadlock more vividly illustrated than in Montgomery where both state and city have threatened to prosecute the bus company, drivers and passengers, white or black, who try to bring about indiscriminate seating. The feeling persisted despite a 20-week boycott by Negroes of the segregated buses which has bitten deeply into the economy of the city.

The Negroes have not called off their boycott so the showdown has been delayed in Montgomery.

Actually, the Supreme Court's terse refusal to interfere with a ruling against segregation in a South Carolina case last Monday did not constitute an immediate order for mixed seating everywhere.

Attorneys in Washington said it left considerable room for legal maneuvering and a number of southern areas were taking advantage of it.

Some Mixing Reported.

Bus lines in Charleston and Columbia, S. C. are operated by the South Carolina Electric and Gas Co., against which the suit that reached the Supreme Court was filed. The utility has not issued a formal statement of its intentions and the state insists its own segregation law still prevails. But it was reported several Negroes have ridden among whites in Columbia recently and the drivers did not interfere.

Some Negroes sat in front with whites in Richmond and Norfolk, Va. today where the Virginia Transit Co. formally ended segregated seating today and called for passenger cooperation. There were no incidents.

Bus companies in most North Carolina cities reported they have not enforced segregation for some time and that where it was continued it was done on a voluntary basis.

'They fight our battles'

Afro-American Baltimore, Md. Sat. 3-24-56

WASHINGTON

"They are fighting our battles."

This is what James B. Cobb, president of the National Alliance of Postal Employees, stated in urging the organization's 100,000 members throughout the country to support the Montgomery protest movement with an hour's pay as well as prayers.

In a letter to the union's 115 branches, Mr. Cobb placed the weight of the national organization solidly behind the Montgomery movement and also urged members to support the NAACP.

* * *

REMINDING HIS membership that alliance members are involved in the Alabama terror, he urged the organization to send their tangible support to The Rev. M. L. King in the form of letters and communications. The Montgomery post office is 100 per cent organized by the NAPE, Mr. Cobb says.

"Our only answer to the equivocators and 'yes, but's' is a tremendous expression of support from an aroused people. If democracy is ever to be fully achieved, we cannot allow the isolation of small groups to be fully annihilated by tyrannic expression," Mr. Cobb said.

He further questioned the absence of action by the Federal Government "to relieve these people of persecution." The partial text of the letter to the branches is as follows:

"The colored citizens of Mountgomery, Alabama, are giving their all for first class citizenship for all of us. The NAPE has a large stake in this struggle, as the Montgomery Post Office is one of the few where the NAPE is 100 per cent organized.

"The leadership of the memorable boycott against bus segregation has been indicted for leading an illegal boycott. A day has been requested for every colored citizen to set aside one hour for prayer for these brethren who are struggling in this jungle of democracy. Of course they need one hour of prayer, but they also need our continued prayers.

"This office is requesting more. Give them economic weapons to defend themselves. Along with your prayers solicit your membership and give them one hour of pay.

"Write letters and give them encouragement in the name of the NAPE. Advise this office of your accomplishment so that recognition can be given to your branch in our magazine. Send your contributions to:

"Rev. M. L. King, president
Montgomery Improvement Association
309 S. Jackson Street
Montgomery, Alabama."

PIKE LAUDS CLERGY IN THE BUS BOYCOTT

Times Herald Mon. 3-26-56

Negro clergymen who are leading the bus boycott in the South are using a modern application of basic Christian precepts, the Very Rev. James A. Pike said yesterday in a sermon at New York Cathedral (St. John the Divine).

New York, N.Y.

"It's a great thing for the church of God that many of the people arrested are ministers of the gospel," he asserted.

He lauded the conduct of the Rev. Dr. Martin Luther King, "a Christian minister, who like his Lord, is now a convicted criminal." He said that Dr. King's declarations of brotherly love had eased a tense situation that could have led to violence.

He referred to the explosion of a bomb in front of Dr. King's home and Dr. King's plea to the crowd that gathered to "love your enemies and let them know you love them."

Dean Pike, hailing a "struggle for the equality of man," compared the views of "the (unnamed) minister of the largest church of his denomination in the world" with those of an elderly Negro woman in Montgomery, Ala.

He quoted the minister: "Let them integrate. Let them associate with whites. But they are all infidels from the neck up."

He quoted the woman, explaining her refusal to ride in the segregated buses: "It used to be that my body rode, but my soul walked. Now my body may be tired, but my soul is free."

Judge flays U.S. for not acting in Ala.

Afro-American Baltimore, Md. Sat. 4-7-56

WASHINGTON (ANP)—Judge Homer S. Brown of Allegheny County Court, Pa last week charged Federal officials with being unwilling to sit down and reason out the solution of the problem now facing this nation.

This unwillingness, said the jurist, has resulted in one of the greatest race problems of this era. He was referring chiefly to the Montgomery, Ala. bus boycott of colored people and other racial uprisings in the South.

Speaking at the annual luncheon meeting of the Washington Urban League, the Pennsylvania Judge said the Montgomery situation is "a challenge not only to the colored Americans, but to the law."

"What kind of situation is this when a person can be arrested for taking advantage of his right to ride on a public bus and then be arrested if he doesn't ride on a public bus?" asked the speaker.

Negro Boycott Driver Fined In Near Crash

Advertiser P. 30

A Negro bus boycott station wagon driver was fined $25 and costs yesterday in Recorder's Court for passing without seeing his way.

Montgomery, Ala.

The Rev. Burl Mack Averhart, of Peace Baptist Church, pleaded not guilty before Judge D. Eugene Loe when a state highway patrolman, C. E. Ward, testified Averhart had failed to yield the right-of-way to an emergency vehicle last week.

Ala. 11-7-34

Ward said Averhart passed an automobile which had pulled off the road into the path of his approaching state police car with emergency light flashing.

Averhart said he was unable to park behind the car in front of him and was forced to go beyond the parked vehicle. He said he not swerved across the middle road.

In other cases, Charlie H. Davis, 56, Negro laborer of 3307 E. Tuskegee St. was fined $100 and costs for leaving the scene of an accident.

P. 3-D

Johnny L. Jackson, 27, Negro nursery helper of 710 Dixie Dr., was fined $100 and costs for driving while intoxicated and $100 and costs for leaving the scene of an accident. Willie Penton, 24, Negro taxi driver of 1312 Mapler St., was fined $25 and costs for reckless driving. He was also fined $1 and costs for an improper tag.

Court Sanction Asked For Negroes' Car Pool

Birmingham Ala. P. 1

Post Herald Fri. 11-2-56

U. S. Judge Has Petition Requesting Ban On Interference By Montgomery

MONTGOMERY, Nov. 1 (AP)—Bus-boycotting Montgomery Negroes beat city authorities to the punch today and asked for a Federal Court injunction to block any interference with their car pool.

The City Commission several days ago served notice of intentions to seek an order in state court to stop the Negroes from continued use of the motor pool which has provided transportation during the 11-month-old boycott of segregated city buses.

But before any action could be taken in court, Negro Attys. Fred Gray and Charles Langford petitioned U. S. District Judge Frank M. Johnson Jr. to prevent city officials or any others from interfering with the car pool service.

Johnson took no immediate action.

The Negro attorneys cited a City Commission resolution adopted Tuesday instructing city attorneys to take "any legal action they deem necessary" to stop the car pool from taking Negroes to and from work.

The commission disclosed last Friday that it was contemplating a court suit against the motor pool. The comment then came in reply to a threat from an independent labor spokesman, Jack D. Brock, to take court action if the city refused.

Gray and Langford charged in their injunction request today that the city is conspiring to "interfere with the civil and constitutional rights" of Montgomery Negroes who have refused to ride city buses since last Dec. 5.

The car pool which at one time numbered 250 to 300 privately owned automobiles was devised shortly after the boycott began.

Negro leaders asked the city for permission to operate a bus service of their own but were turned down.

Post Herald

In recent months, 20 or more church-operated station wagons have joined the car pool along with the privately owned autos.

Fri. 11-2-56

The petition in federal court contends the motor pool is legal and operated on a voluntary basis without charge to the riders.

Birmingham Ala.

After a county grand jury indicted 90 boycott leaders last Spring on charges of violating the state's anti-boycott law, some of the leaders testified the car pool was financed by contributions from Negroes here and elsewhere throughout the nation.

An organization called the Montgomery Improvement Assn. was formed to direct the mass bus protest and to operate the car pool. The petition today was filed in the names of the MIA, several Negro churches and other individuals.

NEGROES ASK ORDER TO GUARD CAR POOL

Move Would Block City's Effort In Montgomery

COURT ACTION AWAITED

MONTGOMERY, (Ala.) Nov. 1. — (AP) — Bus-boycotting Montgomery Negroes beat city authorities to the punch Thursday and asked for a Federal Court injunction to block any interference with their car pool operations.

Commercial Appeal

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Post Herald Fri. 11-2-56

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Memphis Tenn.

Judge Johnson took no immediate action on the request.

The Negro attorneys cited a city commission resolution unanimously adopted Tuesday instructing city attorneys to take "any legal action they deem necessary" to stop the car pool from taking Negroes to and from work.

P. 37

Even before that, however, the commission disclosed last Friday that it was contemplating a court suit against the motor pool operations. The comment then came in reply to a threat from an independent labor spokesman, Jack D. Brock, to take court action if the city refused.

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There'll Be No Pushing . . . No Fighting Back

Courier P.S. Pittsburgh, Pa.

Weary Ala. Bus Boycotters Take Victory With Dignity

Sat. 11-24-56

Recoiling from another startling thrust made at the heart of its beloved segregation, the South prepared to take up the shield of "states' rights" in defense against the rapier of a Supreme Court verdict which had seemingly punctured the color line on Dixie buses.

In Alabama, in Mississippi, in Georgia, in Tennessee, Florida and in the Carolinas the reaction of Southern whites to the Supreme Court's latest interpretation of the laws of the land was one of open defiance and an open pledging of themselves to use every device at their disposal to see that the Negro citizen is kept in his place.

Typical of the commentary was that of State Senator Sam Englehart, the executive secretary of the White Citizens Councils of Alabama, who belched, "The people of Alabama are not going to put up with integration."

C. C. Owen, president of Alabama's Public Service Commission, said that his state has put into effect a plan which calls for the continued segregation of Negro passengers in the interests of "public peace."

■

ACCORDING TO Florida's State Attorney General Richard Ervin, the Supreme Court decision means nothing "until direct suit is brought against our laws and city ordinances."

Gov. J. P. Coleman of Mississippi, "resting" at his farm home near Ackerman, was calm as he noted that "Our attitude about this decision will be the same as about the school segregation cases." With regards anyone attempting to enforce the ruling on Mississippi, Coleman said, "Anticipation would be a waste of time; we'll meet the situation as it arises."

In Memphis, Tenn., Roane Waring, president of the Memphis St. Railways Company, asserted that there would be no change in Memphis jim crow. He said, "We have a state law in Tennessee. Until it is declared unconstitutional . . . not some other law . . . we're going ahead as we are."

And, in the wake of these verbal blasts spoke one Rev. M. L. King of Montgomery, Ala., whose leadership in the 345-day bus boycott in Montgomery, Ala., paved the way for a chain of events leading to the Supreme Court action.

CALLING FOR "meaningful symphonies of spiritual harmony," the Rev. Mr. King told his cheering supporters at a mass meeting in a Montgomery church, "We must take this not as a victory over the white man, but with dignity . . . Don't go back to the buses and push people around . . . we are just going to sit where there is a seat . . . if someone pushes you, don't push back. I know this is a hard thing to do.

"Our western philosophy teaches us that in the end there can only be violence. But we must refuse to hit back. We must have the courage to refuse to fight back."

As the Rev. Mr. King spoke, a group of hooded Klansmen was meeting in another section of Montgomery.

Also, Luther Ingalls, head of the Montgomery White Citizens Council, promised that "any attempt to enforce this decision will inevitably lead to bloodshed and riot." And Englehardt made a phophecy that if the Supreme Court decision is enforced, "Montgomery will have an all-black bus line. I don't think the white people of Montgomery will ever submit to this. As far as I'm concerned, they can move the Montgomery City Lines, lock, stock, and barrel, to Washington, D. C."

The bus line had already confessed that it has lost three-quarters of a million dollars in revenue since the boycott began.

OVER IN Tallahassee, Fla., where another boycott has been under way, the protest leader, the Rev. C. K. Steele, observed that "in light of the Supreme Court decision . . . Tallahassee officials have an excellent opportunity to prove to the world that they believe in law, order, and democracy . . . If our city officials are sincere in their faith in the law of the land, they will not force us through a long court procedure to obtain that which many other Southern cities have already done without any court action."

Significantly, the Miami Daily News commented, "The end of segregation on buses in Miami is about as certain as anything can be and we might just as well adjust ourselves to the idea. It is a situation which calls for calmness and forbearance. Nothing is to be gained by senseless resistance to what is the law of the land."

Two Miami Negroes have promised to press their anti-segregation suit against the city.

■

IN HOUSTON, Tex., the Houston Transit Company was not affected in any way by the High Court verdict because its buses have been desegregated for some time since an ICC decision was handed down some months ago. At that time, Carl Fraser, Houston Transit prexy, stated, "Whatever the decision is or whatever the effect of the decision, we intend to obey the law."

Bus drivers have been warned by company heads not to jim crow. However, many Houston Negroes still comply with custom and walk meekly to the rear of city buses either by force of habit or ingrained inferiority.

In Atlanta Negro leaders were huddling in an effort to see whether or not they could start the ball rolling against jim crow on their city's public transportation facilities.

Out of this melange one thing remained certain, the South was in the middle of its biggest state of flux since the Clinton, Tenn., disorders and the Autherine Lucy riots.

On bus segregation

Chicago Defender

South assails parley ordered by Brownell

MONTGOMERY, Ala., Nov. 20—Two attorneys general from the South today described a called Washington conference on bus segregation as a move "to interfere with states' rights."

Sun. 11-20-56

Atty. Gen. Brownell, in calling the conference of federal prosecutors from 14 Southern states, said the group should meet to discuss ways of carrying out the Supreme Court decree against racial segregation on the buses.

Atty. Gen. Joe Patterson of Mississippi said the conference "is just another instance of utter disregard of the rights of the states."

Florida's Atty. Gen. Richard Ervin said Brownell "will do more harm than good" if he attempts to force action to end segregated seating on intrastate buses in the South.

Taking the position that the Supreme Court decree knocked out only Alabama state laws and Montgomery city ordinances, Ervin said "Florida's bus segregation laws will stand."

WILLIAM L. LONGSHORE, U. S. district attorney at Birmingham, said, "I have no ideas in the matter at this time and would make no predictions on the outcome of the situation.

"I got a letter from Brownell, like all the other attorneys, and I plan to attend the conference to see what he has in mind.

LONGSHORE said he would reserve expression of opinion until he had noted the outcome of the conference.

Comment from Montgomery and Alabama officials was not immediately available on the call issued by Brownell.

In a letter to the prosecutors, Brownell said it is clear from the court's decision on the Montgomery case that racial discrimination against passengers on buses is "a crime against the United States."

Patterson and Ervin were quick to answer.

"If Brownell has any regard for the rights of the states, he also will discuss these matters with the state officials charged with the responsibilities of enforcing state laws," said Patterson.

Gov. J. P. Coleman of Mississippi has said that Mississippi's segregation laws would be enforced throughout his administration under all legal means.

Ervin said "I don't think Brownell has any right to interfere with state laws.

"This is a question for the courts to determine, not the attorney general of the United States."

City to apply for rehearing

MONTGOMERY, Ala., Nov. 20 — (AP) — The City Commission said today it will ask the Supreme Court to reconsider its decision holding city and state bus segregation laws unconstitutional. 11-20-56

A request for rehearing will be filed with the court within the 25-day deadline beginning with announcement of the ruling Nov. 13.

City authorities had said privately that they have little hope of winning a rehearing in view of the unanimous action of the court in knocking the segregation laws out.

Supreme Court Refuses To Speed Up Bus Writ

Advertiser Tues. 11-20-56 Montgomery, Ala.

Negroes Lose Plea Asking Quick Action

P. 1

An attempt by Montgomery Negroes to hasten the day when integration of city buses goes into effect met with failure yesterday before the U.S. Supreme Court.

In a decision announced by Justice Hugo Black of Alabama, the court denied a plea by attorneys for Montgomery Negroes who sought immediate delivery of the formal court order on bus integration.

As had been previously announced by the court, the decision outlawing local bus segregation laws will not become effective until the official order is delivered to federal court here.

LONG DELAY

Normally, such orders require about 25 days for delivery, and it was this long delay which local Negro leaders sought to circumvent.

The ruling by the Supreme Court yesterday in effect held that the bus segregation decision would be handled just as any routine decision.

The Rev. Martin Luther King Jr. head of the bus boycott-sponsoring Montgomery Improvement Association, declined comment on this setback last night. However, he indicated further legal steps might be taken in an effort to speed up delivery of the notice.

"I haven't had a chance to look into the decision, nor have I discussed it with our attorneys," King explained. "But we hope to agree on a new course of action as soon as possible."

OPPOSING SIDE

The delay of 25 days in mailing out such orders is necessary to permit the opposing side to appeal for a rehearing to the decision.

The opposing side in this case—the Montgomery City Commission and the Alabama Public Service Commission—has 15 days from the date of the decision to request a rehearing.

Neither side has made such a request as yet, but both are expected to do so before the 15-day deadline.

As a result of the delay, the court's order will probably be mailed about Dec. 12, and could be expected to be received here later that week.

BRIEF STATEMENT

Justice Black handled the case yesterday in his capacity as presiding judge of the 5th U. S. Circuit Court. However, he issued a brief statement saying he had consulted with the eight other Supreme Court justices and found them "in agreement with my views" that the request for immediate issuance of the official notice be turned down.

Attorneys for the local Negroes filed their motion for quick action Saturday, declaring it was "of great public importance that the opinion or order and judgment of this court (be) issued forthwith."

Historic Date for Democracy!

Courier p. 5 Pittsburgh, Pa.

"The motion affirm is granted and the judgment is affirmed."

—U. S. Supreme Court, Nov. 20, 1956

Sat. 11-24-56

• With these unemotional words the Supreme Court cited its decision of May 17, 1954, that segregated schools violated the Constitution and struck at segregation in public facilities. Now state and local segregation on public carriers is officially unconstitutional.

In essence, segregation as a legal instrument is dead.

Tell It To Old Grandma

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Act Of Mercy

Advertiser

EDITOR, THE ADVERTISER — I read the article about the two white boys in Mississippi who saved the lives of three Negroes.

Mon. 1-9-56

In behalf of the Negroes in Montgomery and throughout the United States, may I express our deep appreciation and heartfelt gratitude for the unselfishness, courage and goodwill it took for those boys to risk their lives to save those people.

Montgomery

Negroes here and elsewhere, in years to come, will remember and feel indebted to these and many others; some in our own city and state, who have gone out of their way and far beyond the call of duty to show acts of kindness, justice, and, as in this case, mercy. For such acts have done much to ease the tension and make us feel that we are a part of, not merely tolerated in, this great country. And for those of us who were born, and prefer to remain in the South, these recent acts performed by young people (though we regret the violence) make us feel that our children will have a better and more secure future, free from hatred and fear. And let us hope with less prejudice, and thus a better tomororw.

Montgomery. AZELEA AVERHART.

Enforce The Anti-Boycott Law

Editor, The Advertiser:

As one who has no financial interest in the bus company but who is interested as a native born citizen in not wanting to see the city bus system illegally destroyed, I would like to call your attention to the state law against boycott.

Title 14, Section 54, of the Alabama Code, provides that where two or more persons unlawfully enter into an understanding for the purpose of preventing the operation of a lawful business they shall be guilty of a misdemeanor. Violation of this law is punishable by fine of not less than $100 or more than $1,000 or imprisonment for not more than six months for the first offense. It is unlawful for anyone to teach or advise others to violate this law.

An individual has the right to ride a bus or not as he or she sees fit and that right should not be interfered with and should be protected by the police, but when certain so-called leaders call a group together and organize a boycott they are taking the law into their own hands and should be prosecuted.

Whether the bus company or its drivers have or have not always themselves obeyed the law and given colored passengers their rights is not the question at all, because two wrongs do not make a right and there is always legal redress against the bus company for anything it does wrong.

The question is whether the officials whose duty it is to enforce the law are going to sit idly by and permit the illegal destruction of a transportation system which is most certainly needed by both races.

It seems to me that instead of granting the bus company an increase in rates at the expense of the general bus riding public, that the city administration would have done better to have enforced the law against boycotts.

A copy of this letter goes to the county solicitor with the suggestion that he give consideration to presenting this matter to the grand jury when it meets at an early date.

Montgomery. FRED BALL.

Housewife Counter-Boycott

Editor, The Advertiser:

All conversations now seem to eventually get on the subject of the bus boycott but as Mark Twain remarked about the weather, "no one seems to do anything about it."

Although I have never had a maid to complain about any mistreatment by a bus driver I have heard of many cases of rudeness of the drivers towards Negro passengers.

Noticing since the boycott how most of the Negroes have become sullen and indolent I feel perhaps the bus drivers dealing with these people collectively have seen a side of them that we dealing with them singly have not seen and evidently the patience of the most tactful drivers has been tried. There are many Negroes like Julie Seale Harris (*Grandma*, Jan 4th) that want to ride the busses but are afraid to. *Where* are these people getting this fear and *who* is putting this fear into them that they cannot ride to work or to town without being afraid of bodily harm?

I think those people who want to ride the bus should band together and ride the bus. There is safety in numbers. On the other hand, most of us housewives have been patient through this past month, allowing our household servants to be late and to leave early when a ride is available (most of the servants taking advantage of us).

The time has come when we housewives must quit being so lazy, get together and tell the help to either ride the busses and get to work on time or quit.

We white people have tried to be understanding of our servants for years and I feel we were understanding until some outside influence put fear in them.

We have been good to our Negroes but now is the time to make them understand a few things. We should quit paying taxi fare, quit going for them or taking them home, quit paying their social security tax, quit lending them money for debts contracted for unnecessary items, etc.

MRS. GEORGE L. FOSTER.

Montgomery.

Fire With Fire

Editor, The Advertiser:

I am very much interested in the fight Montgomery is having to preserve segregation. It is a fight for every Southerner to preserve our white race that our grandfathers bequeathed to us.

Fight in any and every way to prevent integration. Fight boycott with boycott. Don't employ any Negro who does not ride the bus. If they use private transportation, let them find other jobs.

Brookville, Miss. A. B. JOHNSON.

NEGROES' BOYCOTT CRIPPLES BUS LINE

Times

Carrier in Montgomery, Ala., Increases Fares to Offset Loss of Business

Sun. 1-8-56

Special to The New York Times.

MONTGOMERY, Ala., Jan. 7 —The boycott of Montgomery bus lines by Negro riders entered its second month this week with no conciliation in sight.

As a result of the bus company's loss of revenue in the boycott, the City Commission Wednesday raised fares 50 per cent: adult fares from 10 to 15 cents, school fares from 5 to 8 cents. The commission also authorized a 5 cent charge for transfers, which have heretofore been free.

New York

Asking for the increase, the bus company cited losses averaging 22 cents a mile since the boycott began Dec. 5. The losses would run even higher, company spokesmen said, except for a curtailment in service that has reduced mileage by 31 per cent.

Shortly after the boycott began, virtually all service to Negro communities was abolished. Two routes, serving predominantly Negro areas, were abandoned entirely and other routes revised so as to exclude Negro neighborhoods along them.

Negro Woman Convicted

The boycott began with the arrest and conviction of Mrs. Rosa Parks, a Negro seamstress employed by a downtown department store. Mrs. Parks had refused to give up her seat when told to do so by the bus driver.

At the time the incident occured, there were twenty-six Negroes and ten white persons seated in the thirty-six-passenger bus. Law requires the bus driver to segregate the passengers but leaves it within his discretion where the line is to be drawn. Thus, on many routes serving populous Negro areas it is not uncommon to see Negroes occupying all but a few seats.

When the driver asked Mrs. Parks and three other Negroes to give up their seats, a number of white persons were about to board. There were already some white persons standing as well as a number of Negroes. The driver explained later in court that he was "equalizing" seating facilities.

Mrs. Parks refused to yield her seat and was arrested for violation of a city segregation ordinance. Later the charge was changed to read a violation of a state law, which gives bus drivers the power to assign and reassign seating. The law makes it a misdemeanor for anyone to disobey the driver's orders.

Mrs. Parks was found guilty in City Recorder's Court and fined $10. Her attorneys filed notice of appeal. At a mass meeting in a local Negro church the night following the court hearing, Negro citizens were urged not to ride the buses. The following morning Negro patronage was down by an estimated 90 per cent. Today it is close to 100 per cent off.

Conditions Laid Down

Negro citizens, led by virtually all the city's Negro ministers, have demanded that three conditions be met before they resume riding the buses. These are:

¶Adoption of a "first-come-first-served" rule as is in effect in other Alabama cities such as Mobile and Huntsville. Under this plan Negroes would continue to load from the rear and whites from the front, but the seating, once established, would remain fixed.

¶Greater courtesy on the part of drivers. Negro bus riders have complained of rude, insulting treatment.

¶Employment of Negro drivers on routes serving predominently Negro areas.

A bi-racial committee, appointed by the City Commission, has so far failed to resolve any of the differences. The company contends that it cannot adopt a "first-come-first-served" policy and comply with the segregation laws. Negotiations have been broken off, for the time at least.

Bus-riding Protest In 46th Day; Renewal Of Franchise Postponed

Birmingham World P. 1

Fri. 1-20-56

Montgomery, Ala. — (SNS) — A 46-day protest by the Negro group against alleged unpleasant treatment on the Montgomery city buses still has transit service curtailed here. Birmingham

Caught in a three-way deadlock between city officials, bus company representatives and protest leaders some bus-riders have taken aholiday from riding. Ala.

The protest started Dec. 5 after the fining of Mrs. Rosa Parks, church worker and civic leader, who was arrested Dec. 1 and charged with violating the Montgomery and Alabama bus segregation law. The conviction was appealed to circuit court but no date has been set for its hearing.

The Montgomery City Lines, owned by the National City Lines of Chicago, and the Montgomery City Commission were expected to discuss the renewal of the franchise Tuesday but the city officials indicated that because of a heavy agenda of business they were unable to consider the matter. It has been widely believed that the Chicago owned bus company was putting the final touches upon its application for franchise renewal.

Two representatives of the Montgomery Improvement Association were reportedly at the commission meeting January 17 and declined to accept the suggestion from one of the city officials that the protest group return to bus-riding.

This city official reportedly told the MIA delegation that the city executives could not grant the proposed revised seating arrangement and the suggested employment of Negro bus operators. A third MIA proposal is that of more courteous treatment of bus-riders who currently are staying off the buses.

Renewal of the bus franchise has apparently been one of the prime goals of the city officials. They granted a 50 per cent fare raise to the bus company and prior to this Mayor W. A. Gayle issued a proclamation urging the public to ride the buses more.

Meantime the Central Alabama (White) Citizens Council headed by Macon County Senator Sam M. Englehardt, Jr. of Shorter, Ala. has conducted a newspaper ad campaign appealing to the white people to support the bus company. Some ads stated that the CA(W)CC feared that unless the MCL was able to offset losses resulting from the protest the company might not care to renew its franchise.

Public Safety Commissioner City Seller told the Civitian Club Tuesday that in his opinion the reason members of the Negro group were not riding the buses as they formerly did was because they were afraid to do so. The CA(W)CC of which Commissioner Sellers joined Jan. 6 has also expressed in ads the belief that a section of the population was refraining from riding the buses because of fear.

MIA leaders have denied that any pressure, fear or intimidation were being used to keep any one desiring to ride the buses from doing so. The Rev. M. L. King, Jr. president of the Montgomery Improvement Association and pastor of Dexter Avenue Baptist Church has repeatedly asserted that "90 per cent (of the protest group(was refusing to ride the buses because of principle and about 8 per cent because of shame".

Nobody is being arrested for allegedly using "fear" to prevent others from riding the buses.

Five share-the-kindness mass meetings were scheduled in an equal number of communites last night. Protest leaders were expected to report on new developments in the seven week old refuse-to-ride campaign. Thirteen general mass meeting have been held.

The Rev. King said the meeting program has been changed so that a general spiritual rally is held every Monday night and five neighborhood meetings are conducted every Thursday night.

Thurmond Against Racial 'Squeeze'

Post Herald P. 5

Birmingham Ala.

Says U. S. Has No Right To Try To Prevent Economic Pressures

Wed. 1-11-56

Post-Herald Capital Bureau

WASHINGTON, Jan. 10—Sen. J. Strom Thurmond (D., S. C.) today said the federal government has no right to try to prevent Negroes or whites from using economic pressures to obtain their objectives.

He declared, in an obvious reference to the current Negro boycott of the city bus system in Montgomery, Ala., that "the federal government has no right to try to force those Negroes to ride the buses or to stay off them."

The South Carolinian, the 1948 States Rights Democrat candidate for President, aimed his remarks at President Eisenhower's proposal to create a federal civil rights commission to investigate "unwarranted economic pressures."

Assuming the President's proposal is aimed at Negroes and whites alike, he said that whether the pressures involve Negroes or whites the issue is a matter of state jurisdiction.

He said the President's proposal will not pass "as long as I am able to stand and fight on the floor of the Senate."

In proposing the commission in his state of the union message, President Eisenhower said, "It is disturbing that in some localities allegations persist that Negro citizens are being deprived of their right to vote and are likewise being subjected to unwarranted economic pressures."

The Montgomery bus system, it is reported, has suffered losses averaging 22 cents a mile since the Negro boycott began Dec. 5, the result of a dispute over seating arrangements.

Empty Buses

Boycott Still On

Courier

Sat. 1-21-56

MONTGOMERY, Ala. — City buses were still operating here under curtailed services and reduced load due to the seven-week-old protest which started Dec. 5 at the Montgomery City Lines, Inc. Pittsburgh Pa.

A two-hour conference Monday, Jan. 9, between a delegation from Montgomery Improvement Association and the Montgomery City Commission over a fluid segregated seating arrangement presented by the protest leaders was rejected flatly by the city officials. P. 2

The Rev. Martin Luther King Jr., MIA president and spokesman of the delegation, outlined the floating segregated seating proposed as a "first-come, first-served" seating arrangement.

But Mayor W. A. Gayles told the committee there would be no reshuffle of the law-fixed racial seating. He added: "We are going to carry out the laws as we see it, and state law and city ordinance call for segregation on buses."

Since the seven-week-old, refuse-to-ride protest started, company officials estimate that there has been a fall away of over $51,000 because Negro citizens are not using the franchised buses.

An estimated 75 per cent of the company's bus patronage has come from members of the Negro group.

The protest grew out of the Dec. 1 arrest and the Dec. 5 fining of Mrs. Rosa Parks, a well respected church and civic worker, who was charged with violating the city and state bus segregation law, when she refused to surrender her seat to a white male passenger.

An appeal of the conviction was taken but it has not been docketed for hearing in the Circuit Court.

Tell It To Old Grandma

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Advertiser

'How In Hell Could Birmingham?'

EDITOR, THE ADVERTISER—I would like to ask in regard to your editorial Jan. 5 re Birmingham and its part in the Civil War. How in hell would Birmingham take part either directly or indirectly in said war when it did not come into being until 1871?

To write of history one must know history. What you have said is true, but tell the whole truth. What few iron works there were at Elyton were destroyed by Wilson's Raiders.

Montgomery. JOHN HUDDLESTON.

Sun. 1-8-56

Shame On You, Mr. Editor

Editor, The Advertiser:

"In 1871, when Birmingham was Elyton."

This is in regard to your editorial in

P. 2-6

Montgomery

Don't Bear False Witness

Ala

EDITOR, THE ADVERTISER—I have read some of the letters concerning the Negro boycott and I must say I have enjoyed reading where some are in sympathy with the Negro and some are entirely against the Negro.

I read in *old Grandma* a few days ago a letter concerning Julie Seale Harris, asking help from the mayor and different ones about getting into trouble and whipped by colored leaders.

Now I am sure Mrs. Harris can ride, and anyone else who cares to, and no violence or threats from the colored leaders will come to them.

I am a cook and nurse. No one has attempted to whip me or give me any trouble when I ride. Of course I don't have to ride a bus, as I have always had my own way to come and go. But you who don't have it, let's not tell the wrong thing on our colored ministers and leaders.

Montgomery CARNELLA REEVES.
35 Gravel Pit Lane.

◆

Misguided Ministers

Editor, The Advertiser:

This present boycott of the City Bus Lines, and as I have heard, of some Montgomery merchants, by the Negro element in our city, has been taken in stride by me. I have never been a patron of the bus lines, because I did not need them; but I have always thought it a privilege to have their services available for those who did depend on that transportation for their daily economy.

However, my "in stride" manner has suffered a much shorter pace; and for that reason I am now much less amendable.

Let's take the letter signed by the Rev. U. J. Fields, whoever he is. With deletions, I am quoting the last paragraph of his letter, which to me is a more direct threat than ever voiced by Marx or Lenin.

"We shall never cease our struggle for equality—this is from a reliable source (the Negro citizens of Montgomery). We have no intention of compromising . . . unwarranted delay . . . will result in a demand for the annihilation of segregation which will result in complete integration."

First, about the Negro citizens of Montgomery." I can prove that some of the same Negroes have been told by this same ministerial body that it is now against the law to board a city bus. Second; that they would demand an end to segregation. Let them get all the decrees they wish, and then try to find a way to enforce them. Third, they seem to fail to understand, that if we so chose, we could throw up a counter boycott that would starve most of them to death in 30 days. That is not our wish nor intention.

Personally, I know lots of Negroes in Montgomery for whom I have the highest regard, and I think they feel kindly toward me. But I can't go for these this morning's *Advertiser* (Jan. 5), concerning Birmingham, our youngest and largest city. The editorial was headed "The Blunt Truth About Birmingham In The Civil War." Have you forgotten your history so soon, or was it the effects of too many holidays coming so close together? You must remember that where Birmingham stands today was only virgin forest, coal and iron ore, untouched by civilization, during the period of the Civil War.

Now, please let us have some more history on this subject.

Ozark, Ala. A. L. BYRD.

¶ *See Editorial* "Some More History," —Ed.

"Reverends" of their race who seem bent on only fomenting trouble. Another thought: These Negroes who are riding their own race to work or to town for a small fee? Why not a taxi license? Answer that.

Montgomery. EARL REEVES.

◆

Wife's Opinions Her Own

Editor, The Advertiser:

Regarding the letter [Critical of the bus boycott leaders] appearing on the editorial page Jan. 6, written by my wife, Mrs. Robert E. Neal.

This letter was written unbeknowingly to me. If this letter has caused any ill feeling toward me, I am sorry. I knew nothing about it until I arrived at my office the morning it appeared.

I have represented my company for over 18 years. I have always prided myself in dealing with my fellow man in an honest and upright manner. I have helped many in their trials and tribulations during these years.

I do not belong to any organization other than the Methodist Church.

Montgomery. R. E. NEAL.

◆

Bah, Mr. Benson

Editor, The Advertiser:

According to the Jan. 2 issue of *The Advertiser* Mr. Benson mentions the "gap" between what the farmer gets for his produce, and what the consumer pays for it.

He goes on to say this difference is brought about by the rising cost of handling between the farmer and consumer. This brings to my mind the man who prepared his land, planted, worked and gathered his okra and took it to market. Upon arriving at the store with his okra, he asked the manager what he was paying for okra. Seven cents a pound, was the reply.

So while the farmer was at the store, he looked around to see if there was something he needed. He came to a hamper of okra with a price card on it—28c per pound. 21c per pound handling charges between the farmer and consumer?

It took the farmer three months to get it to market for 7c a pound. It took the store man not more than three days to get it to the consumer.

Bah! Mr. Benson will have to wrap that one in something besides sugar coated honey to get the farmer to swallow it.

If the farmer was as well organized as the merchants, the merchants could be found out on the farms bidding against each other to get the precious farm raised products.

I don't blame the farmers for quitting their farms. When they must take a gambler's chance on weather, insects, and prices. What went with the days when 12 pounds of meal was a peck? At that rate I should buy a dollars worth for 80c.

East Tallassee, Ala. J. W. CULLIFER

No solution to boycott—

Hard-pressed capital bus line gets fare increase

News Thurs. 1-5-56

BY TRUDY CARGILE, News staff writer

MONTGOMERY, Ala., Jan. 5—A measure of relief from effects of a month-old boycott was permitted the Montgomery City Buslines yesterday when the Board of Commissioners granted its petition for a hike in fares.

The increase was sought by bus officials to offset losses in operating revenue since a protest boycott was begun by Negroes Dec. 5. Few of the city's Negroes have ridden a bus since Rosa Parks, a Negro seamstress, was fined in city court for refusing to move back in a bus at the operator's request.

Birmingham Ala.

OUTLINED IN THE company's petition was the first evidence of the boycott's actual economic effect.

For the 26-day period ending Dec. 31, a gross decline in passenger revenue of 67 per cent or $52,380 was disclosed in the petition.

P. 10

Where official records showed a total of 788,537 passengers in the last 26 days of December, 1954, 258,891 were noted for the same days of 1955.

Since the beginning of the boycott, a series of efforts by city officials, bus lines representatives and citizens groups has failed to end the boycott.

Negro leaders, denying part in the beginning of the boycott, have offered a three-point plan which, if adopted by the bus line, would bring the boycott to an end for the time being.

Negro Attorney F. D. Gray outlined the points requested as more courteous service for Negroes, a more flexible seating arrangement with unmarked sections and employment of Negro drivers in Negro areas of the city.

A citizen's committee, appointed by Mayor W. A. Gayle in an effort to bring the situation closer to settlement, failed to reach a compromise and adjourned after a second meeting without setting plans for further talks.

Several white members offered compromise solutions which were solidly rebuffed by Negro members who maintained they could not relent on any of the points.

SERVICE INTO the predominantly Negro section of Montgomery was halted after the first few days of the boycott. The move was made after several reported acts of violence in which drivers and passengers were endangered.

Mileage for bus operation during the 26-day boycott period of December was reported at 134,148 miles as compared with 184,295 for the same period in 1954.

The bus company, which regularly employs 92 operators, placed 32 on vacation after Dec. 27. An additional "half-dozen" maintenance employes were likewise given leave, said a company official.

During peak periods, approximately 54 buses are in operation, as compared with 34 running now. Attorney Jack Crenshaw said the number fluctuates according to season and demand so that actual decline in number cannot be estimated.

IN PRESENTING the petition for increased rates to the commission, Crenshaw estimated the drop in service at 31 per cent. He told them the company could not hope to continue operation at that rate.

New rates, to become effective Jan. 9, will place regular fares at 15 cents, school children's fares at 8 cents and transfers at 5. The company had sought rates of 20 cents for regular and 10 for children on school runs. There has been no charge previously for transferring.

Montgomery Bus Fares Increased

Times-Picayune Thurs. 1-5-56

MONTGOMERY, Ala., Jan. 4 (AP) — The Montgomery city commission Wednesday authorized an increase in bus fares to offset bus company losses resulting from a month-long boycott by Negroes.

Effective Monday, adult fare will be raised from 10 to 15 cents, and school children's fares from 5 to 8 cents. Transfers, now free, will be 5 cents.

P. 6

The new rates will be "subject to reconsideration" after the boycott ends, Mayor W. A. Gayle said. The City Lines Bus Company had petitioned the commission to double the fares temporarily.

Negroes have been boycotting the buses since Dec. 5 in protest to segregated seating facilities.

In asking for the rate increase, bus officials told the commission Tuesday that their revenue has plunged to about 22 cents per operating mile while expenses are approximately 44 cents per mile. They noted that the bus company has cut service by 31 per cent because of the boycott.

ICC RACIAL ORDER DEFIED IN ALABAMA

Commercial Appeal

Segregation To Remain On Carriers

P.17

MONTGOMERY, Ala., Jan. 13. —(UP)—The Alabama Public Service Commission ordered segregation to remain in interstate transportation facilities Friday, a direct countermand to an earlier ruling by the Interstate Commerce Commission.

PSC president C. C. 'Jack' Owens reported his office is sending out letters to all interstate carriers in Alabama, directing them to maintain segregation in all vehicles and waiting rooms. He said similar letters will be distributed to all city law enforcement agencies over the state.

The PSC's order was in direct opposition to the earlier ICC ruling ordering an end to segregation in interstate carriers.

It was the second Alabama rebuff to the ICC order in as many days. A Barbour County grand jury yesterday reported it would continue to recognize Alabama Jim Crow laws and blamed a breakdown in race relations on court actions that have ordered integration.

Mr. Owens said, "We are directing all public carriers to keep segregation signs in their stations in compliance with Alabama law. It is the law of the state and we intend to uphold it to the best of our abilities as long as it is on the books."

Negroes "Sitting Tight" In No Ride Bus Fight In Ala.

Daily World Fri. 1-13-56

MONTGOMERY, Ala. -(SNS)- The protest-with-dignity campaign which has reduced the pay load of the Montgomery City Lines, Inc. because of alleged racial mistreatment entered its 40th day.

A two-hour conference Monday Jan. 9 between a delegation from the Montgomery Improvement Association and the Montgomery City Commission over a fluid segregated seating arrangement presented by the protest leaders was rejected flatly by the city officals.

The Rev. Martin Luther King Jr., MIA president and spokesman of the delegation outlined the floating segregated seating proposal as a "first-come-first served" seating arrangement. He is pastor of Dexter Avenue Baptist Church.

But Mayor W. A. Gayle told the committee there would be no reshuffle of the law-fixed racial seating. He added: "We are going to carry out the laws as we see it, and state law and city ordinances call for segregation on buses."

Mayor Gayle suggested that the committee did not seek an alteration in the law but a different interpretation of it.

Meantime the protest group was scheduled to hold the twelfth in a series of twice-a-week relay-the-facts mass meetings last night. Since the six week- old refuse-to-ride protest started, company officials estimate that there has been a fall away of over $51,000 because Negro citizens are not using the franchised buses.

An estimated 75 per cent of the company's bus patronage has come from members of the Negro group.

The Central Alabama (White) Citizens Council headed by Sam M. Englehardt, Jr., of Shorter, Ala., state senator from Macon County, has spearheaded a campaign through newspaper ads to help offset the effect of the bus-riding drop-off. Some appeals made in ads have warned the "white" people that the bus company might not renew its franchise if the fall-off in bus-riding resulted in a loss of money.

Meantime Public Safety Commissioner Clyde Sellers, selected to office on a "White Supremacy" platform, joined the CA(W)CC at the latter's meeting held Friday night, Jan. 6.

A member of the protest delegation said Commissioner Sellers injected into the discussion his signing up with the council. He said Mr. Sellers brought it relating alleged reports of violence, which he insisted would not be tolerated. The protest delegation said they knew of no instances of violence and suggested the guilty parties should have been arrested, if they committed acts of violence.

MIA leaders have been insisting on a three-point program asking for (1) better treatment of Negro patrons on the buses; (2) a first come, first served seating arrangement and (3) the employment of Negro bus drivers on buses running into areas heavily populated by Negro residents.

Daily World

The protest grew out of the Dec. 1 arrest and the Dec. 5 fining of Mrs. Rosa Parks, a well-respected church and civic worker, who was charged with violating the city and state bus segregation law, when she refused to surrender her seat to a white male passenger.

P.6

An appeal of the conviction was taken but it has not been docketed for hearing in the Circuit Court.

Alabama Bus Boycott Forces Fare Increase

Meekly P.1 Sat. 1-14-56

New Orleans, La

Montgomery, Ala. (ANP).—A month-long boycott by Negroes of Montgomery City Lines buses, costing the company approximately $150,000 in loss of revenue, has resulted in the city commission authorizing an increase in fares.

Effective last Monday, adult fares were raised from 10 to 15 cents, and school children's fares from 5 to 8 cents. Transfers, previously free, are now five cents.

The new rates will be "subject to reconsideration" after the boycott ends, Mayor W. A. Gayle said. The bus line had petitioned the commission to double the fares temporarily.

Negroes have been boycotting the buses since Dec. 5, following the arrest of Mrs. Rosa Parks who refused to get up out of her seat for a white passenger. She was fined $14 for violating the state's segregation laws.

A committee of Negro citizens and city and bus officials have failed to agree on terms for ending the boycott, which is reportedly 80-90 percent effective.

Negro leaders have demanded more courtesy from drivers, unreserved seating arrangements and additional Negro drivers on some bus runs.

Sat 1-14-56

The seating proposal has been the main point of the debate.

Bus line officials have maintained they operate under a city contract which requires them to obey city law requiring separate seating of Negro and white passengers. In the meantime, various interpretations of the law have been made by city and Negro attorneys.

Approximately 65 percent of the passengers on Montgomery buses are Negroes during normal operation.

Since the boycott, eight lines in predominantly Negro sections have been discontinued.

New Bus Pact By City Lines Likely Today

Advertiser Tues. 1-17-56 P.1

The bus franchise held by Montgomery City Lines is expected to be renewed today by the City Commission.

Bus and city officials conferred yesterday afternoon, apparently to put the franchise in final form preparatory to the commission's meeting at 11 a.m. today.

The present franchise, granted in 1935, expires in March.

CHANGES MADE

Whether there will be any major changes in the charter because of the extended boycott of busses by Negroes could not be determined.

Since the boycott began over six weeks ago, the City Commission has authorized several changes in the company's operation, including a reduction of routes and an increase in fares.

No other companies have expressed interest in the Montgomery franchise, besides the Montgomery concern. National City Lines of Chicago is parent company of the Montgomery firm. It operates bus lines in numerous other U.S. and Canadian cities.

Head Of PSC Set To Order Segregation

Advertiser Sat. 1-14-56 P.1

President C. C. (Jack) Owen of the Alabama Public Service Commission said yesterday he was in the process of reminding all carriers in the state of Alabama's laws pertaining to racial segregation.

Montgomery, Ala.

In letters mailed to the presidents of all bus and railroad companies operating in Alabama, Owen explained three phases of the law in relation to a desegregation decree handed down several weeks ago by the Interstate Commerce Commission.

Owen said the ICC decision had no bearing on bus lines operating in Alabama, and under state law they would be required to continue segregation practices both on interstate and intrastate carriers.

All railroads which were not a party to the suit which led to the ICC ruling also must continue to comply with Alabama laws Owen added, both in interstate and intrastate traffic.

Finally, Owen explained, railroads which were a party to the suit must still practice segregation on all intrastate carriers but would not be required to do so on interstate carriers.

"We are directing all public carriers to keep segregation signs in their stations in compliance with Alabama law," Owen said. "It is the law of the state and we intend to uphold it to the best of our abilities as long as it is on the books."

Owen said letters were also being sent to city law enforcement officers in the state, reminding them also of Alabama's segregation laws.

The Solicitor's Duty

Editor, The Advertiser: Advertiser

If an organized boycott is against the law, as Mr. Fred Ball states in his letter to *The Advertiser*, Jan. 9, then why should anyone have to present his letter to the Circuit Solicitor? Doesn't the Solicitor know his job? Why does he have to be reminded of his duty?

Maybe he is worried about the Negro vote. He had better start worrying about the white vote.

Montgomery. GEORGE C. POULOS

ATTY. FRED. D. GRAY
DRAFT CASE

Bullock Halts Draft; 2 More Officials Quit

advertiser Sat. 9-22-56 p. 1 Montgomery, Ala.

Five Men Given Deferment With 'FG' Classification

advertiser 9-22-56 p. 1
Sat 9 22 By STEVE LESHER

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Members of the board are Bob Owen, chairman, former State Sen. L. K. (Snag) Andrews and Earl Brannon. The county draft appeal agent, J. Allen Tucker, announced his resignation after a meeting of the board at 8:30 a.m. yesterday.

Montgomery Ala.

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advertiser

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Sept 9-22-56

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He said he had not received any directives from the nation's capital concerning the Gray case. He said he has not made any recommendations to Gov. James E. Folsom for replacements of the draft board vacancies created by the wave of resignations.

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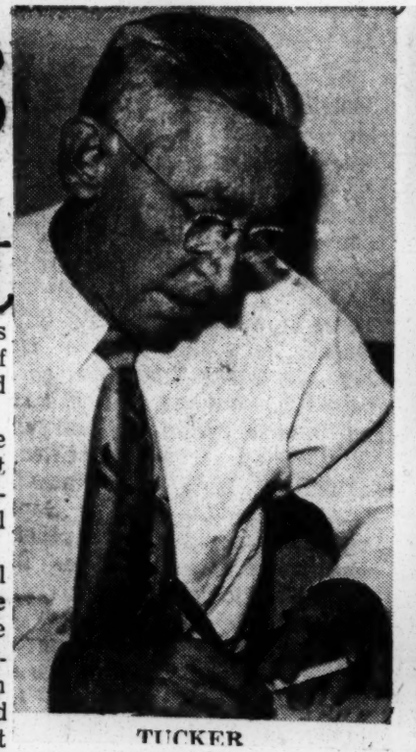

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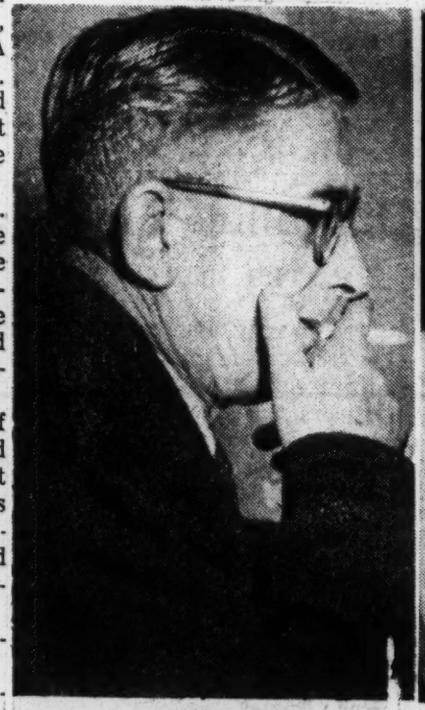
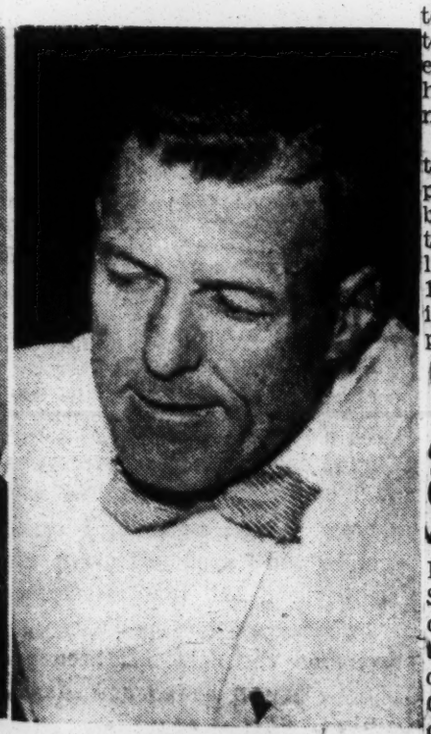


ANDREWS



BRANNON

Boycott Leader Wins Draft Delay

Herald Tribune Mon. 9-17-56

MONTGOMERY, Ala., Sept. 16 (AP)—The induction of Fred Gray into the armed forces has been suspended indefinitely by the national Selective Service director, although the Negro attorney's local draft board has ordered him to report for induction tomorrow.

Tues 9-18-56 p. 10

Maj. Gen. Lewis B. Hershey announced in Washington yesterday that he had ordered Mr. Gray's induction delayed indefinitely.

The Negro attorney, a legal spokesman for his race in the continuing bus boycott, was first ordered to report for induction a month ago. He was granted a thirty-day delay on instructions from Gen. Hershey.

Mr. Gray's board ordered him to report for induction again tomorrow but Gen. Hershey in effect went over the board's head and postponed it indefinitely.

Mr. Gray held a draft exemption because he was an assistant pastor in a Montgomery church, but when the boycott first attracted attention and he was its legal voice, he was reclassified 1-A on the basis that his ministerial duties took only a small part of his time.

Police back down as Gray protests

Afro-American Baltimore Md.

MONTGOMERY, Ala. — City Police Commissioner Clyde Sellers, this week, said he has dropped what he called a "protective surveillance" for colored pastor-attorney Fred D. Gray, after the Rev. Mr. Gray charged Tuesday that he was being "humiliated" and "intimidated" by local police.

Sellers explained that he had ordered police to keep watch over Mr. Gray because of threats which he said came to his office after Mr. Gray's draft induction was delayed indefinitely last month.

9-29-56

Mr. Gray, a legal spokesman for the Montgomery Improvement Association in court actions relating to the 10-month-

old bus boycott, had been ordered inducted Sept. 17 by the local draft board, but Lt. Gen. Lewis Hershey, national director of selective service, intervened and postponed it indefinitely.

* * *

COMMISSIONER Sellers said he ordered surveillance of Mr. Gray for his own protection after receiving several anonymous threats against the young attorney.

Mr. Gray, however, charged that he had been followed "for no apparent reason" by motorcycle patrolmen and stopped by police on at least one occasion "for no reason at all."

On Monday, he said, two policemen on motorcycles followed him "for 20 minutes" as he was driving to his downtown law office.

MR. GRAY said he checked his speed very carefully and drove toward Washington Park on Mobile Rd., with the police "still behind me."

He said he began making turns at nearly every intersection just to see what they would do. They followed him, he charged, until he stopped at a friend's home.

Mr. Gray said last week the same two policemen stopped him at 9:30 in the morning on Virginia St., asked him to show them his driver's license, had him to turn on his lights, both dim and bright, blow his horn and turn on his windshield wipers.

"IT'S JUST humiliating and intimidating," Mr. Gray said, "I drive very carefully because I know what will happen if I violate even the most minor of traffic laws. But they just seem to stop colored drivers and follow them to see if they violate any of the laws."

Frustrated White Citizens Councils and other hate groups have made a political issue over Mr. Gray's deferment from the Armed Services, some 15 members of draft boards of Bullock and Autauga draft boards resigning in pique after General Hershey postponed Mr. Gray's induction indefinitely.

The Autauga board requested a congressional probe in letters to U.S. Sens. Lister Hill and John Sparkman and U.S. Rep. Kenneth A. Roberts of the 4th District.

* * *

MR. SPARKMAN said he "did not know if the situation would call for a congressional investigation," but said he was "in favor of checking into the situation to determine the Selective Service system has not become a Federally directed policy out of Washington."

He added that it is his belief that local units of the Selective Service system have authority in granting deferments.

U.S. Rep. George Grant of the 2nd District said he favored a congressional probe. He said such an investigation "should go the bottom of the Fred Gray case and give a full report."

Alabama draft board freezes inductions 'til Gray drafted'

MONTGOMERY, Ala. (ANP) —An Alabama draft board insisted last week that it would halt the call of men for induction into the armed services until the Rev. Fred D. Gray is drafted.

At Union Springs, the Bullock County draft board announced last Friday that all eligible registrants, both white and colored, would be pulled from the files and reclassified F-G (Fred Gray) until the minister-attorney is himself drafted.

The 25-year-old lawyer has been active in the bus boycott of Montgomery and was given an indefinite deferment by Gen. Lewis B. Hershey, National Selective Service Director. Gray was deferred as a practicing minister.

* * *

AN ANGRY appeals agent, Alton L. Turn, was the latest of a string of draft officials who have resigned in protest of Gray's deferment.

In quitting, Turner assailed Hershey and the NAACP. He said Hershey had bowed to the wishes of the civil rights group and is pursuing a "politically inspired course" that could wreck the selective service system.

Three members of Gray's draft board resigned last Monday after Gray failed to report for induction.

Since then, three county appeals agents, a state appeals board member, and the entire Barbour County board have resigned in irate protest of the lawyer's deferment.

* * *

FORMER STATE Sen. L. K. Andrews of the Union Springs board said the group would "not send anybody from Bullock County until Fred Gray goes."

Gray was classified 1-A after he had become prominent as a legal spokesman in the effective bus boycott here. He obtained a review of the case and the classification was sustained by the highest appeal board.

Then, after Gray was ordered to active duty, Hershey asked that the case be reopened. He had received information that Gray was full-time minister of a church, replacing an absent pastor.

Alabama Board Halts Draft Over Negro Case

MONTGOMERY, Ala., Sept. 21 (AP).—The draft board is adjoining Bullock County said today it will not call up any more men to serve in the armed forces until the Army drafts Fred Gray, a part-time minister and leader of the Montgomery bus boycott.

At the same time, the board's appeal agent, J. A. Tucker, announced he is quitting because "the Fred Gray case was illegally handled." Mr. Tucker's resignation was the tenth in the state over the controversial case.

Indefinite Delay

Mr. Gray's induction was postponed "indefinitely" by Lt. Gen. Lewis B. Hershey, national Selective Service director, to permit consideration of "new evidence."

The National Association for the Advancement of Colored People and other Negro groups charged that the Montgomery draft board changed Mr. Gray's classification from 4D to 1A to "get even" with the young Negro for his support of the bus boycott by Negroes here and suits against segregation laws.

The board reclassified Mr. Gray last winter after an investigation which it said disproved his claim that he spent more than half of his time in ministerial duties.

Resignations Mount

Since postponement of Mr. Gray's induction by Gen. Hershey, three members of Mr. Gray's draft board and all four members of the Barbour County board at Eufaula have quit. The state Selective Service director said he also received resignations last night from a member of the Greensboro board and the appeal agent of the Selma board, in connection with the case.

Former State Sen. L. K. Andrews, a member of the Bullock board, said the records of five men scheduled for induction had been pulled from the files and put into a new classification, "F-G" for Fred Gray. Sen. Andrews said the five would not be inducted until Mr. Gray is taken into the service.

Authority Denied

"We have taken the position that Hershey did not have any authority to defer Gray," Mr. Andrews said. "Therefore, we are not going to send any more Bullock County boys into the Army until Fred Gray goes."

He said that if the "Selective Service of high brass overrules us, that's a matter that directs itself to their conscience, not ours."

"If Hershey fires us for exercising the rule, then he himself should resign because he has used the same thing," he said. "Now it's his move."

The six members of boards here and in Eufaula resigned with strong criticism of an indefinite postponement of induction granted Fred D. Gray, a Montgomery Negro attorney prominent in racial cases.

James W. Jones, Alabama Selective Service head, said yesterday he had heard no reports that other Alabama boards might resign.

REPORT ASKED

U. S. Rep. George Grant of Troy said he had asked Lt. Gen. Lewis B. Hershey, National Selective Service director, for a full report on the Gray case, but earlier Selective Service officials in Washington said the "usual, routine manner" was followed.

It resulted in an order from Hershey granting the postponement after he had earlier ordered a 30-day delay of an induction order by Local 51. A spokesman attributed the orders to Gray's ministerial duties, saying he had recently taken over full responsibility for a pulpit here.

PRESSURE CHARGED

Chairman Paul I. Reaves of Barbour County Board No. 3 and members Emmett Holmes and Carl Strang resigned in Eufaula with the "firm conviction that outside pressure groups have succeeded, in the case of registrant Gray, in giving the lie to one of the cardinal principles" of the draft —freedom for local boards to operate without "any compulsion or pressure whatsoever."

The Barbour official did not specify any "pressure group."

In resigning Monday the three Montgomery board members said they thought the National Assn. for the Advancement of Colored People had brought the pressure.

ROLE AS ATTORNEY

Gray has represented the NAACP in Alabama legal actions. He was one of the attorneys during the continuing Negro bus boycott here in a suit that resulted in a three-judge federal court panel ruling city and state bus segregation laws unconstitutional.

The Barbour board members said if the Montgomery board "can be made the victim of sinister influences," they might get "in the same position" and preferred to resign.

Circuit Judge George B. Walace of Clayton, the county appeals agent, also resigned. He said he would have no part in drafting young men while "influence peddling is the vogue."

RESIGNATIONS SPREAD

'Influence' Charged In Gray Draft Case

A charge of "influence peddling" was leveled at the Selective Service System as protest resignations from draft boards spread 57 miles to Eufaula, Ala., yesterday.

Bullock Halts Draft; 2 More Officials Quit

Five Men Given Deferment With 'FG' Classification

Advertiser Sat. 9-22-56
Montgomery, Ala.

BY STEVE LESHER

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Advertiser

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THAT WAS POSTPONED 30 days at the request of Lt. Gen. Lewis B. Hershey, national Selective Service director. Then Hershey ordered Gray's induction indefinitely postponed.

Board Chairman F. A. Miller charged in resigning that "the decision of the national director to play politics with draftees renders my position . . . untenable." Hugh M. Smith said "our usefulness is ended," and G. C. Gilder Jr. said in his resignation "that we have been 'run over,' so to speak."

W. Glenn Harrison said he was "going to stay inside to see how much rottener the thing gets." He might resign later, Harrison added.

The fifth member, Richard O. Grable, resigned earlier yesterday because he was sworn into the National Guard, making him ineligible.

WHEN GRAY'S PART in the boycott was publicized early this year, he held a ministerial draft deferment as a part-time pastor of a Negro church. The state Selective Service headquarters ordered an investigation that ended in reclassification and the appeal.

Smith said since the induction date was set the board was told by Hershey that Gray had taken over full duties at his church with the regular minister gone. "Our position was that it was too late for such evidence once we had ordered him inducted and set the date," Smith said, so the board refused to reopen the case.

AFTER THAT REFUSAL Hershey granted the indefinite postponement.

James W Jones, state Selective Service director, said Hershey could transfer Gray's case to any other Alabama board He said it would take at least 20 days for new Board 51 members to be named so the board could operate again. A minimum of three are required.

Charge political pressure—

News 9-19
Birmingham, Ala.

Three on Negro's draft board quit

Sun. 9-18-56

MONTGOMERY, Ala., Sept. 18—(AP)—Only one member remained on a Montgomery draft board today and he said his reason for not resigning is "to see how much rottener" a situation involving a legal spokesman for Montgomery Negroes might become.

Three board members resigned yesterday with charges that "political pressure" had been used to keep Negro Atty. Fred D. Gray from being inducted yesterday as the board had ordered. They named the National Assn. for the Advancement of Colored People as having brought pressure in Washington.

THE 25-YEAR-OLD LAWYER has been the legal representative of Negroes who have been boycotting buses here since last Dec. 5 to protest segregation laws. He has also participated in Alabama legal actions by the NAACP.

When Local 51 classified Gray 1-A last Spring the NAACP obtained an appeal on the case that went to the highest national review board. It upheld the local board, which set an August induction date.

HERSHEY HALTS GRAY INDUCTION

Herald-Tribune
Mon. 9-17-56

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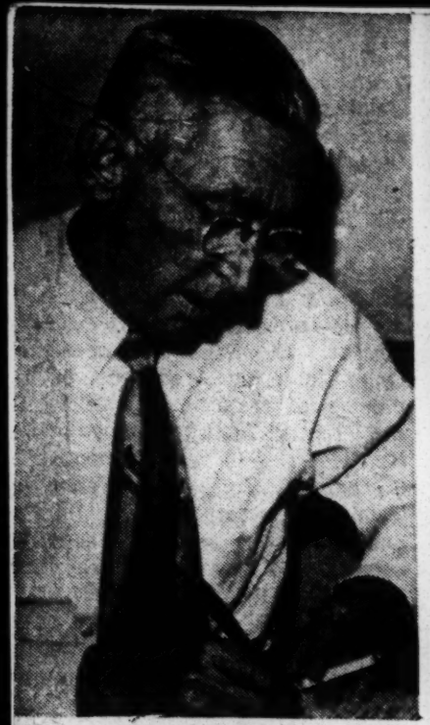
Gray's board ordered him to report for induction again Monday, Sept. 17, but Hershey in effect went over the board's head and postponed it indefinitely.

The national Selective Service chief has twice requested the local board to reopen Gray's case on grounds of new information. On the second request, the board chairman, F. A. Miller, said the board found no new grounds for reconsideration and so declined to take up the case again.

Hershey has declined to say what would happen next. He said only that he was waiting for a report of the situation and that he expected to have it in hand early next week.

Gray held a draft exemption because he was an assistant pastor in a Montgomery church but when the boycott first attracted attention and he was its legal voice, Gray was reclassified 1-A on the basis that his ministerial duties took only a small part of his time.

Hershey, it was reported, has received additional information that Gray was now filling a church pulpit on a full-time basis since the regular pastor had left.



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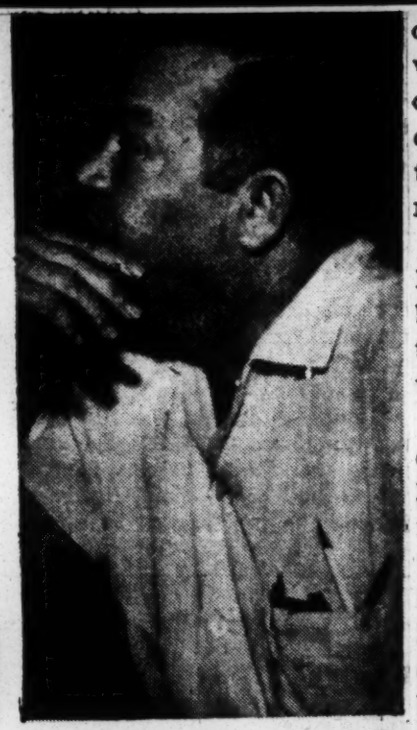
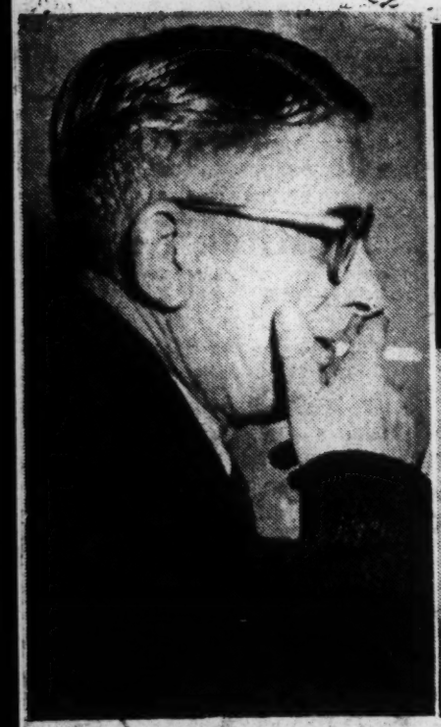
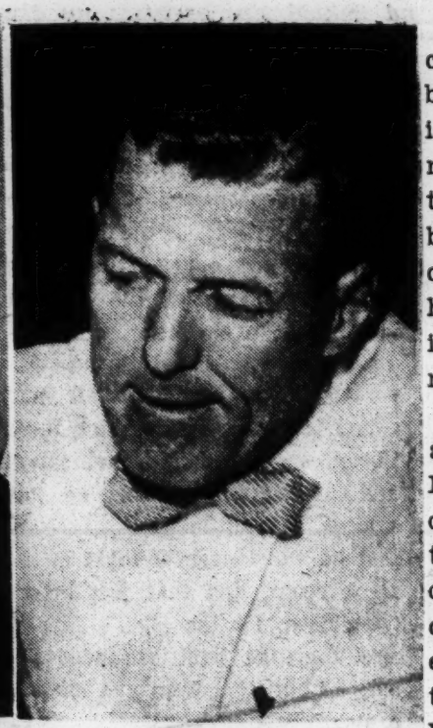




ANDREWS



BRANNON

The Reverend Attorney Gray

Advertiser 9-4-A

IN DISCUSSING the Fred Gray case it must first be noted that attention was focused on his exempt status as a minister because of his prominence as an attorney in the boycott.

Montgomery, Ala.

But it does not follow from this, as Gen. Hershey seems to hold, that he was drafted as punishment for his role in the boycott. His classification was changed when it became obvious that Blackstone, not the pulpit, received most of his occupational attention. True, he was at one time a theological student of sorts, but the law seemed to have called louder than the pulpit. From all the evidence so far adduced, he was not entitled to a ministerial exemption.

Recently, as we understand the facts, his status has changed. Instead of being a full-time lawyer and a part-time pastor, he now claims to be a full-time pastor and a part-time lawyer.

Sat. 9-29-56

It is on the basis of this changed occupational status, presumably, that Gen. Hershey has been pressured into demanding that the local board reopen the case. Refusing to review a finding that had already had the fairest hearing all the way up to the presidential appeal board, three of the local board members have resigned. They had little choice.

We do not question Gray's theological interests; undoubtedly they date back several years. The question now is whether his work qualifies him for a ministerial exemption. It seems clear that as a substitute minister whose business was the practice of law, he couldn't honestly claim the status. If he could, thousands could evade service in like manner as lay leaders, semi-ministers and pastoral assistants.

Does his full-time pastoral service after reclassification alter the facts? In our opinion it tends merely to cast doubt on the validity of his earlier claim to ministerial immunity. It is quite obviously an evasion attempt and, because it invokes the pulpit as a shield, evasion of an unsavory kind—recalling the "Pearl Harbor Preachers" of World War II who got the call after the bombs started falling.

Many young men in Gray's age group, white and Negro, try to get out of service these days. Only a small number of the eligibles have to serve and, with no war on, it is dreary business without glory.

But Gray is a leader in a group which has arrogated to itself all of the shibboleths and ideals of patriotism and freedom, claiming them as the basis for a holy crusade. Consequently, more is expected of Gray than the average young man today. He should be a leader in this period when few want to serve their country. If he placed the bar before the pulpit, as he did before being reclassified 1-A, he should now place service to his country above a questionable claim to the pulpit.

It is not as if the induction of Gray will deprive boycott leaders of their legal arm and leave them defenseless before the white man. In all of the important litigation so far, Gray has played only a minor role, taking a back seat to NAACP's talented corps of New York attorneys.

He was left in the action primarily for window dressing, to make it appear a local fight, but the shots were called by the big guns. He seemed bright enough for a lawyer of his youth, but no match for the gifted lawyers sent in to "help" him.

If we had to make a prediction, it would be that Gray will probably not don a uniform. But the local board was correct in refusing to have any part of the fraud, and in refusing to draft other young men who haven't such powerful defenders as Gray has.

If Gray is successful in dodging, a new dimension will be added to civil rights—civilian rights.

1-A Is F-G In Bullock

Advertiser 9-4-A

Hand it to the Bullock County draft board for the shrewdest maneuver yet in the private war between Gen. Hershey and Alabama's selective service officials.

Montgomery, Ala.

By designating all its prospective draftees in a new "F-G" (for Fred Gray) category, the Bullock board has thrown down the gauntlet to national Selective Service headquarters. In fact, you might say the Bullock board has adopted Adlai Stevenson's recent proposal that the draft be ended as soon as possible.

In Bullock the draft is already over.

The next move is up to Hershey. If he wants draftees out of Bullock—and other counties which may be expected to adopt the "F-G" classification in a spirit of playful rebellion—he'll have to oust the board.

Sat. 9-22-56

Hershey has a commendable record as draft director, but when it comes to guerrilla warfare he may prove no match for the rebel tacticians.

MORE DEFENDANTS

Advertiser 4-7-56

Atty. Gray 'Amends' Anti-Segregation Suit

Montgomery, Ala.
4-19-3-9-56

Negro Atty. Fred D. Gray yesterday filed an amendment to his complaint in U.S. District Court to strike the name of Jeaneatta Reese from an anti-segregation suit.

The Reese woman had denied that Gray represented her in a suit he filed in protest to segregation on Montgomery City Lines buses.

The amendment also added as defendants in the suit C. C. Owen, Jimmy Hitchcock and Sibyl Pool, members of the Alabama Public Service Commission.

Gray's amendment stated that Owens, Hitchcock and Miss Pool, acting as state officers, have issued or caused the issuance of orders directing and requiring segregation of Negroes on buses.

ORIGINAL TEST

The original complaint was filed in the names of Aurelia S. Browder, Susie McDonald, Jeaneatta Reese, Claudette Colvin, by Q. T. Colvin, her father, and Mary Louise Smith, by Frank Smith, as plaintiffs versus Mayor W. A. Gayle, Clyde Sellers, and Frank Parks, city commissioners; Police Chief G. J. Ruppenthal; the Montgomery City Lines Co., and James F. Blake and Robert Cleere, bus drivers.

The plaintiffs charged in the suit that the segregation on City Lines buses is in violation of the 14th Amendment. They asked for a court of three judges in a "speedy hearing" and that the court enter a temporary injunction against segregation on buses on grounds that the statutes requiring segregation are "null and void."

RECENT CASE

Gray recently appeared in Circuit Court to face charges of representing a client (the Reese woman) without her permission.

Circuit Solicitor W. F. Thetford did not prosecute, however, on grounds the state has no jurisdiction in the case which was filed on federal grounds.

Meanwhile, Dist. Atty. Hartwell Davis has said he would take the matter under consideration.

Review Case Of Attorney For Boycott

Defender 4-2
Chicago, Ill.
Sat. 3-3-56

WASHINGTON — The case of Fred D. Gray of Montgomery, Ala., attorney in the bus boycott, was being reviewed by the Selective Service Board for a possible revision of his present 1A draft status.

Gray was re-classified by his local draft board in Montgomery from his former status of 4-D after he filed suit against the city to cease harrassment and intimidation of citizens participating in the boycott and to change the laws requiring segregation of the races in intra-state transportation.

He is an ordained minister of the Church of Christ and serves as assistant pastor of a Montgomery church.

Leaders of the boycott say the move was obvously a retaliatory measure against the 27-year-old lawyer for filing the suit.

It has been reported that he will be drafted for immediate military duty, thus attempting to take him out of the case.

A spokesman for the Selective Service board in Washington said that the case had been brought to their attention and as in such matters, the director of the service, Major Gen. William Hershey has the right to appeal to the President for a change in classification if he thinks the case warrants it.

Circuit Court Tosses Out Gray's Case

Advertiser
Montgomery, Ala.
Sat. 3-3-56

The unlawful practice charge against Negro bus boycott Attorney Fred D. Gray was tossed out of Circuit Court yesterday but the case was left open for possible federal prosecution. P. 1

Circuit Solicitor William T. Thetford admitted at the outset of Gray's scheduled trial that the state had no jurisdiction since the anti-integration suit which resulted in Gray being accused of unlawful practice was filed in a federal building.

The 25-year-old Negro attorney was indicted on the charge after filing suit in U.S. District Court challenging constitutionality of the Alabama laws requiring segregation of the races on buses.

One of the five Negro women whom he listed as bringing action later said she did not consent to it. Gray said she did consent.

Thetford said he would bring the facts in the case to the attention of U.S. District Attorney Hartwell Davis, who could file charges against Gray if he sees fit.

100 NEGROES NAMED

Davis said he had not been officially notified and could not say whether he will investigate the case.

Gray was indicted two weeks ago, three days before the same grand jury returned indictments naming some 100 Negro leaders for violating Alabama's anti-boycott law in their protest against segregated buses.

Advertiser

Trials for the boycott defendants, including 24 Negro ministers, are to start March 19 in Circuit Court.

Gray would have been subject to disbarment and a minimum fine of $500 if convicted of unlawful practice. He said he hasn't been "worried about the outcome" of the case and came to the courtroom yesterday prepared to file motion's attacking the state's jurisdiction. P. 6-A

It wasn't necessary to file them because Thetford admitted at the outset that Gray could only be prosecuted in federal court.

PURCHASE AUTHORIZED

The circuit solicitor explained that in 1880 Alabama approved a law authorizing the federal government to purchase property in Alabama. But the state at the time retained the right to prosecute cirminal cases growing out of offenses committed on government land.

Then, in 1923, the law was changed to give jurisdiction in such cases to the federal government. Jurisdiction was returned to the state again in 1940, Thetford said, but it does not apply in Gray's case because the post office building where he filed suit was acquired by the government in 1931 during the time the federal jurisdiction was authorized.

Thetford said the loophole was overlooked because the 1940 code gave jurisdiction to the state.

PART DENIED

The charge was brought against Gray after Mrs. Jeanetta Reese, one of the five Negro women named in his suit, made a statement to Mayor W. A. Gayle saying she did not know she was a party to an action attacking Alabama segregation laws.

The suit challenging constitutionality of the segregation statute applying to public carriers has not been set for a hearing.

Gray has been classified by his draft board as a "practicing minister" since 1948 and was deferred from military service. After the suit was filed, his classification was changed to 1-A.

State Selective Service Director James W. Jones said the classification was changed because Gray's church has acquired a full-time minister.

ANONYMOUS CALLS

Gray, a bachelor who lives with his mother, said he received several anonymous telephone calls Thursday night taunting him with "what was to happen in court today."

He was accompanied to court by Arthur D. Shores, Birmingham Negro attorney who led the legal fight to get Autherine Lucy admitted as the first Negro ever to attend the University of Alabama.

Shores and Gray, along with three other Negro attorneys, fired another legal shot in the bus boycott Thursday.

They entered demurrers to the boycott cases in Circuit Court listing several grounds challenging legality of the indictments under the U.S. and Alabama constitutions.

Negro leaders charged under the state's 1921 anti-boycott statute have pledged to continue the protest movement, now in its 13th week. It was touched off Dec. 5 when a Negro woman was fined $14 for refusing to move to the segregated section in the back of a city bus.

Attorney Gray Cleared In Bus Protest Case

Daily Herald
P. 1 Wed. 3-7-56

MONTGOMERY, Ala. —(ANP)— Fred D. Gray, attorney in the bus boycott situation in Montgomery, was cleared in Circuit Court of charges of unlawful practice, but there is still the possibility of Federal action against the Negro lawyer.

Atlanta, Ga.

Gray was cleared when Circuit Solicitor William T. Thetford admitted that the state had no jurisdiction over the matter.

The issue arose when Gray filed a suit in behalf of five women, asking that the state's law requiring segregation on buses be declared unconstitutional.

Later, Jeanetta Reese, one of the persons in whose name the suit was filed, declared that the action had been taken without her permission.

It was on this point that the charges were brought against Gray, accusing him of representing an individual without her consent.

Thetford made a motion to drop the charges in the hearing last week after the witness failed to appear against Gray.

The solicitor said, however, that he would bring the facts to the attention of U. S. District Attorney Hartwell Davis, who could file charges against Gray, in view of the fact that Gray filed his suit in a federal court.

Boycott Lawyer Freed In Court

Chicago, Ill.
Defender
P. 4

MONTGOMERY, Ala. — The case of Fred Gray, an attorney active in efforts to end racial strife here, but who was arrested and indicted on a charge that he was representing an individual without her consent, was nolle prossed last week after witnesses failed to appear in Montgomery County court to testify against him.

Sat. 3-10-56

Gray was allegedly representing Mrs. Jeanetta Reese, 64, who some weeks ago signed a petition along with four other Negroes, asking the courts to declare the city's discriminatory bus laws null and void.

The petition was drawn up by Gray, 26, one of the most popular leaders of the bus boycott.

A few days later, however, Jeanetta Reese went to the mayor of the city and told him that she did not know what she was signing when she signed the petition. She asked that her name be withdrawn.

Her name was withdrawn. But acting on information given them by Mrs. Reese, race-baiting whites had Gray called before the grand jury and he was indicted.

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State Drops Court Action Against Gray

Advertiser
Montgomery, Ala.
Sat. 3-3-56

The unlawful practice charge against Negro bus boycott Attorney Fred D. Gray was tossed out of Circuit Court yesterday but the way was left open for possible federal prosecution.

Circuit Solicitor William T. Thetford admitted at the outset of Gray's scheduled trial that the state had no jurisdiction since the anti-integration suit which resulted in Gray being accused of unlawful practice was filed in a federal building.

The 25-year-old Negro attorney

Non-Jury Trials Asked In Boycott

Post-Herald
Birmingham, Ala.
Thurs. 3-1-56

MONTGOMERY, Feb. 29 (U.P.) —A Negro attorney today requested non-jury trails for his clients indicted by a grand jury for violating a state boycott law.

Atty. Fred Gray, under indictment himself for representing a Negro woman in a segregation suit without her consent, said he represented a "substantial" number of Negro leaders facing court charges March 19.

Ninety Negro boycotters, including several ministers, pleaded not guilty at their arraignment last week, and none requested trial by jury.

Under Alabama law, persons charged with misdemeanors must demand jury trials before their cases are heard in court.

However, Circuit Judge Eugene Carter today offered to waive the technicality of the naw and allow the defendants to have a trial by jury.

Gray said his clients preferred a non-jury trial.

DA Weighing Gray's Status

Advertiser
Montgomery, Ala.
Thur. 3-6-56

The government has taken "under consideration" the unlawful practice case against Negro Atty. Fred D. Gray which Montgomery Circuit Court dismissed last Friday for lack of jurisdiction, U.S. District Atty. Hartwell Davis announced yesterday.

The state case against the 25-year-old boycott attorney, which grew out of an anti-segregation suit he filed in federal court in behalf of five Negroes, was dismissed by Circuit Solicitor William F. Thetford who said the state did not have jurisdiction.

Gray was indicted on a grand jury charge that he had not been employed by one of the plaintiffs, Jeanetta Reese, to file her name on the suit.

Davis said he was officially notified of the case yesterday and that he would take it "under consideration."

Gray's Trial Slated Friday

Advertiser
Tues. 2-28-56

A Negro lawyer charged with unlawful practice in the filing of a suit in connection with bus segregation laws will be tried Friday in Circuit Court.

Fred Gray, legal spokesman for local boycott leaders, was the first of more than 90 Negroes indicted by the grand jury in connection with the current bus boycott. Gray is charged with filing an antisegregation suit in federal court without consent of one of the five Negro women who signed the complaint.

The suit challenges the constitutionality of Montgomery and Alabama laws which require separate seating facilities for the races.

Gray's indictment was based on a statement by Jeannette Reese that she put her signature on the court petition without knowing what she was signing. The statement was made in the presence of Mayor W. A. Gayle and a newspaper reporter.

The Negro attorney insisted the woman knew what she was signing and the purpose for which the suit was entered.

Gray was indicted under an Alabama law which prohibits a lawyer from representing a client without consent. Maximum penalty is a $500 fine and suspension from practice.

Trials of the boycott defendants have been set to begin March 19.

CASE DISMISSED
ATTY. FRED D. GRAY
MONTGOMERY, ALA. BUS BOYCOTT

Bus boycott figure loses clergy status, reclassified 1-A

News p.27
Thurs. 2-9-56

MONTGOMERY, Ala., Feb. 9—(AP)—Fred D. Gray, young Montgomery Negro attorney and leader in the city lines bus boycott, has been classified 1-A by his local draft board.

Birmingham, Ala.

State Selective Service Director James W. Jones yesterday confirmed a report that the 25-year-old lawyer, who has been exempt from military service as a "practicing minister," had been reclassified.

Jones said he ordered the local board to reexamine Gray's case recently.

WHEN THE attorney was put in a 4-D classification, he explained, he was the only pastor of his church, the Holt Street Church of Christ. Now the church has a fulltime minister and Gray is assistant pastor.

Since Gray now devotes more than 50 per cent of his time to practicing law, Jones said, he forfeited his right to the exemption as a minister.

Two days later, things began to happen. First, he received a letter advising him to report to the draft board for a personal interview regarding his draft status.

He went for the interview and two days later received notice from his draft board that he had been reclassified 1-A.

F. A. Miller, white, is his local draft board chairman.

* * *

"OF COURSE, I plan to appeal the reclassification," Mr. Gray told the AFRO, Friday. "It seems odd that I was 4-D in January, but 1-A a few weeks later."

One of the main questions asked in the questionnaire was how much time he spent in law compared to the amount of time he spent as a minister.

He listed 25 hours per week for church work and 35 hours for law, he said. In 1955, he listed 35 hours for law and 20 for church work.

* * *

AT THE RESENT time, the Rev Mr. Gray serves as assistant minister of the Holt Street Church of Christ.

He is a graduate of the Nashville Christian Institute, Alabama State Teachers College and Western Reserve University School of Law, and traveled with Marshall Keeble for three years as one of his "boy preachers."

He is a native of Montgomery, and a member of the Ohio as well as Alabama bar.

Reclassify bus boycott attorney as 1-A draftee

Afro-American p.5
Baltimore, Md.

MONTGOMERY, Ala. — In what is an obvious attempt to "punish" him for his part in filing the "Umbrella" suit in the 11-week-old bus boycott, Fred D. Gray, Montgomery attorney, has been reclassified 1-A by his local draft board.

The youthful looking, but serious-minded lawyer, who is 25 and single, has been 4-D on the draft list for two years. He is a minister as well as a lawyer, one of the major factors in his 4-D classification.

In early January, Mr. Gray was sent a questionnaire on his draft status and at that time classified 4-D, just as he had been for the two previous years.

Bos. 2-18-56

THEN ON Feb. 2, he filed the suit asking that the state law and city ordinance requiring segregated seating in buses be declared unconstitutional.

Bus Boycott Aide Is Classified 1-A

Post-Herald
Birmingham, Ala.
Thurs. 2-9-56

Attorney-Minister's Status Is Changed

MONTGOMERY, Feb. 8 (AP)—A 25-year-old Negro attorney who has been active as a legal adviser in the nine-week-old city bus boycott has been classified 1-A by his draft board.

Fred D. Gray, who had been exempted from military service as a Church of Christ minister, said he hadn't been notified of his changed draft status and declined comment.

James W. Jones, State Selective Service director, confirmed reports that Gray's classification had been changed from 4-D to 1-A after he ordered the local board to re-examine Gray's case.

At the time the attorney was classified 4-D, Jones said, Gray was the only pastor of his church. Now the church has a full-time minister and Gray serves as assistant minister.

Jones said since Gray now spends more than 50 per cent of his time as a practicing attorney he no longer is entitled to the exemption as a minister.

Selective Service sources declined to say whether the lawyer is likely to be called up for service in the armed forces any time soon.

Case against boycott lawyer is dismissed

Birmingham, Ala.

MONTGOMERY, Ala., March 2—(AP)—A charge of unlawful practice against Negro Atty. Fred D. Gray, legal spokesman for bus boycotters, was dismissed in Circuit Court today when the state admitted it does not have jurisdiction.

The action nol prossing the case came at the outset of Gray's scheduled trial. Circuit Solicitor William T. Thetford said the state could not prosecute the young attorney because the offense for which he was indicted took place in a federal building.

Thetford said the issue would be brought to the attention of U. S. Dist. Atty. Hartwell Davis for federal prosecution if he sees fit. Davis said he has not been officially notified of the action and could not say if he would investigate.

Gray said he had no prior knowledge the charges against him would be thrown out of Circuit Court. But he said he had come to the courtroom prepared to file motions challenging the state's jurisdiction.

"Naturally I'm pleased," the young attorney said, "but I haven't really been worrying about the outcome."

Ft. 3-2-56

HE WAS ACCOMPANIED to the courtroom this morning by Arthur D. Shores, Birmingham Negro attorney who led the fight to get Negro co-ed Autherine J. Lucy admitted to the University of Alabama.

BOYCOTT ATTORNEY FREED OF CHARGES

Commercial Appeal p.23

Negro Accused Of Illegal Representation

Int. 3-3-56

ACTION IN MONTGOMERY

Memphis, Tenn.

By The United Press

MONTGOMERY, Ala., March 2.—A Negro attorney accused of illegally representing a woman in a segregation suit filed in connection with Montgomery's bus boycott was freed of state charges Friday.

Lawyer Fred Gray, 25, went to Circuit Court but Solicitor William Thetford immediately asked Judge Eugene Carter to dismiss the charges on grounds the court did not have jurisdiction.

Reason For Charge

Mr. Thetford said the charge grew out of a suit filed in Federal Court here, on Federal property, and under a state law the Federal courts have exclusive jurisdiction over crimes committed on that property.

He said the case would be turned over to the U.S. attorney for prosecution if he sees fit.

Gray, a legal spokesman for the boycotters, is scheduled to represent many of the 90 defendants indicted by a grand jury under Alabama's Anti-Boycott Law.

He was indicted by the same grand jury in connection with a suit he filed in the name of five Negro women asking that city and state bus segregation laws be declared unconstitutional.

Didn't Know Why

One of the Negro women, Jeaneatta Reese, said she didn't know what she was doing when she signed to become a party to the suit, but Gray said he had explained the implications of the action to the woman in the presence of several other persons.

The boycott defendants are scheduled to be tried beginning March 19.

Gray and other Negro attorneys filed demurrers Thursday contending the law under which they are charged is a violation of constitutional guarantees of freedom of speech, religion, assembly and "due process of law."

The state law makes it a misdemeanor for two or more persons to conspire to prevent others from carrying on their business.

Is It Illegal To Practice Law In Ala.?

Alabama attorney arrested

P. 1 Afro-American Sat. 2-25-56

MONTGOMERY, Ala. — Fred D. Gray, 25-year-old attorney, who on Feb. 2 filed the "umbrella" suit contesting the constitutionality of Alabama's segregation transportation laws, Saturday, was indicted, arrested and released on $300 bond.

Mr. Gray was indicted on a charge of representing clients without their consent. The indictment was handed up to Judge Eugene B. Carter by a Montgomery County grand jury which last Monday began investigating the "legality" of the bus boycott.

The bus protest which began Dec. 5 is now in its twelfth week and there was no indication Saturday as to when it would be ended.

Baltimore, Md.

EARLY IN the month when local authorities instituted a "get-tough policy" in an effort to get the colored riders back on the buses, Mr. Gray, with Charles D. Langford, filed in Federal District Court a suit described as an "umbrella" suit.

The petition attacked the constitutionality of the State and city laws requiring segregation on all public transportation vehicles, and asked the court to enjoin the city from enforcing the laws.

The local laws require segregated seating on all public transportion. The bus protest is the outgrowth of a long series of complaints of discourtesy by bus drivers and police in carrying out the law.

The bus protest leaders asked for a seating arrangement on a "first - come-first-served basis without disrupting the segregation law, but city officials and bus company authorities refused to grant them their request.

* * *

LAST WEEK Judge Carter ordered a grand jury probe of the bus protest to determine what he said was the "legality" of the boycott.

All of the plaintiffs in the "umbrella" suit as well as Mr. Langford were among the scores of persons summoned to appear before the grand jury.

Also called to testify before the grand jury was Mrs. Jeanetta Reese, one of the five original plaintiffs in the suit, who later asked that her name be withdrawn as a party to the petition. P. 2

After the suit was filed Mrs. Reese told Mayor L. A. Gayle that she "didn't know what she was signing" when she put her name on the court petition.

The indictment charges Mr. Gray "unlawfully and knowingly" appeared as an attorney for Mrs. Reese without being employed by her and without her consent.

Baltimore, Md.

No trial date has been set for Mr. Gray though court action is expected within a week or two. Mr. Gray will plead not guilty.

JUDGE CARTER dismissed a contempt charge against a service station operator who admitted he sold gasoline in a car pool to aid in the protest against the city buses.

Other filling station operators, parking lot workers and several ministers also have been called before the grand jury.

The indictment against Mr. Gray was the first action of the grand jury after it began its probe of the bus protest, but it was continuing the investigation.

Mr. Gray was arrested at his office Saturday morning, and taken to county jail where he spent about 20 minutes. He was photographed, fingerprinted and then posted bond.

If he is convicted on the charge, he faces a $500 fine and probable disbarment in the State.

Alabama has a similar case on record. In 1940, a colored attorney was similarly accused in connection with the voting registration cases, convicted and subsequently disbarred.

RECENTLY Mr. Gray, who also is a minister, was reclassified 1A by his Montgomery draft board. He had been exempt and classified 4D on the basis of his ministerial work as assistant pastor of the Holt Street Church of Christ.

He has appealed the new draft reclassification.

Final report expected Monday—

Montgomery jury indicts attorney; final action in bus boycott pending

News Sun. 2-19-56 P. A-12

Birmingham

BY REX THOMAS

MONTGOMERY, Ala., Feb. 18 —(AP)—A Negro attorney who filed an anti-segregation suit growing out of Montgomery's bus boycott has been arrested on an indictment returned by a Grand Jury investigating the boycott.

Ala.

The Grand Jury may write other indictments early this week charging actual violation of Alabama's boycott law, a statute originally aimed at labor disputes.

Fred Gray, 25-year-old Montgomery lawyer, was among the defendants named in 114 true bills handed in by the jury late Friday in a partial report. The final report is expected Monday or Tuesday.

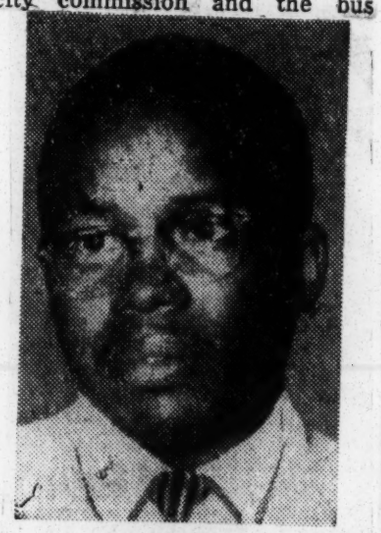
Gray was charged with unlawfully filing an anti-segregation suit in U. S. District Court last month without the consent of one of the five Negro women whose names appeared on the complaint.

The suit, an outgrowth of the racial boycott against Montgomery City Lines buses, seeks to knock out city and state laws which require segregation on all public transportation.

TH EATTORNEY was released on $300 bond after his arrest. He declined to comment on the indictment which was returned under a state law, which makes it a misdeameanor to file a court suit without authority. Violation is punishable by a $500 fine and suspension from practice.

The indictment charges Gray "unlawfully and knowlingly" appeared as an attorney for Mrs. Jeanetta Reese without being employed by her and without her consent in the Federal Court action.

Mrs. Reese was one of five Negro women who signed the petition as plaintiffs against the city commission and the bus company asking an end to racial separation on buses.



Associated Press wirephoto

FRED D. GRAY
. . . Boycotter indicted

After the suit was filed, the Negro woman told Mayor L. A. Gayle in the presence of two newspapermen that she "didn't know what she was signing" when she put her name on the court petition.

GRAY REPLIED at that time that Mrs. Reese did know what the paper was she signed.

The Grand Jury's final report next week will climax a detailed investigation of the bus boycott which has continued unbroken for 12 weeks.

Circuit Judge Eugene Carter charged the jury of 17 white men and one Negro last Monday to determine if the 12-week-old boycott against segregated seating on Montgomery City Lines buses is unlawful.

If the jury finds the mass protest was organized and carried on without "just cause or legal excuse," it can return indictments under a state law rarely if ever used before except in labor strife.

The statute was enacted in 1921 as an outgrowth of labor unrest in Birmingham which included boycotts and blacklisting along with physical violence in the strike-ridden coal mines there.

The late Gov. Thomas E. Kilby told the Legislature that the old laws were "inadequate" to deal with conditions which had developed.

Responding to his request, the Legislature wrote the present law which prohibits two or more persons "without a just cause or legal excuse," from entering into "any combination, conspiracy, agreement, arrangement or understanding for the purpose of hindering, delaying, or preventing any other persons, firms, corporations or associations or persons from carrying on any lawful business."

Maximum penalty for violation is six months in jail and a $1,000 fine.

Officials of the Montgomery City Lines, a subsidiary of National City Lines of Chicago, have declined to say publicly how the boycott has affected the company financially. But a 50 per cent increase in bus fares—from 10 to 15 cents—and curtailed operations have offset the loss of business to some extent.

Before the boycott began last Dec. 5, approximately 65 per cent of the bus lines' passengers were Negroes. Since then, an estimated 75 per cent or more of the Negro customers have stopped riding.

Car pools operating with military precision have been organized to get Negroes to and from work. Negro taxicabs have done a thriving business. Police Commissioner Clyde Sellers says Negroes have complained they were threatened with harm if they rode the buses.

The mass protest against seating of white and Negro passengers began on the day that Mrs. Rosa Parks, a Negro seamstress, was fined $14 in City Court. She was arrested after refusing to move to the colored section of a bus.

Negro leaders led by a 27-year-old Baptist minister, Rev. Martin Luther King Jr., demanded a "first come, first served" arrangement which would seat Negroes from the rear and white passengers from the front until all seats were taken.

Meanwhile, five Negroes filed a suit in U. S. District Court attacking as unconstitutional the city and state laws requiring segregation in all public transportation. No hearing has been set.

The suit also asked that city officials be prohibited from "interfering with Negroes, or using force, threats or other intimidation" to compel them to ride the segregated buses.

SAY ACTION WILL STIFFEN RESISTANCE TO JIM CROW.

Daily Worker P.4
Atlanta Ga.

MONTGOMERY, Ala. — (INS) — A Negro attorney active in efforts to end racial segregation in public transportation at Montgomery was indicted Saturday for representing an individual without his consent.

Attroney Arthur Gray was arrested and freed upon posting $300 bond. Sun. 2-19-56

The Grand Jury that returned the idictment will resume its study of a boycott of city buses by Negroes on Monday.

The action brought from a Negro leader the pledge that members of his race will be more determined than ever to maintain their refusal to ride city buses until "jim crow" seating is abolished.

There was no sign if other indictments have been returned in the racial cotnroversy since Alabama law does not permit announcing names of accused until they are served with the indictments.

Gray and Charles Langford were the attorneys in a suit filed two weeks ago in Federal Distric Court at Montgomery seeking an end to segregation in public transportation.

PLAINTIFF WITHDRAWS!

Five plaintiffs were listed in the suit. One of them Mrs. Jenetta Reese, later withdrew because, she said, of the threats made against her.

It was believed she was the individual Gray was accused of representing without her consent.

The law reportedly has brought only one previous indictment in Alabama history. That one resulted in the conviction in 1940 of a Montgomery Negro lawyer who was active in opening registration lists to Negroes.

If convicted, Gray would be automatically barred from law practic and would face a minimum fine of $500. No maximum fine is set by the law. Gray, a native of Montgomery, has been practicing law for 18 months. He is a graduate of Western Reserve at Cleveland, Ohio.

"FOUR WILL BE FAITHFUL"

Of the attempts to end racial segregation in Montgomery, Gray said:

"The suit will go on regardless of what happens to me as long as there is one plaintiff. I think the other four will stick."

The Grand Jury began its study lost Monday into the bus boycott that was launched Dec. 5, in protest of "jim crow" regulations. The long boycott has been marked by tensions that reached a peak two weeks ago when the homes of two Negro leaders were bombed.

One of those leaders, the Rev. M. L. King, a Baptist minister, said of the Gray indictment:

"It seems to me our boycott has grown more effective instead of losing effectiveness as time goes on and this might make our people more determine than ever."

VISITS ATLANTA

Rev. King, visiting his father, also a Baptist Minister, in Atlanta, said the Montgomery Grand ury is "seeking to declare the boycott illegal, but there is no way to moke people ride the buses.".

He estimated that "less than one per cent" of the city's usual number of Negro bus riders is still riding them.

Declaring the Gray indictment as a "subtle and insidious attempt" to have Gray disbarred, King add-ed:

"Montgomery's 50,000 Negroes are standing behind him with all the strength and influence they have as well as many white friends of goodwill."

The Rev. King said he felt the Grand Jury activ'ty "will increase tension" in the city, but added:

"I believe these tensions utimately will lead to greater harmony between the race in Montgomery None of us enjoys the tensions."

State Depends On Old Law To Control Courts

Journal + Guide
Sat. 2-25-56
Norfolk, Va.

Special to Journal and Guide

MONTGOMERY, Ala. — The fact that he was arrested and indicted on charges that could mark the end of his career, a young local lawyer who is spearheading the quest for civil rights is unshaken in his resolve that his actions were in keeping with correct professional procedure. P. 1

Attorney Fred Gray, active in efforts to end racial segregation in public transportation at Montgomery, was indicted Saturday for representing an individual without his consent. He was arrested and freed upon posting $300 bond. The grand jury that returned the indictment has been studying a boycott of city buses by Negroes.

* * *

THE ACTION BROUGHT from a Negro leader the pledge that members of his race will be more determined than ever to maintain their refusal to ride city buses until "jim crow" seating is abolished.

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P. 2

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Journal + Guide

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Of the attempts to end racial segregation in Montgomery, Mr. Gray said:

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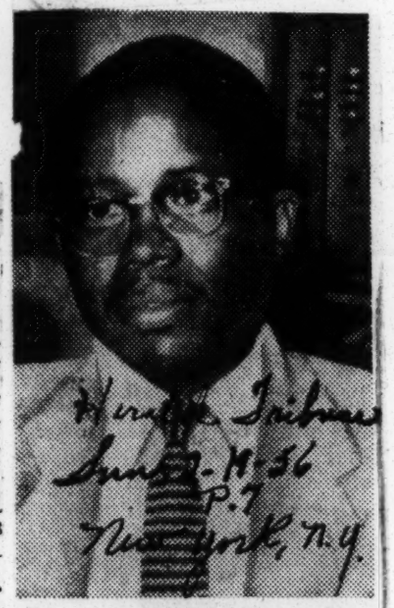
* * *

ONE OF THOSE leaders, the Rev. M. L. King, a Baptist minister, said the Gray indictment is a "subtle and insidious attempt" to have Attorney Gray disbarred, Rev. Mr. King added:

"Montgomery's 50,000 Negroes are standing behind him with all the strength and influence they have, as well as many white friends of goodwill."



Herald Tribune
Sun. 2-19-56
P. 7
New York, N.Y.

Associated Press wirephoto

Fred D. Gray

Alabama Indicts Negro Lawyer

Herald Tribune
Sun. 2-19-56

MONTGOMERY, Ala., Feb. 18 (AP).—A Negro lawyer was indicted by a grand jury today on charges of illegally representing a plaintiff in a segregation case. P. 7

The lawyer, Fred Gray, was among those indicted by a grand jury investigating a boycott by Negroes of Montgomery's city bus line. The boycott is in protest against the company's refusal to allow Negroes to use what seats are available on buses. New York N. Y.

Mr. Gray was charged under a law that forbids a lawyer to appear for a person without being employed by that person. Maximum fine under the law is $500.

Mr. Gray was released on $300 bond after his arrest. He represented a group of Negroes who filed a Federal court suit attacking segregation laws.

Boycott Attorney Indicted By Jury

Advertiser Montgomery, Ala.
Sun. 2-19-56

A Montgomery Negro attorney who has acted as legal arm of the Montgomery bus boycott cases yesterday was arrested on a grand jury indictment charging "unlawful apperance as an attorney" for a person without being employed by that person.

Fred David Gray, 25, was charged specifically with representing Jeaneatta Reese of 1454 S. Holt St., an elderly Negro housemaid in a suit filed in federal court to end segregated travel, without being employed by the woman.

BOOKED AT JAIL

Gray was booked at the Montgomery County Jail at 10:55 a.m. He was fingerprinted and photographed.

The attorney refused to comment to reporters at the time of his arrest.

The grand jury released a partial report Friday charging Gray with violating Title 46, Section 55 of the Alabama Code of 1940. The misdemeanor section reads: "Attorney appearing without authority — any attorney appearing for a person without being employed must, on conviction, be fined not less than $500 and shall be incompetent in any court of this state."

The 1953 section supplement states that the word "appearing" is not limited to representation of a defendant but also includes a plaintiff.

Gray was held in custody for 30 minutes and released on a $300 bond.

FILED SUIT

Witnesses other than the Reese woman listed on the indictment were Q. P. Colvin, 622 E. Dixie Dr., and O. D. Street, clerk of the U.S. District Court.

Early this month, Gray and another Negro attorney, Charles Langford, filed a suit in U.S. Circuit Court seeking to abolish segregated travel on public conveyances in Montgomery and Alabama.

The Reese woman, along with Aurelia S. Browder, Susie McDonald and Claudette Colvin by her next friend, Q. P. Colvin and Rosa Parks were listed as plaintiffs.

WITHOUT AUTHORITY

The grand jury charged that Gray "did unlawfully and knowingly" appear as attorney for Jeaneatta Reese all without authority from the woman and without being employed to do so by the woman.

The Reese woman told Mayor W. A. Gayle the day after the suit was filed she didn't realize what she had signed her name to when the suit was filed. She said she wanted to withdraw her name.

Gray denied the woman's statement and said she knew what she was signing.

A graduate of Western Reserve University, Gray is a member of the Alabama Bar Assn. His draft status was changed recently from porations or associations or persons from carrying on any lawful business."

Advertiser

MAXIMUM PENALTY

Maximum penalty for violation is six months in jail and a $1,000 fine.

Montgomery, Ala.

Officials of the Montgomery City Lines, a subsidiary of National City Lines of Chicago have declined to say publicly how the boycott has affected the company financially. But a 50 per cent increase in bus fares—from 10 to 15 cents — and curtailed operations have offset the loss of business to some extent.

Before the boycott began last Dec. 5, approximately 65 per cent of the bus lines' passengers were Negroes. Since then, an estimated 75 per cent or more of the Negro customers have stopped riding.

Car pools operating with military precision have been organized to get Negroes to and from work. Negro taxicabs have done a thriving business. Police Commissioner Clyde Sellers says many Negroes have complained they were threatened with harm if they rode the buses.

STARTED IN DECEMBER

The mass protest against seating of white and Negro passengers began on the day that Mrs. Rosa Parks, a Negro seamstress, was fined $14 in city court. She was arrested after refusing to move to the Negro section of a bus.

Negro leaders led by a 27-year-old Baptist minister, the Rev. Martin Luther King Jr., demanded a "first come, first served" arrangement which would seat Negroes from the rear and white passengers from the front until all seats were taken.

Under the present arrangement, the dividing line is determined by the driver. Bus company officials rejected the "first come" proposal.

City officials tried unsuccessfully to find a solution and then, after seven weeks of the boycott, announced they were "through pussyfooting around."

WHO CARES?

Ledger 2-19-56

The City Commission abandoned all attempts to settle the differences; told the Negroes it didn't care if they never rode the buses again.

In the same announcement, all three members of the Commission disclosed they had joined the pro-segregation Central Alabama Citizens Council which claims more than 12,000 members in Montgomery and six surrounding counties.

Negro boycott rallies have grown, too, with the meeting places jammed night after night.

Acts of violence have been reported against both the bus company and two Negro leaders, but no one has been injured. Dynamite bombs were exploded at the homes of the Rev. King and E. D. Nixon, former state president of the National Assn. for the Advancement of Colored People.

Gunshots were fired at some buses while making their rounds through Negro sections of Montgomery in the first week of the protest. Others were targets of rock throwing.

5 FILE SUIT

Meanwhile, five Negroes filed a suit in U.S. District Court attacking as unconstitutional the city and state laws requiring segregation in all public transportation. No hearing has been set.

The suit also asked that city officials be prohibited from "interfering with Negroes, or using force, threats or other intimidation" to compel them to ride the segregated buses.

The Rev. King has called the boycott a part of "something that's happening all over the world" — a revolt against oppression.

"The oppressed peoples of the world are rising up," he told a news conference in Chicago last week.

As the boycott gained force, Police Chief G. J. Ruppenthal announced a rigid enforcement campaign against overcrowding of automobiles — as a safety measure.

KING ARRESTED

Three days before the bomb exploded at his home, the Rev. King was arrested by city policemen on a speeding charge. The officers said he was going 35 miles an hour in a 25-mile zone; King said he wasn't. The judge fined him $14.

Another Negro prominently identified with the boycott, Atty. Fred Gray who filed the anti-segregation suit on behalf of the five Negroes, was exempt from the military draft when the boycott began. The 25-year-old lawyer was classified 4D as a "practicing minister."

But his draft board reclassified him 1-A last month without mentioning the racial disturbance. State Selective Service Director James W. Jones, who said he ordered Gray's status reviewed, explained the attorney forfeited his right to deferment when his church acquired a fulltime minister.

Boycott Leader Indicted Over Racial Suit

Journal + Constitution Atlanta Ga.

MONTGOMERY, Ala., Feb. 18 (UP)—A Negro attorney prominent in the Negro boycott of city buses here was indicted Saturday by a grand jury on a charge that he illegally represented a woman in a segregation suit.

Fred Gray, 25, was charged with violation of a state law setting up a maximum fine of $500 for a lawyer "unlawfully appearing for a person without being employed" by that person.

Gray was arrested and later released on $300 bond.

He was attorney for a group of Negro women who recently filed a federal court suit asking that state and city bus segregation laws be declared unconstitutional.

Atl. 2-19-56

One of the women, Jeaneatta Reese, an elderly housemaid, later said she did not know what she was doing when she signed to become a plaintiff in the case and asked that her name be withdrawn.

* * *

GRAY IMMEDIATELY denied the charge and said several persons were present in his office when the woman signed the suit. He said he explained the implications of the action at that time. The suit is pending in federal district court here.

The grand jury, which has been investigating the legality of the bus boycott, made a partial report Friday, returning 114 indictments.

Boycott Issue Being Aired By Grand Jury

Advertiser Montgomery, Ala.

By REX THOMAS
Associated Press Writer

A state law originally aimed at labor disputes may be used next week to indict some of the participants in the continuing Negro boycott of Montgomery city lines buses.

The Montgomery County Grand Jury, with authority to recommend stiff fines and jail sentences, is expected to make a report Monday or Tuesday climaxing a week-long investigation of the anti-segregation protest.

Circuit Judge Eugene Carter charged the jury of 17 white men and one Negro last Monday to determine if the 12-week-old boycott against segregated seating on Montgomery city lines uses is unlawful.

Adv. 2-19-56

WITHOUT CAUSE

If the jury finds the mass pro-

test was organized and carried on without "just cause or legal excuse," it can return indictments under a state law rarely if ever used before except in labor strife.

The statute was enacted in 1921 as an outgrowth of labor unrest in Birmingham which included boycotts and blacklisting along with physical violence in the strike-ridden coal fields there.

The late Gov. Thomas E. Kilby told the Legislature that the old laws were "inadequate" to deal with conditions which had developed.

Responding to his request, the Legislature wrote the present law which prohibits two or more persons "without a just cause or legal excuse," from entering into "any combination, conspiracy, agreement, arrangement or understanding for the purpose of hindering, delaying, or preventing any other persons, firms, cor-

4-D, a minister's classification, to 1-A.

A leader and spokesman of a Negro boycott of the segregated city buses, The Rev. M. L. King, quickly came to the defense of the young attorney. King, out of the city on a speaking engagement, issued a statement in Atlanta declaring the charges are "but a subtle and insidious attempt" to have Gray disbarred and hinder the intergration cause.

King declared that the "50,000 Negroes of Montgomery . . . as well as numerous white Montgomerians of good will" are behind Gray. He expressed conviction that "when this issue comes before fair-minded men in the courts," a speedy acquittal will result.

FRED GRAY
Indicted By Jury

Grand Jury indicts Negro leader in bus boycott case

MONTGOMERY, Ala., Feb. 18 —(AP)—Negro Atty. Fred D. Gray, who filed a Federal Court suit seeking to end segregation on city buses recently, was arrested today for unlawful practice.

Gray was arrested under a Grand Jury indictment charging he filed the suit unlawfully and without being employed by one of the plaintiffs, Mrs. Jeanetta Reese.

The 25-year-old attorney was released on $300 bond.

Under this statute, Gray, if convicted, would be required to pay a $500 fine and would be prohibited from practice in any state court.

Shortly after the Federal Court suit was filed, Mrs. Reese gave a statement to the effect that she wanted to withdraw from the action because she didn't realize what she was doing when she signed the petition. Gray denied this.

Recently Gray was reclassified 1-A by his local draft board. He had been exempt as a minister with 4-D classification.

TENSE ATMOSPHERE

Grand Jury Action Looming For Others In Bus Boycott

In a tense atmosphere, a grand jury which has already indicted one spokesman for Montgomery's Negro bus boycott may bring charges early this week against other participants.

The 18-man jury, with one Negro among its members is expected to make its final report late today or Tuesday after questioning scores of witnesses in the week-long investigation.

Meanwhile, Mayor W. A. Gayle, proclaiming Brotherhood Week in the Cradle of the confederacy, said "certain events have caused a tension which should not exist."

Gayle, a member of the pro-segretation central Alabama Citizens Council, urged the people to "do everything possible to relieve said tension and live up to the obligations implicit in the brotherhood of man under the fatherhood of God."

EARLY SOLUTION SOUGHT

The mayor and the other two city commissioners, also members of the Citizens Council, sought to settle the anti-segregation boycott in its early stages, but abandoned their efforts last month with a statement that they were "tired of pussyfooting around."

They said they didn't care if the Negroes never ride the buses again.

The boycott began Dec. 5 after a Negro woman, Rosa Parks, was arrested and fined $14 for refusing to move to the colored section of a Montgomery City Lines bus. City and state laws require segregated facilities on all public transportation.

An estimated 75 per cent or more of the Negroes who formerly rode the buses have found other means of tansportation since then. A car pool organized almost with military precision has given rides daily to many of the protesting boycotters.

SUIT FILED

Although the boycott leaders offered at the outset to accept a "first come, first served" segregation arrangement on the bus line, a suit was filed later in U.S. District Court attacking all segregated transportation in Alabama as unconstitutional. No hearing has been set.

Fred D. Gray, 25-year-old Negro attorney who filed the court action in the name of five Negro women, was indicted by the grand jury last Friday on a charge of unlawfully representing one of the women. Arrested Saturday and released on $300 bond, he declined to comment on the charge.

The indictment was based on a statement by Mrs. Jeanetta Reese, one of the five women who signed the petition filed in court. Mrs. Reese told Mayor Gayle in the presence of two newspapermen that she didn't know what she was signing.

ACTION DENOUNCED

Gray insisted at that time that she did know.

Another leader in the lengthening boycott, Rev. Martin Luther King Jr., denounced the grand jury's action against Gray as "a subtle and insidious attempt" to have the attorney disbarred and thus hinder the cause of racial integration.

Rev. King, pastor of the Dexter Avenue Baptist Church in Montgomery, issued a statement Saturday in Atlanta where he had gone for a speaking engagement.

The clergyman said "50,000 Negroes of Montgomery . . . as well as numerous white Montgomerians of good will" are behind Gray. He expressed confidence the attorney will speedily be acquitted "when this issue comes before fair-minded men in the courts."

If convicted on the indictment, the attorney could be fined $500 and suspended from law practice.

The grand jury, charged by Circuit Judge Eugene Carter to investigate the bus boycott and find out if it violates the law, can return further indictments this week under an old state statute originally aimed at labor disputes.

The anti-boycott law enacted in 1921 and rarely if ever used except in labor strife, makes it unlawful for two or more persons to organize a boycott "without a just cause or legal excuse."

It prohibits any such "combination, conspiracy, agreement, arrangement or understanding" which is aimed at "hindering, delaying or preventing" anyone from conducting a "lawful business."

Maximum penalty is $1,000 fine and six months in jail.

The 12-week-old mass protest against bus segregation has produced several outbursts of violence, but no one has been injured. Rev. King's home was damaged by a dynamite bomb the night of Jan. 30, and 48 hours later another explosion was set off at the home of E. D. Nixon, a former state president of the National Association for the Advancement of Colored People.

Earlier in the boycott, some buses were fired on while making their rounds through Negro sections of Montgomery.

38b 1956

ALABAMA

PRAYERS

MONTGOMERY, ALA. BUS BOYCOTT

Bus-Boycott Trial Hears Negro Tell of Car Pool

Tribune

MONTGOMERY, Ala., Mar. 20 (AP).—A Negro leader told today how a smooth-running motor pool provides transportation for bus boycotting Negroes protesting racial segregation. P. 8

Other witnesses testified that a newly organized Montgomery Improvement Association, which came into being the day the boycott started on Dec. 5, arranged for the car pool and has paid for gasoline and other expenses of the drivers.

Herald 3-21-56

The testimony highlighted the second day of the trial of the Rev. Martin Luther King Jr., first of ninety Negroes brought to trial on boycotting charges.

Heads Association

New York, N.Y.

Mr. King is president of the Improvement Association, and the state is endeavoring to link him to a "conspiracy" to hinder the operation of the racially segregated Montgomery City Lines, Inc., a privately operated company which has a franchise for city bus service.

The indictments against Mr. King and fifty-nine other defendants still awaiting trial charge violation of a state law that prohibits any conspiracy or other agreement, "without cause or legal excuse," to impede the operations of a lawful business.

At one point in the proceedings today, Circuit Judge Eugene Carter, who will decide Mr. King's guilt or innocence in the absence of a jury, said he tought the state had already established "a prima facie case of conspiracy." But he did not say the prosecution had succeeded in linking Mr. King to it.

How It Operated

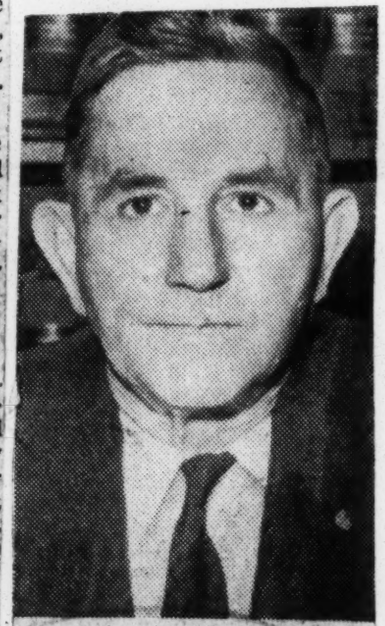
Rufus Lewis, chairman of the Improvement Association's transportation committee, told the court how the committee started the car pool soon after the Negroes stopped riding city buses in protest against segregated seating facilities.

Mr. Lewis said the committee arranged to pay volunteer drivers $4 a day for the use of their cars and bought gasoline for some. He said 200 Negro motorists volunteered for the assignments of getting other Negroes to and from work.

Says He Was Fired On

MONTGOMERY, Ala., Mar. 20 (AP).—A white bus driver testified today he was fired on six times the day Negroes began boycotting the the city transit system.

George Henderson said he was fired on Dec. 6 while driving through a Negro residential area. He said two of the six shots pierced a window "two or three feet behind me." He said he saw gun flashes either on the porch or in the sun room of the house of a Negro.



Associated Press Wirephoto

JUDGE EUGENE CARTER
Presides at trial

Car Rides for Negroes Told In Boycott Trial

Courier-Journal Ky.

Ins. 3-20-56

Forming of Motor Pool With Paid Drivers Related In Court; Thousands Reported Spent

Louisville, Ky.

From Wire Dispatches

Montgomery, Ala., March 19.—State's attorneys produced testimony today that a newly formed Negro organization spent several thousand dollars to make automobile rides available to Negroes during the boycott against segregated City buses.

The evidence came during the trial of the Rev. Martin Luther King, Jr., first of 90 defendants called to answer for the mass Negro protest.

Only three prosecution witnesses were called the first day. The trial will resume tomorrow.

Mr. King was identified as president of the Montgomery Improvement Association, which was organized December 5, day the boycott started. The Baptist minister's signature was on numerous checks introduced as evidence.

Purpose Is Noted

Another clergyman, the Rev. A. W. Wilson, a member of the association's executive committee, said the purpose of the new organization was to improve the "general status of the colored people in Montgomery."

As far as he knew the association has done nothing besides seek "better treatment" on the buses, he testified.

Another witness, Mrs. Erna Dungee, financial secretary of the association, identified bank-

Two Negro brothers have been convicted of assault and battery on a University of Alabama freshman. Story on Page 3.

deposit slips totaling about $30,000.

She also identified photostatic copies of checks signed by herself and Mr. King and another officer, totaling about $4,800 for gasoline.

Motor Pool Formed

Mrs. Dungee said the gasoline was "used to ride colored people, people who wanted to ride."

She also testified Negroes received weekly salaries of $24 as drivers in a motor pool that has provided transportation for the boycotting members of her race.

At one point during the opening day of the first of a series of trials, Circuit Judge Eugene Carter observed that the State had presented sufficient testimony to show that a conspiracy could have existed to boycott Montgomery City Lines, Inc.

Prohibits Conspiracy

The State law under which the mass indictments were returned prohibits a conspiracy or any other agreement to hinder the operation of a lawful business unless there is "just cause or legal excuse" for the agreement. The law provides maximum penalties of a $1,000 fine and six months in jail.

The indictments withstood their first court test earlier today when Judge Carter overruled a defense petition attacking them as unconstitutional.

Mr. King was called to trial as the first defendant after the Negroes asked for separate trials.

Few spectators were admitted to the courtroom, which holds 238 persons, because of the large number of defendants and witnesses—30 for the prosecution and 46 for the defense. The trial was covered by over a score of newsmen.

About 500 Negroes and a few whites sought admission to the courtroom as spectators. They stood in the corridors and stairways of the century-old Courthouse or crowded open windows that offered a view of the courtroom across a courtyard.

Mr. King, 27, whose home was bombed in the early weeks of the boycott, was singled out by Circuit Solicitor William F. Thetford as one of the boycott leaders.

Louisville Ky.

But Thetford ran into difficulty at the outset of the trial in trying to link the Baptist pastor to a "conspiracy" to hinder operations of Montgomery City Lines buses.

Objections Sustained

Carter allowed the first witness, bus-company Manager J. H. Bagley, to identify Mr. King as one of several Negroes he conferred with at the onset of the boycott last December, but he sustained defense objections to some other questions.

Judge Carter upheld defense objections when Thetford asked Bagley what caused a "falling off" of his company's business since December 5. The bus-line official said 90 to 95 per cent of the Negroes who formerly rode City buses have stopped using them.

Bagley was allowed to testify that Mr. King and another defendant, Mrs. Jo Ann Robinson, told him they thought the Negroes would resume riding the buses if certain demands were met.

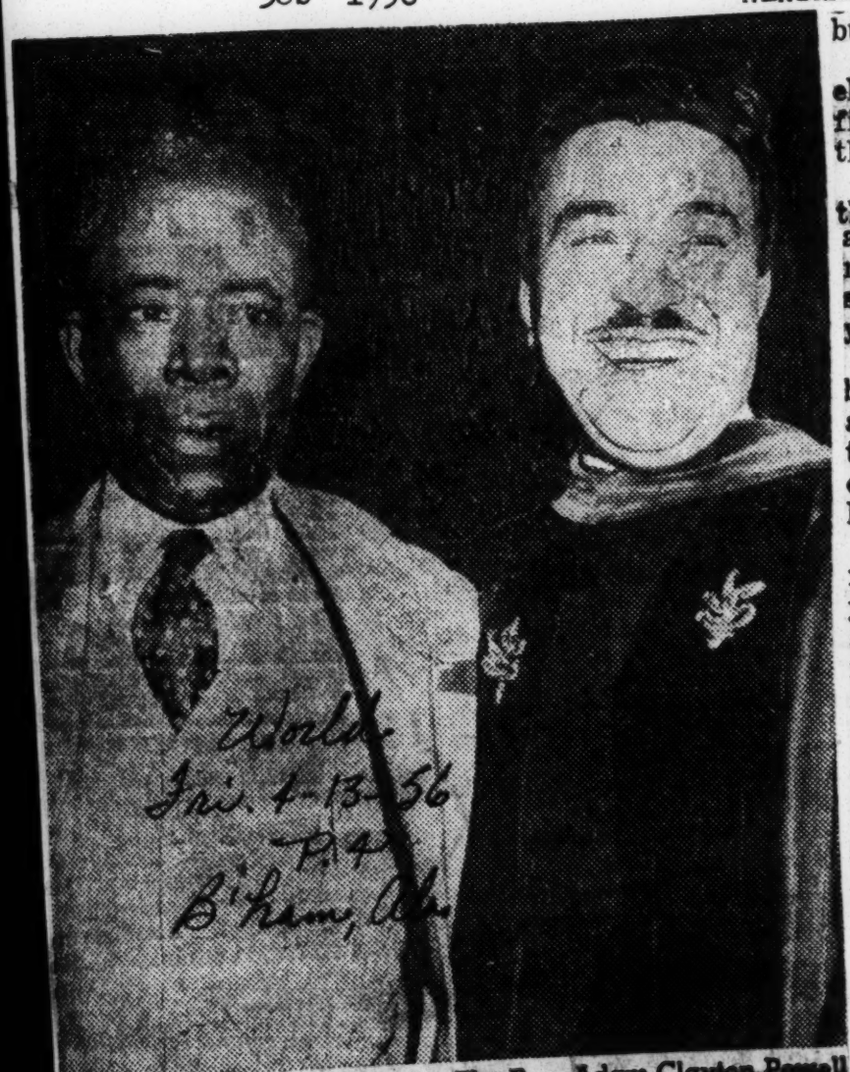
To Contest Decision

The eight defense attorneys, led by Arthur D. Shores, Birmingham, said they would contest Judge Carter's decision in overruling demurrers that said the defendants have committed no unlawful act and therefore can't legally be brought to trial.

Shores, arguing for the demurrers that covered all 90 defendants, said the indictments, under a rarely used State law which prohibits organized boycotting, violated the Negroes' rights of free speech, freedom of worship, and peaceful assembly.

The Negro attorney, who represented Autherine Lucy in her successful court battle for admittance to the University of Alabama before she was expelled, said previous courts have upheld the right of people to refuse to patronize business places.

The number of defendants was reduced to 90 today when the solicitor dismissed three indictments because he said further investigation has thrown "considerable doubt on their guilt."



SPARKED 'PRAYER DAY' — The Rev. Adam Clayton Powell (right), chairman of the National Deliverance Day of Prayer movement, has his arm around the shoulder of Ed Nixon, treasurer of the Montgomery (Ala.) Improvement association. Action took place during the recent Deliverance Day rally at New York's Manhattan Center, which was attended by an overflow audience, and a record number of leaders of all faiths. (Newspress Photo)

Paging Adam Powell

Defender 4-9

In Chino, California, nine Negroes who walked off their jobs at an aircraft company to pray were fired.

At first glance this would seem to be a prima facie case of interference with freedom of worship, but a second look-see tells us that somebody got the signals crossed on this prayer day demonstration.

The nine should take their grievance to Congressman Adam Clayton Powell for failure to inform them that he had done a switcherno on his first brash proposal to call a nation-wide work stoppage of Negroes in sympathy with the Montgomery bus boycott.

Chicago Ill.

The idea was a typical example of Powell impulsiveness — jumping into headlines first and then deciding later that this is the wrong thing to do.

4-7-56

The nine should have remembered that one can talk to God on the job as well as off and you don't have to grab a prayer rug and go dashing off to some secluded spot to let "the Man upstairs" know how you feel about a subject.

It would have been much more sensible and helpful to donate an hour's wages as this newspaper suggested and follow the admonition of the old spiritual, "Every time I feel the spirit moving in my heart, I will pray."

Well, all that's water under the bridge now. And we agree that anybody can tell you what you shoulda done after the damage is made; so what we're passing out now is some advice on what to do next and that is: Tell it to Adam.

His office is Suite 459—Old House Office Building, Washington 25, D. C. If the nine can find him, maybe he can fix it up with the company for the boys to work and pray together!

POWELL ASKS AID TO FIGHT HATE, ILL-WILL

Daily World Sat. 4-7-56

Atlanta Ga.

NEW YORK — (NNPA) — Representative Adam Clayton Powell, Democrat, of New York, Wednesday night called for a "crisis program" to fight any incident of racial intolerance thru the type of passive resistance being used in the Montgomery, Ala., bus boycott.

The program he proposed would be "only led by clergy, quartered only in churches, propelled only by prayer and ready at any hour of the day or night to counteract men

Mr. Powell, pastor of the Abyssiiann Baptist Church here, spoke at an interracial, interfaith National Deliverance Day of Prayer meeting in the Manhattan Center, attended by 3,500 persons, and later to an overflow crowd of 500 in the grand ballroom of the Hotel New Yorker.

The Harlem Congressman also called for a conference of religious leaders with President Eisenhower to supply spiritual support to the forces of integration.

Mr. Powell initiated the "National Deliverance Day of Prayer." The movement was supported by clergymen in local areas scattered across the country.

Under the chairmanship of the Rev. Dan M. Potter, executive secretary of the Protestant Council of New York, the Manhattan Center meeting was conducted as an extension of a church service. The seven hymns sung during the two-hour meeting were those sung every Monday and Thursday at prayer meetings in Montgomery.

B. D. Nixon, treasurer of the Montgomery Improvement Association that is directing the bus boycott, said:

Daily World

"We are tired of riding the buses —I tell you this, whether we are going to live to see the next day, or whether we are going to go to jail we are not going to ride the buses"

At another meeting here, Reform Jews gathered in prayer at the House of Living Judaism. Rabbi Maurice N. Eisendrath, president

Negro Pastors Say Politics Behind Powell's Move

Courier-Journal 4-16 Sat. 3-17-56 Louisville, Ky.

New York, March 16 (AP) — A group of Negro pastors of more than 50 Long Island Baptist churches has charged Representative Clayton Powell (D., N. Y.) was politically motivated in promoting a "national deliverance day of prayer."

Powell, a Negro, also is pastor of the Abyssinian Baptist Church in Harlem. He has called for a day of prayer March 28 in connection with race tensions and violence in the South.

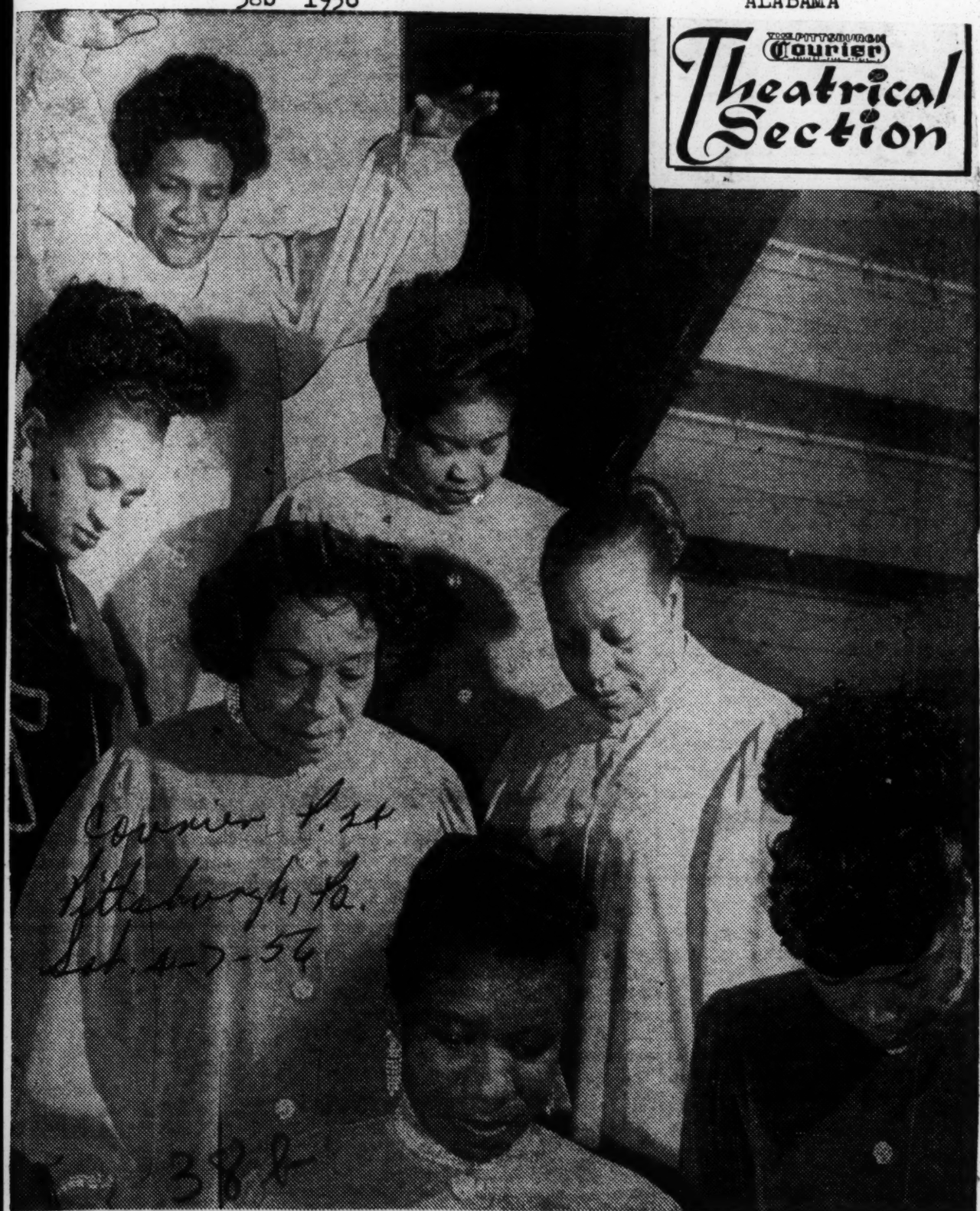
The Baptist Ministers Fellowship, composed of ministers of churches in Negro communities in Gueens, Nassau, and Suffolk counties, reported today that the charge against Powell was made at a meeting of the fellowship this week.

38b 1956

ALABAMA

PRAYERS

MONTGOMERY, ALA. BUS BOYCOTT



Prayer for Freedom—Backstage at the Apollo Theatre in New York the Ward Gospel Singers were photographed observing National Deliverance Day of Prayer as they prayed for freedom and democracy for all people. Gertrude Ward, founder of the group, is shown with her arms raised in prayer. The group was part of the Easter week gospel show at the Apollo which established a new record for the house during Holy Week.

The Pittsburgh Courier
Theatrical Section

NEGROES FIGHTING BIAS WITH PRAYER

Prices p.16-C

Fill City Churches to Hear Plea for Rights, Especially in South—Powell Speaks

Mar. 3-5-56

By MURRAY SCHUMACH

Thousands of Negroes gathered in city churches yesterday to fight segregation with prayer and contributions.

With fervent hymns and "Amens" they called on Americans everywhere to join the struggle for Negro rights, particularly in the South.

Zero start

Montgomery, Ala., and the plight of Miss Autherine Lucy, who is trying to be admitted to the University of Alabama, were cited in pleas by ministers, some of whom touched on politics.

The biggest assemblage was at Williams Institutional Christian Methodist Episcopal Church, Seventh Avenue near 132d Street. Its 2,200 seats were filled and standees overflowed the lobby into the street.

Beneath a banner reading "Christ Can Change the World with You!" they listened to four ministers, including the Rev. Dr. Adam Clayton Powell Jr., Democratic member of the House of Representatives.

Similar meetings were held at Holy Convenant Baptist Church, Lewis and Lexington Avenues, Brooklyn, and Victory Baptist Church, 1001 Union Avenue, the Bronx.

Mr. Powell briefly criticized President Eisenhower and Adlai E. Stevenson, Democratic aspirant for the Presidency, but the theme of his speech was religious.

"We are going to shame the wrong elements of the white South so that they are going to get down on their knees and cry out: 'Oh, God, what must I do to be saved!'"

While the congregation called out and prayed, Mr. Powell asked for the "delverance of all people in America who are victims of prejudice."

He said Montgomery must bring home to the United States the lesson that "we can't buy friends in Europe, in Asia, in Africa, and that we can win out against communism only if we make democracy work because too many people all over the world are watching us to see if we practice at home what we preach abroad."

Hopes to See Spellman

The Representative, who is minister of the Abyssinian Baptist Church, 132 West 138th Street, said he hoped to discuss the movement against racial prejudice with Cardinal Spellman this week. He added that he hoped to persuade President Eisenhower to meet with clergymen of various faiths March 28 for a few minutes of prayer.

Mr. Powell is a leader of a movement to ask for prayers that day to end prejudice as part of National Deliverance Day.

The Rev. Lewis S. White, pastor of Williams Institutional Church, added a touch of humor when, after the collection, he asked those present not to leave before a final prayer.

"You don't leave a ball game until the last man is out," he observed. "Not even a doubleheader."

In the closing prayer Mr. Powell said:

"Deliver Miss Lucy from the hands of a maddened mob. Save us now in this hour of peril by cleansing our hearts. Strengthen the heart of President Eisenhower not only physically but morally that he may speak like a Lincoln."

Courier
Sat. 4-7-56
P. 1
Pittsburgh, Pa.

Prayer for Justice—Members of the St. James AME Church in Pittsburgh take time out from daily pursuits to pray for justice on behalf of the Montgomery (Ala.) bus boycott. They were part of the many thousands who participated in last week's "National Deliverance Day of Prayer" observance which was triggered by the Rev. Adam Clayton Powell of New York's Abyssinian Baptist Church.—Harris Photo.

Defender 4/10 Chicago, Ill. Sat. 4-7-56

PRAYERS Vs. PREJUDICE—"National Deliverance Day of Prayer" is observed in communities throughout the United States as millions ask for end to segregation and prejudice. Observance was outgrowth of bus boycott in Montgomery, Ala., where Negroes have shunned use of city bus lines in protest against segregation. Participating in day of prayer was Supreme Liberty Life Insurance company of Chicago. In photo, Supreme workers are led in prayer by Rev. Joseph H. Evans (hand upraised) pastor, Church of the Good Shepherd, Congregational. At left is Atty. Earl B. Dickerson, president of the firm.

Faithful Drawn to Churches

Courier 4/4 Pittsburgh, Pa. Sat. 4-7-56

(By Courier Press Service)

Ministers of all faiths are rejoicing this week in the wake of the National Deliverance Day of Prayer which was held in support of the Montgomery (Ala.) bus boycott.

Numbering in the hundreds of thousands, the faithful flocked into thousands of churches across the length and breadth of the United States to "pray for racial justice to be achieved in our time in every area of our country, in every sphere of life."

In addition, labor organizations, civic groups, and various concerns joined in the observance.

■

CHICAGO HAD an estimated turnout of 28,000 as scores of the city's Baptist churches threw open their doors. At least 12,000 workers at major and independent meat-packing plants stopped their labors for a five-minute observance and prayer.

Employes of the Supreme Liberty Life Insurance Company also bowed their heads in solemn participation.

In New York City, 5,000 persons turned out at a giant rally held in Manhattan Center where the Rev. Adam Clayton Powell, who originally geared the "Prayer Day" proposal, led services. An overflow from this crowd took seats in the ballroom of the Hotel New Yorker.

Over fifty Baptist churches, the Friendship House, a Roman Catholic organization of some 40,000 members, and various Jewish and Protestant groups joined in the observance in New York City.

■

IN COLUMBUS, Ohio, fifty-three Negro churches participated in the "Prayer Day." These churches represent a combined membership of close to 25,000 people.

The Rev. O. D. Dempsey, executive secretary of the National Deliverance Day of Prayer Movement, claimed that an estimated ten million people had prayed throughout the world.

The "Day" also struck responsive chords in Washington where no less than 28,000 churchgoers turned out . . . and in Boston where the Massachusetts State Legislature suspended all legislative activity for one hour and staged a march down the capitol steps. Commented House Speaker Michael F. Skerry, "It is entirely fitting and proper that we in Massachusetts . . . strike the blow . . . for the oppressed people of the South."

Also in Boston, Archbishop Cushing asserted, "Whenever racial intolerance shows itself in any part of our nation . . . then Christ is crucified again."

■

IN CALIFORNIA, Gov. Goodwin Knight designated the Day of Prayer by gubernatorial proclamation.

In Pittsburgh, Negro employes of the Levinson Steel Company took time out from their labors to join in the day of prayer after having donated an hour's pay to the Montgomery boycott.

Pittsburgh churches also joined in the observance.

Observances were also noted in New Orleans and Atlanta. But, throughout the South the observances were spotty and not as well-organized as in the North.

Commenting on this paradox, one Southerner told The Courier, "Every day down here is 'prayer day.' It was all right for the people in the North to pray for us, just like we prayed for the men on the battlefields during the war. But like the men at the front, here you never stop praying."

"National Deliverance Day of Prayer" was observed in Memphis with almost 400 persons jamming the Beale Street IBPOE Rest. The event was sponsored by the Lincoln Republican League headed by W. C. Weathers.

Courier Pittsburgh Pa. Nov 4-1956 p 4

Praying for Deliverance— Members of Ebenezer Baptist Church in Pittsburgh bowed their heads in prayer for the Montgomery (Ala.) bus boycotters and for deliverance from oppression all over the world. The Rev. James B. Cayce, left, led the "Prayer Day" ceremony.—Harris Photo.

Negro Church Prayers Here Seek Divine Interposition In Alabama

Courier-Journal Louisville, Ky.
Thurs. 3-29-56

Cite Spirit Of Daniel

Prayers in the spirit of the prophet Daniel were offered three times yesterday by small groups meeting in 11 Negro churches of the Louisville area.

The prayer meetings were part of a "national deliverance day of prayer" proclaimed by Negro leaders to ask for "Divine interposition" in the racial upheaval in Alabama.

Prayer services here were at 3 a.m., noon, and 6 p.m. in churches of the National Baptist Convention.

28,000 Attend In Chicago

(An estimated 28,000 persons attended the prayer service in 300 Chicago churches. The largest single meeting was in New York, where 3,500 persons offered prayers for support of the 17-week-old Montgomery, Ala., bus boycott.

(In Washington, 600 Negroes attended a service where one of the indicted boycott leaders, the Rev. E. N. French, Montgomery, said his city's 50,000 Negroes "decided almost simultaneously that we're tired, we can't take it any more."

(Chairman of the day of prayer was Adam Clayton Powell, Jr., Negro congressman from New York.)

All the services here drew a devotional reading from the Ninth Chapter of Daniel, in which the prophet confesses the sins of his people and asks for the restoration of Jerusalem.

Outlines One Purpose

"O my God," prayed Daniel, "incline Thine ear and hear; open Thine ayes and behold our desolations, and the city which is called by Thy name, for we do not present our supplications before Thee for our righteousness, but for Thy great mercies."

At Beargrass Baptist Church, 201 S. Jane, two women and the pastor sang hymns without accompaniment at the noon meeting.

The Rev. W. H. Sullivan knelt and prayed quietly for 10 minutes.

"We have come here for one purpose," he said. "We've been told and we hear of people in the South—in the city known as Birmingham—where the races are in trouble, the white and the colored."

He spoke of how God created man—"You breathed breath into him . . . and made all of us alike, sons of one God."

"The white," he went on, "feel that they are superior and want us to humble to them. So we come to Thee. Fix our minds right. If we are wrong, lead us to the right."

Referring to the persecution of the children of Israel, he said:

"We are being mistreated, not because we are Israelites, but because we are different in color . . . We don't pretend to be anything but what You would want us to be, humble servants. So hear what is being said today in this hour in many churches.

"We are asking for mercy. Help the people not to be unruly, selfish, and har dot control, but yielding to the right.

"We don't know what to do. We are ignorant of the facts. But we come to you."

In Chino, Calif.

Courier p. 2

Lay Off To Pray, 9 Fired

Pittsburgh, Pa.
Sat. 4-7-56

CHINO, Calif.—One hour's prayer has cost nine Negroes their jobs with a local concern.

The men, who stopped working for one hour, in compliance with the call for a "National Deliverance Day of Prayer," have appeal to their union and the NAACP against their dismissals.

The workers protested the firings as "unjustified" because they were only participating in a "religious observance" at no cost to the company.

One of the workers, Percy Strickland, said the machinists' union would protest the action and that the NAACP had been informed.

Strickland said, "We were warned . . . that if we took the hour off to participate in the Day of Prayer we would be fired; but it was very important to us."

* * *

RALPH SIMPSON, employment manager of the plant, said the company could not condone any such action.

"We regret losing some of our oldest employes. We did everything possible to work out a solution," Simpson said.

About sixteen other Negroes employed by the company did not take part in the observance.

Strickland said the company got in touch with every Negro employed in the plant individuallly after they asked for the hour off.

PRINCETON CLERGY PRAY FOR NEGROES

New York
Sat. 3-3-56

Town and University Join in Petitioning Also for White Ministers in South

Special to The New York Times.

PRINCETON, N. J., March 2—Clregymen of town and gown joined this afternoon in a service of intercession for Negro ministers leading the bus boycott in Montgomery, Ala.

The srevice was held in the chapel of Christ Presbyterian Church, founded here in 1751. Sponsored by the Princeton Pastors Assocation, it was one of a growing number of expressions of sympathy by Protestant groups for the Negro cause in Montgomery.

A similar service was held yesterday by students at Princeton Theological Seminary. They expressed their sympathy for the Negro pastors, in a letter sent this afternoon to Montgomery.

Twenty-one clergymen associated with local churches or Princeton University and a rabbi attended the service this afternoon. Scripture reading was shared by white and Negro ministers.

The short prayer of intercession asked that the white clergymen in the South be granted "integrity and wisdom for difficult times." It concluded:

"Let us pray for our Negro fellow ministers in the South—and particularly in Alabama—that God may preserve them and their loved ones from danger, that He may sustain in their hearts the spirit of forgiveness and trust, and that their witness may be made effective in His cause."

At the service $84 was collected and $125 more is expected. The money will be sent to the Negro ministers in Montgomery.

The Rev. Dr. John Bodo, minister of First Presbyterian, explained that the service had been limited to local clergymen so that a sincere expression of prayer and support could be made without "a lot of Yankees getting on their high horses at a safe distance."

Letter Sent by Students

The letter sent by seminary students this afternoon to all clerfymen in Montgomery expressed concern over the "extreme difficulties" faced by the white ministers. It also said:

"To you our Negro brethren who have taken active leadership in the present struggle of your people for justice in our common life, we wish to express our sharing with you in your present sufferings.

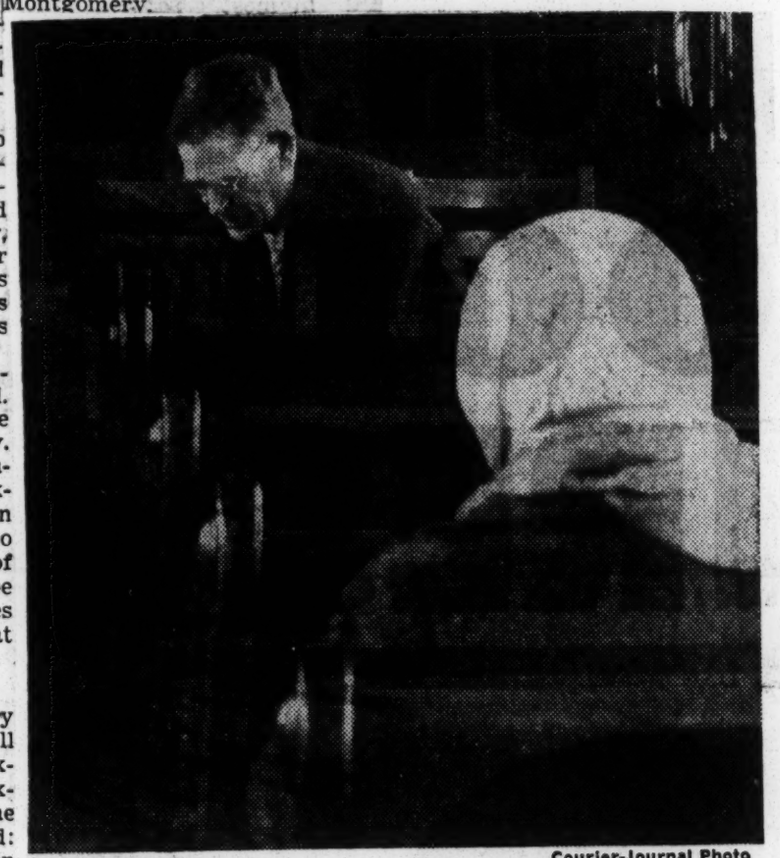
"That you have chosen to guide your people in a peaceful and not a violent search for freedom has caused us to rejoice in the wisdom and Christian aspiration of your seeking to do God's will."

The letter was signed by 127 of the 500 students at the seminary. Two are Negroes. It was noted that "no qualified Negroes have ever been excluded" from the seminary.

The letter was available for voluntary signing in the dining hall last night and this noon. Those who signed included students from both the North and South.

Support for the Negro clergymen in Montgomery has been expressed recently by the Rev. Dr. Eugene Carson Blake, president of the National Council of the Churches of Christ in the U. S. A. Other expressions of sympathy and support have come from Union Theological Seminary and several clergymen in New York.

The West Virginia Council of Churches is among the Protestant groups in other states that have declared their support this week for the Negro cause in Montgomery.



Courier-Journal Photo

FOR DELIVERANCE . . . The Rev. W. H. Sullivan leads a prayer at Beargrass Baptist Church, part of the "national deliverance day of prayer" held in 11 churches here. Groups met to ask divine guidance in racial issues.

April 11 Event To Aid Boycott

Defender Chicago, Ill.
Sat. 4-7-56

Chicago labor leaders are going all-out in mobilizing support for the April 11 "Hour of Prayer" and mass rally in support of the bus boycott in Montgomery, Ala., and the embattled Negroes of the South in their fight for justice and first class citizenship.

The mass rally will be held at 7 p. m., Wednesday, April 11, at the Chicago Coliseum, 15th st., and Wabash ave.

All is under the auspices of the Chicago Branch of the NAACP supported by numerous labor, church, civic and community organizations.

LABOR COMMITTEE

The Labor Committee of the NAACP headed by James Kemp and Lucius Love made a strong appeal for attendance.

A special committee-"The NAACP Funds for the South Labor Committee," co-chaired by George F. McCray, chairman of the Civil Rights Committee of the Illinois Industrial Union Council, CIO, and Mark Allen, secretary-treasurer, Amalgomated Meat Cutters Union Local 547, AFL is organizing the campaign for support by labor.

Rev. Ralph D. Abernathy, indicted leader of the heroic move-

ment of the 50,000 Montgomery Negroes against the buses, will give a first hand report of the bus boycott. Roy Wilkins, national executive secretary of the NAACP, will give an up to the minute picture of the struggle of the embattled Negroes of the South for dignity, justice and freedom.

ALL FAITHS HELP

The "Hour of Prayer" will be conducted by the ministry of Chicago with representatives of all denominations and religious groups participating. The "Hour of Prayer" is co-chaired by Rev. A. Lincoln James and Rev. Archibald J. Carey, jr.

"Negroes in the South are giving us and the rest of the world an inspiring performance," said the labor leaders.

But they added, "We know from bitter past experience it will take more than raw courage by Negro leaders and the fighting spirit of their followers to stand up long against the superior political and economic power of White Citizens' Councils.

The NAACP and its Labor Committee are calling upon all workers to contribute at least one hour's pay to aid their brothers in the South. "Their fight is our fight, united we stand to march forward to an America free of segregation and discrimination, divided we will fall before the assaults of the Dixiecrats and race bigots everywhere," they declared.

"Every dollar raised for the fund will be expanded on behalf of the Montgomery Bus Boycott and to aid through the NAACP thousands of Negroes who, because of their courage, have been attacked and victimized by the White Citizens Councils in Southern states," said the labor leaders.

Refuse Orders To Go On Working

Defender Sat. 4-7-56
Chicago Ill. P. 1

CHINO, Calif. — (INS) — Nine Negroes declared last week they will file a grievance with their union protesting their dismissal from a Chino, Calif., aircraft plant because they took time off the job to join a national prayer movement.

The group's spokesman, Percy Strickland, said the firings will be taken to the International Association of Machinists and also will be reported to the National Association for the Advancement of Colored People.

Strickland and his fellow workers walked off their jobs Wednesday for an hour of prayer in connection with the boycott of city buses in Montgomery, Ala.

Ralph Simpson, plant employment superintendent for the firm, Pacific Airmotive Co., said he had warned the men not to take the time off, but they disobeyed his orders. Therefore, he said, they were fired for insubordination.

Guy Voyer, the company's manager of industrial relations, added:

"The men had requested time off which we could not permit. We had air force contract schedules which had to be met. They just walked off the job. That's all there is to it."

Negro Baptist Hits Pray Plan

Constitution P. 13
Atlanta Ga.
2-28-56

MIAMI, Fla., Feb. 27 (AP)—The religious leader of five million Negroes said today he is against mixing an economic boycott with prayer for Alabama Negroes arrested in a bus dispute.

Dr. Joseph H. Jackson of Chicago, president of the National Baptist Convention, said in an interview that he is in favor of prayer but would not go along with a nationwide economic boycott.

"I don't quite see mixing prayer with an economic boycott," he said. "That does not quite harmonize with my religion. I don't believe there ought to be any kind of reaction against employers who are cooperating with employes."

Expect Thousands At Mass Rally And Prayer Hour

Daily World Sat. 4-7-56
Atlanta Ga.

CHICAGO — Chicago citizens by the thousands, from all walks of life all races, colors and nationalities will pack the Chicago Coliseum, 15th St. and Wabash Ave., at 7 P. M. on Wednesday April 11 for the giant city wide "Hour of Prayer" and mass rally in support of the heroic struggle of 50,000 Negroes in Montgomery, Alabama against the Jim Crow bus line and the embattled Negroes of all sections of the South in their fight for justice, first-class citizenship and freedom. P. 1

The meeting under the auspicies of the Chicago Branch of the National Association for the Advancement of Colored People, supported by numerous church, labor, business, professional, civic, community, fraternal and other organizations will start with an "Hour of Prayer" service conducted by the ministry of Chicago. Representatives of all denomination and religious groups in the city will participate. Rev. A. Lincoln James and Rev. Archibald J. Carey, Jr., will co-chair the "Hour of Prayer."

Musical offerings will be by the robed choirs of Chicago churches under the direction of J. Wesley Jones.

Star attraction at the mass report meeting following the "Hour of Prfayer" will be Rev. Ralph D. Abehnathy, one of the two foremost leaders of the boycott and vice-president of the Montgomery Improvement Association which has conducted the mass protest movement against segregation and discrimination on the buses.

It was the 29-year-old Rev. Abernathy, who originated the bus boycotters slogan as they walk many miles rather than continue the humiliation of Jim Crow and Brayality on the buses, "We'll walk with God."

Expect Thousands At Mass Rally And Prayer Hour

Daily World Atlanta, Ga.
Wed. 4-4-56

CHICAGO — Chicago citizens by the thousands, from all walks of life all races, colors and nationalities will pack the Chicago Coliseum, 15th St. and Wabash Ave., at 7 P. M. on Wednesday April 11 for the giant city wide "Hour of Prayer" and mass rally in support of the heroic struggle of 50,000 Negroes in Montgomery, Alabama against the Jim Crow bus line and the embattled Negroes of all sections of the South in their fight for justice, first-class citizenship and freedom.

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Attorneys Granted 10 Days For Appeal To Higher Court

Advertiser Wed. 6-20-56

Montgomery, Ala.

By FRANK McARDLE

A federal three-judge panel issue a permanent injunction yesterday against segregation on Montgomery transportation vehicles, although the order was suspended for 10 days to allow in appeal to the U.S. Supreme Court.

Meanwhile, city buses continued operating practically without Negro passengers today, now under the aded burden of conflicting court orders—the federal court injunction requiring desegregation, and a circuit court injunction ordering maintenance of separate seating of the races.

The injunction order, which puts into effect a decision by the panel two weeks ago outlawing bus segregation, also provides an indefinite period of suspension of the order pending completion of the appeal.

If the appeal is filed within the 10 days, the panel said the suspension will remain in efect until a new rder can be written to continue the stay of the execution.

The federal injunction, another 2-12-1 majority decision, came only a few hours after city attorneys had submitted written recommendations to the panel, requesting a stay of execution on the original decision of June 5.

Judge Frank M. Johnson, f the U.S Middle Districe of Alabama signed the injunction order along with Judge Richard T. Rives of the U.S. Fifth Circuit of Appeals.

The dissenting vote was again cast by Judge Seybourne H. Lynne of the U.S. Northern District of Alabama. Lynn, who also voted against the original decision, favored the suspension provisions of the injunction.

The action in settin local bus desegregation into motion followed a conferenct late yesterday between Judges Johnson and Rives. Judge Lynne, at his office in Birmingham, was contacted earlier for his decision in the ruling.

Any further prolongation of the seven-month old bus boycott was assured with the suspension provisions of the injunction order. Rev. HM. L. King Jr., president of the Montgomery Improvement Association, sponsors of the boycott, said earlier Negroes would continue their protest by not riding buses until appeal action is completed.

King said although he had not conferred with Negro attorneys, "the predominant feeling of the Negroes I am sure, would be to continue the bus protest movement until appeal action has been completed."

TWO COURT ORDERS

The city bus lines were placed in the peculiar position of being under conflicting orders of two courts. Circuit Judge Walter B. Jones recently granted the city an injunction against the bus firm to require the continued maintenance of separate seats for white and Negro passengers.

Acting on a misinterpreted federal decision in a South Carolina bus segregation case, the National City Lines Inc., of which the local bus firm is a subsidiary, ordered its drivers to discountine requiring Negroes to move to the rear of buses.

Alabama Attorney General John Patterson yesterday filed a recommendation with the three-judge panel asking the order abolishing segregation be stayed pending an appeal to the Supreme Court. Patterson acted on behald of the Public Service Commission, one of the defendants in the original suit against segregated buses.

The injunction order, released by Judge Johnson without comment, ruled, in effect, that the defendants in the action, the City of Montgomery, Montgomery City Lines Inc., Alabama Public Service Commission, and the individual parties named in the suit, are "hereby permanently enjoined and restrained from enforcing the aforesaid statutes and ordinances or any other statutes which may require plaintiffs or any other Negroes similarly situated to submit to segregation in the use of bus transportational facilities in the City of Montgomery. . .and from doing any acts or taking any action to require Montgomery Bus Lines Inc., or its drivers to enforce such statutes or ordinances requiring segregation of white and Negro passengers."

The latent effect of the ruling was provided in the following clause, "the injunction granted by this judgment is suspended for 10 days from the date hereof, with such injunction to be further suspended until an additional order can be entered suspending the injunction during the appeal."

PREFERRED CASE

Judge Rives said an appeal to the Supreme Court, now in recess until October, would be a preferred case since the injunction is suspended.

"It's very likely the Supreme Court will consider the case by early next year," Rives said. "A decision will probably not be made before that time at the earliest, I would think."

An appeal from the suspension of the injunction would go to Justice Hugo Black in his capacity as circuit judge. Black is a former Alabama senator.

Neither City Atty. Walter Knabe nor Alabama Atty. Gen. Patterson would say immediately what their next step would be. Knabe said he would make a statement after conferring with the City Commission.

Negro Atty. Charles Langford said his next move in uncertain. He and other Negro lawyers can ask the Supreme Court to set the suspension order aside without waiting for the high court to review the desegregation decision on its merits.

The Supreme Court is in recess for the summer, but the Negroes can appeal directly to one of the justices.

Suit Challenging Bus Segregation Set For May 11

Post-Herald Thurs. 4-5-56

MONTGOMERY, April 4 (AP)—A federal suit challenging constitutionality of Alabama's bus segregation laws will be heard here May 11 by a three-judge panel. Birm, Ala.

U. S. District Judge Frank M. Johnson Jr., a member of the panel, said evidence in the case will be heard before any ruling is made on motions by the defendants to dismiss the suit.

The action was filed by four Negro women as an outgrowth to the bus boycott by Negroes which has continued here since last Dec. 5. It attacks the legality of bus segregation laws under both the state and U. S. Constitutions.

The defendants include members of the Montgomery City Commission, the Alabama Public Service Commission, Police Chief G. J. Ruppenthal, Montgomery City Lines Bus Co., and two drivers for the bus company.

also from the other two plaintiffs, Mrs. Aurelia Browder and Mary Louise Smith.

City Atty. Walter Knabe tried to show through cross-examination that the Negroes made no attack on the segregation laws until after the bus boycott started. The mass refusal to ride city buses has continued without letup for nearly six months.

The suit heard today was filed on Feb. 1, about seven weeks after the boycott began.

Mayor W. A. Gayle and Police Commissioner Clyde Sellers of Montgomery, both members of the suit, testified that in their opinion an end of segregation would bring "violence and bloodshed."

But Negro attorneys Robert Carter of New York and Orzell Billingsley of Birmingham pointed out that segregation has been abolished at federal buildings and various installations in Alabama without violence.

In fact, they noted the absence of segregation in the federal courtroom where the hearing was in progress.

Negroes at Mass Meeting Vow To Continue Boycott

Courier-Journal Fri. 2-24-56

Montgomery, Ala., Feb. 23 (AP)—Shouting, hymn-singing Negroes vowed tonight to continue their mass protest against "oppression" and dedicated themselves to a swelling movement of "passive resistance."

They cheered wildly when their leaders promised that "nothing will change" i nthe 11-week-old boycott against city buses even though close to 100 of them face possible jail sentences for their part in the boycott. P. 23

But they chorused "amen" when first one clergyman then another cautioned them against violence and prayed for divine guidance for "those who hate us." Louisville, Ky.

Every Seat Taken

Every seat and almost every inch of standing room was jammed at the Negro First Baptist Church where the Negroes had been summoned to a mass prayer meeting.

The Rev. Ralph D. Abernathy, the pastor and one of 24 ministers indicted, estimated the crowd at about 5,000. Loud-speakers carried the program to several hundred outside the church who couldn't find room inside.

The crowd also promised, at the suggestion of their leaders, to join tomorrow in a city-wide "pilgrimage" of walking to and from work, shunning even the use of their private cars.

To Join Nonriders

"We will demonstrate to those people who don't have cars and have walked for the past 80 days (the bus boycott began December 5) that we are willing to walk with them," Mr. Abernathy said.

"It is not expected that a race-loving Negro will turn the switch on his car or touch the starter, and you know nobody is going to ride the buses."

The Rev. Martin Luther King, Jr., pastor of Dexter Avenue Baptist Church and another defendant in the boycott prosecutions, appealed to the vast throng to shun any form of violence.

"If we are arrested every day, if we are exploited every day, if we are trampled down every day," he cried, "let nobody pull you so low as to hate them.

"We must use the weapon of love. We must have compassion and understanding for those who hate us. So many people have been taught to hate, taught from the cradle. They are not totally responsible."

'More Than A Boycott'

King said the uprising is "more than a boycott." Instead, he said it can be more adequately described as a mass protest by a people who are "tired of the conditions they experienced for so many years."

"It is not a conflict between the white race and the Negro race," the minister declared. "It is a conflict between justice and injustice."

Abernathy called the mass protest a "show of Negroes all over America, a show of all freedom-loving peoples all over the world."

The mass prayer meeting came on the eve of the first scheduled court appearance of those named in the grand-jury indictments.

FOUR OPEN TEST OF SEGREGATION

Times-Picayune

Montgomery Women Seek to Enjoin Practice

Sat. 5-12-56

By REX THOMAS

MONTGOMERY, Ala., May 11 (AP)—City attorneys resisted an attack on Alabama's segregation laws today with a persistent effort to show that complaining Negroes were willing to live under them until recent weeks. P. 12

But the four Negro women who filed a suit in federal court contesting the racial barriers on city buses as unconstitutional insisted they are opposed to segregation in any form and always have been.

One of the plaintiffs, Claudette Colvin, explained that "some of us didn't have the guts to stand up" before.

New Orleans

Heard by Three-Judge Court

A three-judge panel heard three hours of testimony during the morning and then called for arguments from opposing lawyers after a lunch recess. Testimony was completed shortly after noon.

Another issue given prominent attention was whether city officials and Montgomery City Lines, Inc., are enforcing state as well as municipal segregation

laws. The judges hearing the suit had announced earlier that there would be no immediate decision on the segregation issue or the question of jurisdiction.

Judge Richard T. Rives of the 5th U. S. Circuit Court of Appeals said, "This is an important case and will be studied and deliberated."

Injunction Asked

In their suit, the Negroes are asking for an injunction to prohibit continued enforcement of segregation laws and a declaratory judgment holding them unconstitutional.

The decision on application of state laws will be a determining factor in the panel's ruling on whether it has jurisdiction to judge the segregation issue on its merits, or whether the suit must start again in another court.

If the three judges rule on the segregation issue, their decision can be appealed directly to the Supreme Court. But the enforcement of a state law must be involved before a panel such as the one presiding today can take jurisdiction.

City Laws Invoked

The city contends that only municipal ordinances have been in force, although Negro attorneys brought out during the hearing that some members of their race arrested for violating segregation ordinances have been charged also with state offenses.

The four Negro women who filed the suit all testified they were forced to give up their seats on city buses so white passengers could sit down. They all said they stopped riding buses last Dec. 5, the day the mass Negro bus boycott began, but that they would ride them again if segregation is abolished.

Montgomery City Lines abandoned segregation on April 24, but Circuit Judge Walter B. Jones in state court two days ago ordered the integration policy rescinded. He held that city and state laws are still in effect despite a recent Supreme Court decision.

Woman Screams in Court

An unidentified Negro woman in the courtroom screamed and was led sobbing from the room this morning when the 16-year-old Colvin girl told of being arrested and taken to jail handcuffed on March 2, 1955, for refusing to give up her seat on a bus.

Another witness, 77-year-old Mrs. Suxie McDonald, testified she was forced by a bus driver to give her seat to a white passenger. Similar testimony came

TRIAL DATE SET

Advertiser

89 Answer 'Not Guilty' At Bus Boycott Hearing

Sat. 2-25-56 P. 1

Montgomery, Ala.

By TOM JOHNSON

Eighty-nine Negroes accused of fostering an unlawful boycott against Montgomery City Lines buses answered "not guilty" at arraignment proceedings yesterday in Circuit Court.

Judge Eugene Carter set the week of March 19 for trial of all cases.

Defense attorneys filed demurrers contesting the indictments which charged violation of the Alabama law against "illegal" boycotting.

Judge Carter withheld ruling on the demurrers which claim, in effect, that the state has failed to make a case even if the facts alleged in the indictments are true.

Meanwhile, it was difficult to gauge the success of "prayer and pilgrimage day," passionately proclaimed by Negro ministers on Wednesday.

Police officers reported no "marked" difference in Negro motor traffic.

Police Commissioner Clyde Sellers observed that there didn't "seem to be many more Negroes walking than usual."

MANY WALKING

A Negro taxi cab owner, Felix Thomas, said his business was "excellent" but that a "whole lot of Negroes" were walking.

Accurate estimates were hard to make in the absence of knowledge about what constitutes a "normal" movement of Negro traffic in the boycott.

Negro clergymen called for a mass 24-hour pilgrimage on foot to prove their willingness to walk if necessary to carry on the 11-week-old boycott.

It is part of what the Rev. Ralph D. Abernathy called "passive resistance," a Ghandi phrase meaning stoic, unyielding, non-violent resistance.

Abernathy and Rosa Parks, whose arrest precipitated the bus boycott, were among the last to be called for arraignment—a legal formality of reading the indictments, taking pleas and setting trial.

Arraigned earlier were the Rev. M. L. King, Dexter Avenue Baptist Church; the Rev. L. R. Bennett, Mt. Zion AME Church; E. D. Nixon, a Pullman porter and former president of the state NAACP; and the Rev. Edgar M. French, Hilliard Chapel AME Zion Church.

Advertiser

INDICEMENT DROPPED

An indictment against one Negro, the Rev. A. W. Wilson, was dropped at the request of Circuit Solicitor William F. Thetford because Wilson testified before the grand jury which returned the indictments.

P. 8-A

Judge Carter ruled that made him immune from prosecution.

Sixteen counts were dropped because of duplication. Ten indictments are outstanding, Circuit Clerk John Mathews said.

After yesterday's developments, it appeared that no more than 99 persons will be involved in the boycott trials, instead of 115, as earlier thought.

From the courthouse, the Negroes walked to King's church on Dexter avenue for a prayer meeting.

The ministers also came up with a proposed theme song, written to the tune of "Oldtime Religion."

Sample verse: "We are moving on to victory, we are moving on to victory, we are moving on to victory, with hope and dignity."

Following the prayer meeting, the group walked to the Capitol and were photographed in jubilant poses by an out-of-town photographer.

At one point, when the crowd tied up traffic, police cleared the streets.

Negro Lawmaker Calls For Boycott 'Support'

NEW YORK, Feb. 24 (AP)—A one-hour work stoppage and a day of prayer for every Negro in the nation was proposed today in support of the Montgomery, Ala., bus boycott.

Rep. Adam Clayton Powell (D-NY), Negro pastor of a 15,000-member New York congregation, said Negro leaders have agreed on such a demonstration March 28—a Wednesday.

It would be known as "National Deliverance Day of Prayer," with no Negro of any age attending school or working between 2 and 3 p.m.

As a preliminary, one - hour prayer sessions will be held in New York Negro churches starting next week, and mass meetings will be held in key Negro churches.

Boycott Indictments Likened To 'Soviets'

CHARLESTON, S.C., Feb. 24 (AP)—Roy Wilkins, executive secretary of the National Assn. for the Advancement of Colored People, said tonight the indictment of 100 Montgomery, Ala., Negro leaders under a state anti-boycott law was "the Soviet communism method."

"Here we have the police knocking on doors and taking men away," he said. "Here we have mass arrests. Here we have a grand jury. Delivering a general lecture on the observance of the segregation line. Precisely like the Communists."

NAACP PARLEY

Wilkins spoke at the Southeast Regional Convention of NAACP. In his prepared speech he criticized Thomas Waring, editor of the Charleston News and Courier for a recent Harper's Magazine article on the race situation in the South; attacked the White Citizens' Council for "creating the climate in which violence has occurred"; and said "United States senators cannot go about the country preaching lawless defiance of courts and constitutional government without sharing the responsibility for the violence that may ensue."

'CUPS RUN OVER'

Discussing the Montgomery bus boycott by Negroes, Wilkins said "Montgomery whites claim not to be able to understand 'their' Negroes. Well, I'll be glad to explain. 'Their' Negroes are sick and tired of segregation, of the insults and mistreatment and daily humiliations. It is that simple. Their cups have run over.

"The grand jury to the contrary, there was no 'outside interference' at Montgomery. Negro ministers there took the lead and guided their flocks toward dignity. The entire nation has been inspired by their quiet Chrisitan courage."

FREEDOM TIME

"The time has come for freedom," said Wilkins.

"And what do we ask when we say the time is here?

"We ask the acknowledgement of our status as citizens. We ask the rights and privileges and responsibilities of citizenship. We ask equality with other citizens under the law."

75 Nabbed By Deputies On Boycott Indictments

A Advertiser 1/

Montgomery, Ala.

More Arrests Coming Today

For Leaders In Protest Move

Thurs. 2-23-56

By JOE AZBELL
Advertiser City Editor

Montgomery County deputies arrested 75 Negro political, religious and educational leaders here yesterday and expect to book a top "face card" today in a wholesale roundup of 115 persons indicted by a Montgomery County grand jury on boycotting charges.

The 115 Negroes from almost every walk of life were indicted Tuesday by an 18-man grand jury which included a Negro. The Negroes are accused of taking an "active part" in the 11-week-old racial boycott against the Montgomery City Lines buses.

The huge group will be arraigned Friday before Judge Eugene Carter who ordered the grand jury to investigate the boycott. Trial dates will be set by Judge Carter.

NO DIFFICULTY

No difficulty was reported or noted in the roundup of the 75 Negroes yesterday. They were jovial and in high spirits as they were taken through the arrest process at the county jail.

Only at one time, just before noon, was there any type of demonstrative attitude shown by Negroes. A crowd gathered around a Pittsburgh Negro reporter and sounded grievances and comments about the indictments. Sheriff Mac Sim Butler dispersed the crowd with instructions he would take stronger action if they grouped again.

Besides more than a score of Negro ministers, some of them nationally known, the big attention in the arrests was centered on Rosa Parks, a seamstress whose arrest sparked the boycott of the bus line on Dec. 5. She was booked at that time for refusing to move to the Negro section of the bus.

POINT OF PROTEST

Her arrest was the point of protest which Negroes claimed for the one-day boycott of buses on the day she was tried. But at a meeting later at the Holt Street Baptist Church, the Negroes voted to extend the boycott. It has been running about 11 weeks with only a scattering of Negroes riding the buses in any sections of the city.

Yesterday as she was arrested at the jail, she seemed rather quiet and reserved. Earlier Judge Carter had sentenced her to 14 days in jail in lieu of the $14 fine which she was assessed in city court for violating segregation laws. She appealed Judge Carter's decision to the State Supreme Court and immediately following her announcement went to the jail to be booked on the boycott charge.

All of those arrested were released on $300 bond. None remained in jail.

Three well known Negro political figures were among those arrested. They were E. D. Nixon, former state president of the National Assn. for the Advancement of Colored People and president of the Montgomery Progressive Democratic Assn., P. M. Blair, the "bronze mayor" of Montgomery, and Jo Ann Robinson, president of the Women's Political Council.

Advertiser 2-A

Another well known political figure, Rufus Lewis, who is president of the Citizens' Club, an organization of Negro voters, was brought in for arrest but later it was discovered he wasn't indicted. He had appeared as a witness before the grand jury. However, Lewis' name did appear on a four-page list of those indicted. But after the error was discovered, Lewis was released.

Lewis voluntarily came to the jail. And after being released, he remained there for several hours.

Most prominent in national religious circles and the oldest man to be arrested was Dr. M. C. Cleveland, pastor of the Day Street Baptist Church, chairman of the board of trustees of the Selma University, and chairman of the Home Missions Board of the National Baptist Convention. The 72-year-old minister was arrested late in the day.

Also arrested was the Rev. Roy Bennett, one of two persons who voted against 3,998 other Negroes to end the boycott Monday night. Bennett said he thought the boycott had served its purpose.

As the arrests went on, other developments in the boycott included an invitation of Gov. James E. Folsom to newspaper editors and publishers to discuss racial relations at a conference Friday, and an announcement on the appeal of Attorney Fred Gray who is seeking to regain a 4-L classification after being reclassified as 1-A.

In Washington, Maj. Gen. Lewis B. Hershey, national director of Selective Service, said that even though the appeals board action in denying a relief from the reclassification was unanimous there are still two opportunities for review of Gray's case within the Selective Service system.

Hershey told a reporter that the Alabama state director on his own volition could take an appeal to the national director in the event of a protest to him, or he could take an appeal to the presidential appeals board. Hershey said he did not know whether the state director had decided to appeal. He declined to forecast what his own action might be if a protest is lodged with him, saying that, until he had studied the file, he would not know the facts.

FILED ANSWER

City attorneys also filed an answer in U.S. Circuit Court along with a motion to dismiss a pending suit seeking to outlaw city and state laws which require bus and railroa dsegregation.

It was that lawsuit which brought an indictment against Gray on unlawful practice. He was charged with filing the complaint without the consent of one of the five Negro women whose names were signed to the anti-segregation petition.

The names, ages, addresses and occupations of those arrested yesterday include:

Jimmie Gamble, 36, Maxwell Air Force Base warehouseman, 645 Bullock St.

Arthur Murphy, 55, pastor, Oak Street AMEZ Church, address not given.

Otis Carleton, 27, Air Force truck driver, 407 Wade St.

Booker T. Holmes, 35, Air Force supply sergeant at Maxwell AFB, 2266 Edgemont St.

Walter Moses, 47, 1112 Pelham St., Nelson Construction Co. employe.

The Rev. B. J. Simms, 51, 3356 Tuskegee Circle, pastor, St. Marks Baptist Church.

Osborne Chambliss, 43, 1145 S. Decatur St., U.S. mail carrier.

Irene West, 65, 729 S. Jackson St., treasurer, Order of Eastern Star and mother of an Air Force major.

Jo Ann Robinson, 39, instructress, Alabama State College for Negroes, 1413 Tarriet St.

Mose Bishop, 44, 866 Erskine St., Veterans Hospital employe.

C. W. Lee, 62, 686 Jeff Davis, owner, Lee's Funeral Home.

The Rev. John W. Hayes, 48, presiding elder, West Montgomery District of the AMEZ Church, 635 Columbus St.

The Rev. W. F. Alford, 40, pastor, Beulah Baptist Church, 623 S. Union St.

Robert Johnson, 42, 1452 Bragg St., Butler and Carr cement mason.

Eli Judkins, 45, 2042 Lincoln Terrace, Durr Drug Co. employe.

The Rev. A. W. Wilson, 53, 847 W. Jeff Davis, pastor, Holt St. Baptist Church.

Thomas Gray, brother of Attorney Fred Gray, 3251 Mobile Dr., employe of Dozier Radio Service, age not given.

The Rev. J. H. Cherry, 52, 713 N. Ripley, pastor, Snowdoun Little Zion and Ramer Seek and Follow Churches.

The Rev. Siveria Heard, 57, 915 Adeline, pastor, Bryant Street Baptist Church.

Isiah Ferguson, 48, 1155 Bragg St., operator of auto repair shop at his home.

Frank Powell Jr., 31, 1834 Jackson Ferry Rd., employe of Jenkins Brick Co.

The Rev. H. J. Palmer, 53, 3436 Homeview, pastor, Rock Eloin Baptist Church.

The Rev. S. S. Seay, 57, Rt. 3, Madison Park, pastor, Rogers Chapel AME.

Alberta James, 46, unemployed, 1503 S. Hall St.

The Rev. W. J. Powell, 47, 120 Mildred St., pastor, Old Ship Methodist Church.

Walter Smith, 58, 344 Woodrow, agent, Fuller Cosmetics Co.

The Rev. H. H. Hubbard, 52, 1110 Mobile Rd., pastor, Bethel Baptist Church.

Addie James Hamester, 25, housewife, 841 Alexander St.

The Rev. L. R. Benentt, 52, pastor, Mt. Zion AMEZ Church, 721 S. Holt St.

E. D. Nixon, 56, 647 Clinton St., employe of Pullman Co.

The Rev. A. H. Hoffman, 42, 801 N Union Circle, pastor of Shiloh Baptist Church.

The Rev. R. James Glasco, 715 Dorsey St., director, Alabama Negro Baptist Center, age not given.

The Rev. R. D. Abernethy, 29, 1327 S Hall St., pastor, First Baptist Church.

Cora McHaney, 50, teacher, Carver High School, 1507 Tuttle.

A. McHaney, 54, manager Atlanta Life Insurance Co., 1507 Tuttle St.

Rosa Parks, 43, seamstress, 634 Cleveland Ave.

Martha L. Johnson, 34, student at Alabama State College for Negroes, 1618 Pineleaf St.

The Rev. Fred L. Davis, 41, 1001 Highland Ave., pastor of Triumph Holiness Church.

J. E. Pierce, 41, 830 Carter Hill Rd., professor of political science Alabama State College for Negroes.

The Rev. J. W. Bonner, 50, 716 Gray St., pastor of First Colored Methodist Episcopal Church.

Ronald Young, 36, 3301 Rountree, teacher, St. Jude Catholic Institution.

Dr. Moses Jones, physician, 42, 544 Maggie St.

George Henderson, 43, porter at West Boylston Manufacturing Co., Boylston.

The Rev. B. M. Averhart, 45, 523 Wheeler St., pastor of the Love and Peace Baptist Church.

Wesley S. Tolbert, 63, unemployed, 1421 S. Hall St.

The Rev. Simon Peter McBride, 45, 732 Clinton St., pastor of Mt. Pleasant, Pine Level, LeGrand and Lime Creek churches.

E. H. Ligon, 41, mail carrier, 865 E. Grove St.

Charlie Polk Jr., 23, Prattville, employe at Hartley Boiler Works.

P. M. Blair, 54, 1316 Hall St., owner, Blair Dry Cleaners.

Dr. M. C. Cleveland, 72, pastor of Day Street Baptist Church.

Ida Mae Caldwell, 34, 707 Bullock St., employe at Reliance Manufacturing Co.

J. C. Smith, 25, 1616 Tuttle St., employe of Hazel-Atlas Glass Co.

William Johnson, 51, 1120

Broughton, cement finisher.

The Rev. E. N. French, 34, pastor of Hilliard Chapel AMEZ Church, 17 Winnie St.

Lottie Varner, 37, 819 Cleveland, owner, Lottie's Beauty Shop.

Audrey Belle Langford, 28, 918 E. Grove, teacher, Montgomery Board of Education.

Frank Taylor, 28, 3200 Mobile Rd., employe of Sonbeam Cleaners.

Tom Parks, 32, 2032 Winfield, employe of Swift Packing Co.

Mathew Kennedy, 68, 717 Chilton St. World War I pensioner.

The Rev. B. D. Lambert, 39, 724 High St., pastor, Maggie Street Baptist Church.

J. H. Baker, 30, 803 Seay St., employe, Atlanta Life Insurance Co.

Sam Barnett, 45, Pike Rd., Central of Georgia employe.

John H. Garrison, 46, 1550 S. Holt St., Andrews and Dawson employe.

J. N. King, 52, General Services Administration (U.S. government), 516 S. Jackson St.

Henry Williams, 49, 1826 S. Decatur, J. W. Wells Lumber Co.

Jimmie Lowe, 45, owner, Lowe's Adult High School for Negroes, 849 Cleveland.

Eretta F. Adair, 50, wife of Dr. Roman Adair, 416 S. Union.

Court Upholds Parks Verdict

Advertiser 2/1
Montgomery Ala.

A Recorder's Court conviction against Rosa Parks, Montgomery Negro chared with violation of a city bus segregation ordinance, was upheld yesterday in Circuit Court.

Journ. 2-23-56

Judge Eugene W. Carter fixed a sentence of 70 days jail confinement, including 14 days for the lower court conviction and 5 days for Circuit Court costs.

A notice of appeal backed by a $100 bond was filed immediately by the Parks woman's attorney, Charles Langford. The Negro seamstress was arrested Dec. 1 following an incident on a City Lines bus. The defendant was charged with refusing to move to the rear of a Washington Park bus.

The Parks woman was fined $10 and costs, totalling $14, or 14 days in jail on Dec. 5, the date on which the current bus boycott originated in protest to the womans conviction.

A jury did not hear the defendant's case in Circuit Court yesterday.

Advertiser
Montgomery, Ala.
Thurs. 2-23-56

LONELY DISSENTER

The Rev. L. R. Bennett, pastor of Mt. Zion AME Church, pauses with Bible in hand outside county jail where he was booked yesterday in connection with advocating a boycott of the city's buses. Bennett revealed he was one of two Negroes who voted to accept the city's final compromise and return to riding the buses. He and his assistant pastor were outvoted by an estimated 3,998 to 2. Bennett said he believed in the "will of the majority" and will "with my people throughout this protest."—**Photo by AP**

Advertiser
Montgomery, Ala.
Thurs. 2-23-56

SEAMSTRESS FINGERPRINTED

Rosa Parks, the woman whose hearing on Dec. 5 heralded in the 12-week-old boycott of city buses by Negroes, is shown being fingerprinted at the county jail yesterday by Police Lt. D. H. Lackey. The Parks woman was arrested on charges she advocated the boycott shortly after her Dec. 5 conviction of violating city segregation laws was upheld in Circuit Court.—**Photo by AP**

38b 1956 ALABAMA MASS INDICTMENTS
MONTGOMERY, ALA. BUS BOYCOTT

Deputies Beginning Roundup For 115 Charged In Boycott

Advertiser p. 1

Mass Indictment Sets Record For Montgomery County Jury

Montgomery, Ala.
Wed. 2-22-56

Montgomery County deputies will begin rounding up 115 persons early today on charges of participating in the Negro boycott against the Montgomery City Lines here.

The wholesale roundup will result from indictments returned by a Montgomery County grand jury which reported yesterday violence is inevitable if race relations do not improve here.

Names of the defendants and specific cases are kept secret until the accused persons are taken into custody.

The 115 arrests will include the largest group of people ever indicted by a grand jury on a single charge in the history of Montgomery County.

ENACTED IN 1921

The charge against the group is violation of a state law enacted in 1921. It originally was aimed at labor disputes. The law makes an organized boycott unlawful without a "just cause or legal excuse." Violations are punishable by $1,000 fines or six months in jail.

The grand jury reported it had discovered in its findings:

1. That the boycott originated with 18 members of what the jury called the Inter-Denominational Alliance composed mostly of Negro ministers. The 18 members, the jury charged, created the Montgomery Improvement Assn., which has directed the boycott.

2. That $18,000 has been spent by the association in financing the boycott against the bus line.

The jurors warned of "the growing tension" between the races and said that the atmosphere is creating "distrust, dislike and hatred."

11 TRUE BILLS

Only 11 true bills were returned in the grand jury's final report but an official source who wouldn't be quoted by name said 115 defendants were named in the multiple documents.

The grand jury included a Negro waiter, E. T. Sinclair, and the following white members: Zeb Collier, J. H. Cook, William F. Crenshaw, Cecil Frizzle, Jesse A. Gorrie, V. Van Metcalfe, Jack Milligan, Felder A. Miller, George Parker, James D. Rushing, Thomas W. Sewell, James C. Shepard, Evans D. Shine Jr., and Ben M. Wilbanks.

The boycott of local buses has continued here for 11 weeks and efforts to end the campaign against riding buses have met with complete failure.

Two groups, the Montgomery City Commission and a civic association, the Men of Montgomery, attempted to solve the strike but proposals by both groups were turned down by Negroes.

The Men of Montgomery proposal Monday night was given a resounding 3,998 to 2 defeat as Negroes vowed to continue walking until they receive broader concessions.

One indictment growing out of the boycott was returned by the jurors last Friday. A Negro attorney, Fred Gray, 25, was charged with unlawful practice growing out of an anti-segregation suit filed in U.S. District Court.

H Wentley

Thurgood Marshall, chief counsel for the National Association for the Advancement of Colored People, said that the NAACP will defend Gray. He added that "offhand" he thought the NAACP would take a part in defending any others indicted for violating the boycott statute.

p. 2

It was announced yesterday that Gray has been docketed for trial on Friday, March 2, before a Circuit Court jury.

Gray was accused of filing an anti-segregation suit in U.S. District Court without the consent of one of the five Negro women whose names were signed to the complaint. If convicted, he could be fined $500 and suspended from practice.

Gray filed the court suit as an outgrowth of the mass refusal to ride Montgomery City Lines buses. The petition questions constitutionality of city and state laws which require segregation on all public transportation. No date has been set for hearing on the suit.

ONE OF 114

The indictment against the Negro attorney was one of 114 true bills returned by the grand jury in its partial report, but none of the others were related to the bus protest, court officials said.

Several attempts have been made to settle the boycott since it began Dec. 5 in protest against the arrest of a Negro woman who had refused to move to the colored section of a bus. The defendant, Rosa Parks, was fined $14 in city court

The lengthening boycott has brought some violence but no injuries. Dynamite bombs were exploded at the homes of two of the leading figures in the Negro protest movement—the Rev. Martin Luther King Jr. and E. D. Nixon. King is pastor of the Dexter Avenue Baptist Church and one of the most outspoken boycott leaders. Nixon is former state president of the National Assn. for the Advancement of Colored People.

In making its report, the grand jury stated it followed instructions of Circuit Judge Eugene Carter in making investigations and indictments for boycott activity.

Judge Carter had outlined the law which prohibits "conspiracies and combinations" in the organization of resistance or boycotting of business firms.

Presenting the cases to the grand jury were Circuit Solicitor William F. Thetford and his assistant, Robert Stewart.

More than 200 witnesses were called in the eight-day proceedings held in the Montgomery County Courthouse.

BY 5 WOMEN

Meanwhile, attorneys for four city officials filed an answer to a segregation suit brought in Federal Court by five Negro women.

With the answer, was filed a motion for dismissal of the action, and denial of a declaratory judgment on the plaintiffs have been deprived of "rights, privileges and immunities" as a result of city and state laws requiring segregaton aboard buses.

Mayor W. A. Gayle and Commissioners Frank Parks and Clyde Sellers and Police Chief G. J. Ruppenthal were the city officials named in the suit, which was also brought against Montgomery City Lines Inc. and bus drivers James F. Blake and Robert Cleere.

Attorneys petitioned for dismissal on grounds the governor of Alabama, the attorney general and the Alabama Public Service Commission were not made parties to the suit.

The petition also contended that one of the Negro women, Jeanetta Reese, was made a plaintiff "without her knowledge or consent."

Other grounds listed as supporting dismissal of the suit:

That Mary Louise Smith and Claudette Colvin, who have previously been arrested in connection with violating segregation statutes, had opportunity in state courts to "adjudicate all matters" now before the federal court.

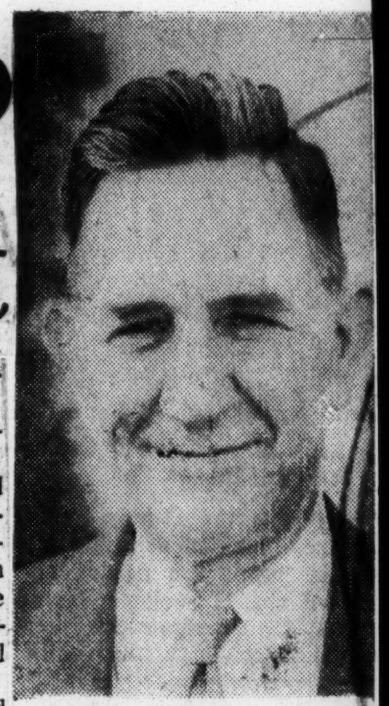
That the plaintiffs have suffered no irreparable injury.

That the federal court should decline to act on the constitutional issue until it is first determined in a state court.

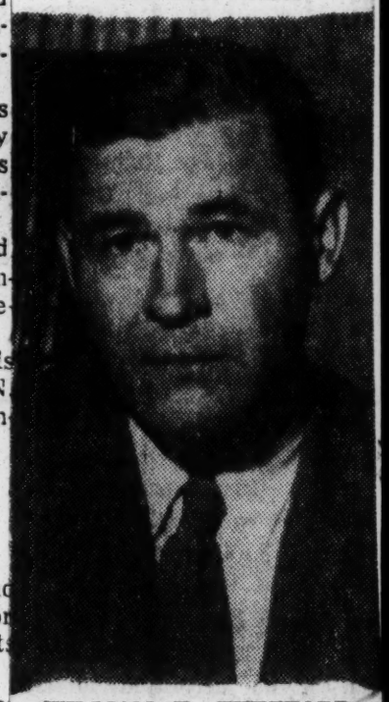
That the federal court has "judicial knowledge that harmony between Negro and white races in this city depends upon continued segregation."

And that the "wrongs and damages" alleged by the plaintiffs occurred in the legal enforcement of city and state laws.

Attorneys for the city officials are Walter Knabe, Drayton N. Hamilton and Herman H. Hamilton Jr.



JUDGE EUGENE CARTER
He'll Hear Cases



WILLIAM F. THETFORD
To Prosecute Cases

Boycotting Illegal Under Alabama Law

A state law on "boycotting and blacklisting" was the basis on which the grand jury indictments were returned.

Ttitle 14, sections 54-61, Code of 1940 makes misdemeanors of such practices as: "conspiracy, combination or agreement to interfere with or hinder business; loitering or picketing; printing or circulating notice of boycotts; using force or threats against persons engaging in lawful occupation."

Others include: "maintaining blacklist, misdemeanor; attempt or threat to injure or destroy property of another; taking pos-

session of property or instrumentality of another, and teaching, printing books or papers or organizing persons to violate provisions of law."

Appeals Board Upholds Lawyer's Draft Status

The Appeals Board of the Middle District of Alabama yesterday upheld the decision of a local draft board in classifying Negro Atty. Fred David Gray as 1-A.

The decision of the board was announced last night by State Selective Service Director James W. Jones.

The action of the board came on a unanimous vote, thereby blocking Gray from any further appeal to higher authorities. Laws relating to the subject specify that a unanimous decision by an appeal board cannot be further appealed.

Gray had been classified as 4-D, the classification of a "practicing minister," since 1948. Under that classification he was exempt from military service. However, 10 days ago the local board reclassified the Negro as 1-A.

Gray's argument in support of his ministerial classification was that he was a part-time preacher at the Holt Street Church of Christ and had attended a church school in Nashville, Tenn.

The appeal board's action came only three days after Gray had been indicted by the Montgomery County grand jury on a charge of unlawfully representing a person without having been employed by that person.

This indictment stemmed from a suit Gray and another Negro attorney filed in a federal court here seeking to void Alabama's segregation laws on public vehicles.

Conviction of that charge automatically would provide for Gray's disbarment in Alabama

Negro Pastors Press Bus Boycott By Preaching Passive Resistance

Herald Tribune Mon. 2-27-56

'Integration Is Great Issue of Our Age,' Leader of Montgomery Fight Asserts—Sees Victory as One for Democracy

By WAYNE PHILIPS

Special to The New York Times.

MONTGOMERY, Ala., Feb. 26—Montgomery's Negro ministers—twenty-four of them under indictment in the current bus boycott—preached the doctrine of passive resistance today.

And in their churches special collections were taken up, as they have been for the last eleven weeks, to help support the car-pool that transports Negroes to and from work.

In the sermons today there was a new and stronger emphasis, however, perhaps the result of the solidarity the city's Negroes have shown in the face of last week's ninety arrests.

The boycott, which began as a protest against what was considered unfair segregation, now was being equated with an attack on all segregation.

The Rev. Martin Luther King Jr. president of the organization that has led the bus protest, returned after two weeks out of the city to his pulpit in the Dexter Avenue Baptist Church, a red-brick building almost at the foot of the State Capitol.

'A Great Struggle'

"Integration is the great issue of our age, the great issue of our nation and the great issue of our community," he told the 300 worshipers at his church.

"We are in the midst of a great struggle, the consequences of which will be world-shaking," he said. "But our victory will not be a victory for Montgomery's Negroes alone. It will be a victory for justice, a victory for fair play and a victory for democracy.

"Were we to stop right now, we would have won a victory because the Negro has achieved from this a new dignity. But we are not going to stop. We are going on in the same spirit of love and protest, and the same dignity we have shown in the past."

Reverend King's sermon was on the subject "Faith in Man"—condemning man's pessimism about himself and his future, and declaring that the Christian faith was faith in man's ability to rise above his own evil nature, his heredity and his environment.

"There is something deep down in our Christian faith that says that man, however low, can be lifted," Mr. King said. "No man will so exploit me, no man so trample me, that I will not believe there is hope in human nature.

"Even though there are men standing on the sinking sands of injustice, even though there are men standing on the sinking sands of exploitation, I will not believe that deep down within them there is no rock of human kindness. If you just keep on loving a man ultimately you will get down to the God in him."

Reverend King tolled off a list of leaders from Christ to those of today who had risen above their environment.

"Thank God there are some peopl ein America today," he said, "who can rise above their environment, above their community, above the backward opinions of their parents, above the teachings they've been brought up under—and stand up for what is right.

"I'm not worried about the death of oppression, I'm not worried about the death of segregation. I know segregation cannot survive for God will get into the hearts of men. Ultimately the most prejudiced mind in Montgomery, the most prejudiced mind in America, will become a loving mind. And twenty-four years from now men will look back and laugh, even at segregation."

In his appeal for funds to support the protest movement, Reverend King declared:

"We have to be very careful that no one exploits this movement.

"We all know," he said, "that the Till case was exploited too much. We need money, but we're not going to do anything and everything to get it. No one is going to get fat on this, and no one is going to get any handouts."

Rev. Ralph D. Abernathy, chairman of the negotiating committee that failed in the last attempts to settle the boycott, told his congregations of supporting telegrams and financial contributions that had come from all over the country.

"The telegrams told us to hold out, keep the faith and keep moving," he said. In the morning's mail, he added, there had come $1,200 in contributions to help support the protest, some of it from northern white people.

250 At Church Services

"Our white friends are with us, you don't have to make this fight alone," he told the 250 worshippers at the Negro First Baptist Church.

"Our method is one of passive resistance, of non-violence, not economic reprisals," he declared. "We have nothing against the bus company. It can run buses as long as it wants to—but it will run them without Negroes until it gives us justice.

"Let us keep love in our hearts, but fight until the walls of segregation crumble. And when they crumble, I don't intend to be in heaven, but right here in Montgomery."

The Negro Interdenominational Ministerial Alliance, headed by the Rev. L. Roy Bennett, pastor of the Mount Zion African Methodist Episcopal Church, has played a leading role in organizing the bus protest. The actual direction of it, however, has been through the Montgomery Improvement Association headed by Reverend King.

The contributions taken up in the churches are used to buy gasoline and service the fleet of 300 automobiles organized to transport Negroes. The automobiles make regular runs from forty-six pick-up stations in the Negro districts.

The church-collection method of financing the car-pool was adopted to avoid a city ordinance that would require the licensing of vehicles carrying passengers for hire. Negro passengers in the car-pool pay nothing.

115 Indicted In Bus Row

Herald Tribune Mon. 2-22-56

MONTGOMERY, Ala., Feb. 21—A grand jury indicted 115 persons involved in Montgomery's Negro bus boycott Tuesday. The grand jury warned that violence is inevitable unless race relations improve.

Only 11 indictments were returned, but an official source said 115 defendants were named, several of them on each indictment.

The boycott began Dec. 5 in protest against the arrest of a Negro woman who had refused to move to the colored section of a bus. The defendant, Mrs. Rosa Parks, was fined $14.

Over 50 Undergo Arrests; All Win Freedom With Bond Of $300

Herald Tribune Birmingham Ala. Fri. 2-24-56

BY PAT J. McDONNELL

MONTGOMERY, Ala. — (INS) — Negro ministers, political leaders, volunteer car-pool operators and the woman whose arrest touched off a mass boycott against Montgomery city bus lines were the victims of mass arrest Wednesday.

By mid-afternoon 53 Negroes, including 14 ministers, had been taken into custody or had surrendered on Grand Jury indictments, charging violation of an anti-boycott law. In the indictments issued Tuesday, the grand jury branded the Boycott illegal and an incitement to "racial tension and violence." At 11 P. M. Wednesday, all those arrested were out on bond.

Among those picked up Wednesday afternoon were P. M. Blair, unofficial "Mayor" of the city's Negro population; Jimmie Parks, head of a Negro High School and Dr. M. C. Cleveland, of the Day Street Baptist Church.

Dr. Cleveland is also chairman of the Foreign Mission Board of the National Baptist (Negro) Convention.

Mrs. Rosa Parks, whose arrest last Dec. 1 over her refusal to change seats in a city bus at the driver's request touched off the 12-week-old boycott, was among those taken into custody.

The arrests were to continue into the night.

Sheriff Hamilton Butler said that while there were 113 separate boycott charges, he estimated "about 80 individuals" would have been booked when the work was completed.

The boycott, which began Dec. 5, continued in full force on Montgomery's bus lines as the victims were booked.

AMONG THOSE ARRESTED

Hundreds of Negroes and whites lined the driveway leading to the jail as the following persons were arrested or surrendered:

Rev. Ralph D. Abernathy, pastor of the First Baptist Church, the first man to be apprehended.

E. D. Nixon, president of the County Negro Democratic Association, whose home was bombed during the boycott.

Rev. M. L. King, whose home was also bombed, was out of town and reportedly not among those indicted.

Rev. J. W. Hayes and Dr. S. S. Seay, respectively presiding elder and executive secretary of the Home Missions Board of the A. M. E. Zion Church.

R. James Glasco, secretary of the Negro Ministerial Alliance, where the grand jury charged the boycott originated.

Rev. Leroy Bennett and Rev. A. W. Wilson, of the Holt Street Baptist Church, where the first boycott meeting was held.

Rev. Aaron Hoffman, a Baptist minister.

W. J. Powell, pastor of the Old Ship Methodist Church.

Mrs. Joan Robinson, president of the Women's Political Action Council of Montgomery.

LABOR LAW ARRESTS

The Montgomery County police carried out the arrests under a 1929 labor law banning boycotts, the law carries jail sentences of six months and fines of $1,000.

Meanwhile, across the street, at the Montgomery Court House, Circuit Judge Eugene Carter upheld the original traffic court fine which launched the boycott.

Police announced Tuesday night that 115 persons had been indicted by the grand jury but it was not yet certain whether all of them will be arrested in connection with the boycott. Under Alabama law names are kept secret until arrests are made.

LAW OF THE LAND

Dr. Abernathy, who made bond of $300 and was released, said:

"We are law abiding citizens. We are ready to be governed by the law."

Asked if he referred to Alabama's segregation laws, he snapped:

"Oh, No. No. By the law of the land."

Tearful women embraced Dr. Abernathy as he emerged from the jail with cries of:

"God bless you. God bless you."

Dr. Abernathy declared that "only the people" could halt the boycott and Negroes in the crowd confirmed his views with such opinions as:

"This will not stop it. It's ridiculous putting people in jail for a tenent bus ride."

Five Lawyers Ready Defense Of Boycotters

Advertiser P. 9
Sun. 3-18-56
Montgomery, Ala.

By STEVE FESHER

Five Negro attorneys will defend 93 Negroes who stand trial here at 10 a.m. tomorrow on charges of advocating an illegal boycott of Montgomery City Lines buses by 40,000 Montgomery Negroes.

Among the 93 are 25 Negro ministers. At their arraignment here recently, 89 Negroes pleaded not guilty. Four others have been arrested since the grand jury returned 11 indictments naming 113 Negroes who allegedly have instigated the illegal boycott.

BEFORE JUDGE

Defending the Negroes will be Arthur Shores, Orzell Billingsly Jr. and Peter Hall, all of Birmingham, and Fred D. Gray and Charles Langford of Montgomery. Shores gained notoriety as the attorney for Autherine J. Lucy, 26-year-old Negro woman who twice was ordered admitted to the University of Alabama by a federal court, only to be expelled for unfounded charges she made against the university. Gray recently was cleared of charges of conducting an unethical practice.

The Negroes will appear before Judge Eugene W. Carter in Circuit Court. The attorneys for the defense have waived trial by jury and will allow the judge to rule in each case. Reasons for this move were not revealed yesterday by the defense

FREEDOMS VIOLATED

Carter, who had directed the grand jury to investigate the bus boycott, must rule on defense demurrers before the trials begin. The demurrers claim in effect, that the freedoms of speech, wormitted no unlawful act, that the boycott law is unconstitutional and thatt he freedoms of speech, worship and peaceful assembly have been violated. Sun. 3-18-56

The law, which has been used only in labor disputes in the state, was upheld in 1942 by the Alabama State Supreme Court. The defense apparently plans to appeal to federal courts in the event of convictions by calling the law a violation of the U.S. Constitution. Montgomery, Ala.

Circuit Solicitors William F. Thetford, Robert Stewart and Maury Smith plan to meet today to discuss their strategy. Yesterday, they gave no indication as to which of the 93 they would call for prosecution first. Similarly, the defense would not reveal if the Negroes would call for separate trials, which would stretch the proceedings out over a period of several weeks, or if they would stand trial together. All defendants are charged with exactly the same misdemeanor, which carries a penalty of not more than $1,000 and not less than $100 in fines plus not more than six months in the county jail.

Circuit Clerk John Mathews said yesterday that subpoenas have been issued for 77 witnesses — 45 for the defense and 32 for the state. Included among those subpoenaed are City Commissioners W. A. Gayle, Clyde Sellers and Frank Parks; Police Chief G. J. Ruppenthal, the Rev. Robert Graetz, white pastor of an all-Negro church, and Montgomery City Lines Manager J. H. Bagley. Nine bus drivers also have been subpoenaed.

The boycott began last Dec. 5 after Rosa Parks, a Negro seamstress, was fined $14 for refusal to move to a Negro section when white passengers entered a city bus. At mass meetings in local Negro churches, Negro ministers and other leaders urged the city's 40,000 Negroes not to ride the buses.

They complied virtually 100 per cent and either walked, rode taxicabs or formed car pools. Boycott leaders at first did not demand an end to segregation but insisted that bus seating be on a "first - come, first-served" basis, starting with the back seats for Negroes and front seats for whites.

Company officials refused to drop a requirement that the 10 front seats be reserved for whites. Negro leaders also demanded Negro drivers for predominantly Negro routes.

Later, however, Atty. Fred Gray filed a petition in Federal District Court to declare bus segregation illegal. Gray was then accused of filing the suit without the consent of one of the five Negro women listed as plaintiffs. He was cleared by Judge Carter.

The boycotters here won support from Rep. Adam Clayton Powell Jr. (D-NY), pastor of the (Negro) Abyssinian Baptist Church in New York and leader of a civil rights bloc in the U.S. House. He urged federal protection for Montgomery Negroes involved in the boycott.

Powell proposed that Negroes throughout the U.S. support Montgomery Negroes by joining March 28 in a "National Deliverance Day of Prayer." He said no Negroes should work or attend school between 2 p.m. and 3 p.m. on that day.

Powell reniged when a spiritual leader of 5,000,000 Negroes said he would "not go along with a national economic boycott. Powell replied immediately that he had not intended a work stoppage but that he was "interested in prayer only."

So the boycott has raged for 16 weeks without noticeable violence on either side. Montgomery has become the center of political battles on local, state and national levels. It has been the congregating place for more than 50 newsmen from all over the globe.

The 16-week-old battle will reach its first climax in court tomorrow.

FIRST NEGRO TRIED IN BUS BOYCOTTING

Times P. 1

Pastor Leads Alabama Fight —3 of 93 Cases Dropped

Tues. 3-20-56

By WAYNE PHILLIPS

Special to The New York Times.

MONTGOMERY, Ala., March 19—The leader of the Negro protest against the segregation policies of the Montgomery city bus lines went on trial today on a charge of conducting an illegal boycott. New York

The Rev. Martin Luther King Jr. was the first of ninety-three persons, including twenty-five ministers, arrested in connection with the movement to be tried. He is the president of the Montgomery Improvement Association, which is directing the protest.

During the protest movement, which began Dec. 5 over the arrest of a Negro woman for refusing to give up her seat to a white person, most Negroes have refused to ride the buses. They have demanded seating on a "first come, first served" basis.

Charges against three of those arrested were dropped today by Circuit Solicitor William F. Thetford. He said further investigation had raised a substantial question as to their guilt. The remaining defendants were not expected to be tried until all appeals had been exhausted, should Mr. King be found guilty.

Herald 3-20-56

N. A. A. C. P. Awaits Result

The National Association for the Advancement of Colored People has announced that it will await the settlement of the boycott charges before deciding whether the passive resistance pattern developed here could be applied elsewhere in the fight on sgregation. New York

Mr. King, 27-year-old pastor of the Dexter Avenue Baptist Church at the foot of the State Capitol here, generally is credited with having applied that policy to the racial struggle in the South. He has a Doctor of Philosophy degree from Boston University.

Eight Negro lawyers were on hand to defend Mr. King today. They included the two young lawyers of Montgomery, three from Birmingham, one from Louisville, Ky., one from Chicago, and one from the New York office of the N. A. A. C. P. The attorneys waived the right of the defendants to a jury trial.

Present as "an interested spectator" was a Negro Representative, Charles C. Diggs, Democrat of Michigan, together with his legal adviser. He brought with him a contribution of "over $5,000" to support the protest movement.

Few spectators were admitted to the courtroom, which holds 238 persons, because of the large number of defendants and witnesses—thirty for the prosecution and forty-six for the defense. The trial was covered by more than a score of news men from India, France, and England as well as various parts of this country.

Circuit Judge Eugene W. Carter upheld the indictments under a 1921 statute that outlaws boycotts of legal businesses "without legal excuse or just cause." The statute was designed to be used in labor strife, and never has been applied otherwise. The penalty is $1,000 fine or six months in jail.

The judge also ruled against a demurrer challenging the constitutionality of the law. He upheld the contention of Mr. Thetford that this had been passed on in previous cases.

Arthur D. Shores of Birmingham, in arguing the demurrer, contended that the form of the indictment was so vague the defendant could not tell the nature of the charge. He also argued that the indictment violated the rights of free speech, freedom of worship, peaceful assembly, and equal protection under the laws.

"The indictments seek to do indirectly what they cannot do directly," he said, "by violating constitutional rights."

It was generally agreed that the reason for raising the constitutional questions at this point was to lay the foundation for appealing the decision, should it be a conviction, to the Supreme Court.

Mr.Thetford and his deputy, Robert Stewart, ran into heavy weather with the three witnesses called today. The Negro attorneys raised objections to nearly every question and challenged every document offered as evidence. One witness Mr. Thetford described as "necessary" failed to appear.

Judge Carter upheld many of the objections, refusing a admit testimony not directly relating to Mr. King.

Those who testified today were James H. Bagley, transportation superintendent of the Montgomery City Bus Lines; the Rev. A. W. Wilson, a member of the executive board of the Montgomery Improvement Association, and Mrs. Erna Dungee, financial secretary of the association.

Major Bills in Congress

TUESDAY, MARCH 20, 1956

ABBREVIATIONS:
C—In Committee. R—Reported. F—On Floor. P—Passed. D—Defeated

Bill.	House.	Senate.
Grants statehood to Hawaii and Alaska (HR 2535 and S49)	R	C
Provides annual pension, clerical assistance and mailing privileges for former Presidents (S1516)	C	P
Simplifies customs definitions, classifications and rate structure (HR6040)	P	C
Authorizes construction of an atomic-powered merchant ship to promote peaceful uses of atomic energy (HR 6243 and S2523)	P	R
Provides for expanded highway construction with increased Federal aid (HR8836 and S1048)	C	P
Highway Revenue Act of 1956 (HR9075)	C	—
Revises and simplifies laws providing for benefit payments to survivors of servicemen and veterans (HR 7089)	P	C
Revises price support for basic commodities and establishes a soil-bank program (HR12 and S3183)	P	F
Authorizes construction of $1,500,000,000 Colorado River storage project (S500)	P	P
Extends Social Security coverage and benefits (HR7225)	P	C
Authorizes Federal aid to states for program of school construction (HR7535 and S2905)	R	C
Promotes expanded private health insurance, construction of health facilities, nurse training and mental and public health programs (HR3458 and S886)	C	C
Amends the Refugee Relief Act to modify restrictive procedures (HR6594 and S2113)	C	C
Bricker amendment to limit treaty-making powers of the President (S.J. Res. 1)	—	R
Extends corporation and excise taxes (HR9166)	P	C
To revise Federal election procedures. Relating to campaign contributions and reporting (S3308)	—	C
Provides for membership by the United States in proposed Organization for Trade Cooperation (HR5550)	C	—

New Witnesses Are Called In Trial Of First Of 90 In Protest

Daily Mored P. 1 Wed. 3-21-56

Atlanta, Ga.

MONTGOMERY, Ala. — (INS) — A three-man board of Federal judges has been named to hear a case which attacks the constitutionality of the Montgomery city laws and Alabama state laws requiring racial segregation in public transportation.

The suit was brought on February 1 by five Montgomery Negro women. Montgomery has been the scene of a prolonged bus boycott by Negroes protesting segregation on the vehicles.

Attorneys for the five women are at present representing 93 Negro leaders in state court at Montgomery accused in connection with the boycott.

JUDGES NAMED

Named to the board were U. S. Circuit court of appeals Judge Richard T. Rives and District Judge Frank M. Johnson, Jr., both of Montgomery and District Judge Seyh. Lynne of Birmingham, Ala.

The law has been used only in labor disputes and in '2 was upheld by the Alabama Supreme Court. The defense in the bus trials has announced plans to appeal any adverse verdicts to federal courts under the Fifth and Fourteenth amendments.

CHARGES DENIED

In Tuesday's trial A Montgomery Negro leader denied that an organized car pool was operated for the purpose of preventing any one from riding the city's buses.

Rufus Lewis, chairman of the transportation committee of the Montgomery Improvement Association, tsetified for the State and described details of the pool established soon after a bus boycott began last December 5.

Asked directly if the pool was not set up to keep Negroes from using buses, Lewis said:

"It is not to keep them from riding buses—it is to give transportation to those who won't wish to ride the buses."

The state was attempting to connect operation of the pool to an alleged conspiracy of Negro leaders to boycott Montgomery city lines' buses.

The Rev. M. L. King, Jr., is on trial. the first of 90 to be tried on charges of violating an old state anti boycott law.

Lewis said his committee arranged to borrow cars, pay drivers $4.00 per day, and set up dispatch stations and pickup stations.

BUS DRIVERS

In a second action Tuesday testimony of a bus driver who was shot at six times went into the record of the trial over the repeated objections of defense attorneys.

Driver George Henderson said that on the night of December 6, one day after the boycott began, "I was shot at six times—the first two shots hit the bus two feet behind me. I saw the flash and the shots came out of a house where colored people live or from the porch of the house."

Defense lawyers protested that Henderson's testimony was in no way connected with the defendant, the Rev. King.

In still another action a city detective told over strenuous defense objections——of questioning motorists who said they were driving in a car pool for the Montgomery improvement Association during the city's lengthy bus boycott.

Daily World

Detective K. W. Jones was the ninth state witness in the trial of the Rev. M. L. King, Jr. first of the 90 Negroes to be tried on charges of conspiring unlawfully to foster a boycott.

P. 6

Circuit Judge Eugene W. Carter overruled defense objections in permitting the detective to tell of interviews he had in January with several drivers who pulled out of a car pool uickup station with their cars loaded with Negro passengers.

One driver, Jones related, "told us he hauled for two or thre hours a day, was getting four dollars a day and gasoline and said the Montgomery Improvement Association paid for it."

Similar conversations with other drivers were reported

The 100 year old courtroom was only about half-filled with all but a dozen of the spectators being Negroes.

The state attempted to show through testimony given Tuseday that the Montgomery Improvement Association created a car pool in order to sustain the boycott protest against segregated seating rules. The protest started last December 5.

CBS-Columbia cuts color television set prices.

NEGRO BUS TRIAL UPHELD BY COURT

Times P. 28-C Wed. 3-21-56

Judge Finds a Prima Facie Case Established in the Montgomery Boycott

New York, N. Y.

By WAYNE PHILLIPS

Special to The New York Times.

MONTGOMERY, Ala., March 20—Circuit Judge Eugene W. Carter ruled today that the state had established a prima facie case of conspiracy in the trial of the Rev. Dr. Martin Luther King Jr., Negro minister.

Dr. King is one of ninety Negroes charged with carrying on an illegal boycott of the Montgomery City Bus Lines. Indictments against three others had been dropped.

Most of Montgomery's 50,000 Negroes have refused to ride the city buses since Dec. 5, in protest over the arrest of a seamstress for refusing to give up her seat to a white person.

All the arrested Negroes are charged with violating a 1921 statute that forbids boycotting a legal business "without just cause or legal excuse." The penalty for violation is a $1,000 fine or six months in jail.

A succession of prosecution witnesses today connected Dr. King with the Montgomery Improvement Association. He heads this group, which was organized to direct the bus protest.

Others sketched the highly organized car pool operations set up by the association to transport Negroes who are not patronizing the buses. More than 300 private automobiles are being used in the pool.

Toward the conclusion of its case, the prosecution introduced a number of bus drivers and others to testify about acts of violence against them by Negroes, and presumably resulting from the bus protest movement.

Judge Carter made his ruling when the defense challenged the testimony of a city detective who had been assigned to the circuit solicitor to investigate the protest.

He ruled also that the testimony as to incidents of violence should be in the record, though not directly connected to the Montgomery Improvement Association, as evidence of the possible consequences of a conspiracy.

The association's leaders, and Dr. King in particular, have been consistently describing the protest as a peaceful movement of passive resistance.

Financial Set-Up Described

Mrs. Erna Dungee, financial secretary of the association, identified in her testimony deposits of about $30,000 to the bank account of the association and checks issued in payment of gasoline, repairs, and the use of automobiles.

She explained also that a cash withdrawal of $5,000 by Dr. King was for transfer to an association account in a bank in Atlanta. Dr. King declined to tell reporters the reason for the transfer. He formerly lived in Atlanta.

Many of the 150 Negro spectators in the court wore cloth crosses on their left lapels reading, "Father, forgive them."

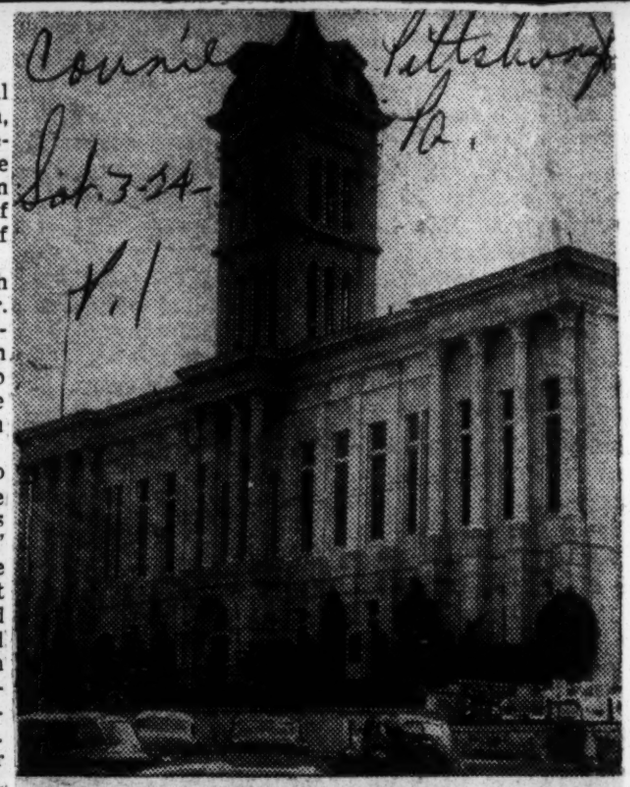
Rufus Lewis, chairman of the transportation committee that operates the car pool, explained how the committee had arranged a system of free transportation for Negroes financed by contributions made at church services and mass protest meetings.

George Henderson, a driver for the Montgomery city lines, was the first called to testify on violence. He told of being fired at six times on the night of Dec. 6 while driving through a Negro section.

Six other bus drivers told of shootings and of rocks being thrown at their buses. Judge Carter ruled out the testimony of two of these as too vague.

Three Negroes were called to testify on intimidation. Judge Carter ruled out the testimony of one. He accepted that of a Negro man who said he had been pulled from a bus, and that of a woman who said she had been beaten because she persisted in riding the buses.

Courier Pittsburgh Pa. Sat. 3-24- P. 1



Trial Scene—Ninety-three Montgomery Negroes went on trial in this Alabama courthouse Monday in connection with the city-wide bus boycott. Twenty-five of the persons on trial are ministers. All ninety-three waived right of trial by jury and will let Circuit Court Judge Eugene Carter hand down the verdict.

U. S. Funds Denied for Airport Bias

Post & Times Herald

The Civil Aeronautics Board, in a delayed action move, made public yesterday a new policy denying Federal funds to airports for construction or rebmodeling or segregated rest rooms, dining rooms and other facilities.

Washington,

The new policy, first issued in a memorandum April 6 but not publicized, is designed "to prevent the use of Federal funds to further or increase rasial segregation in airport buildings."

D. C.

The memorandum was signed by Board Chief C. J. Lowen.

The Government will, however, continue to give money to reports for facilities that no not invole segregation. Where segregated facilities are to be constructed, the Government will allot its funds on a basis of square feet in the building and deduct the amount which would be used to create a segregated area.

Sat. 5-5-56

Powell Broke News

The CAA released the memorandum when Rep. Adam Clayton Powell (D-N. Y.) revealed to reporters that the policy was formulated Oct. 1 and issued in an April memorandum to CAA field personnel.

A CAA spokesman said it was not published because it was "a matter of internal administration."

The new order apparently will havev little effect in this area. There is no airport segregation in Maryland and a State Air official in Virginia said he knew of none in that state. Separte rest rooms are maintained at Richmond Airport but segregation is not enforced.

Washington's National Airport has no segregation.

The CAA said it has received applications for airport construction from three Maryland and Seven Virginia airports but only five involve buildings. The others are for sidewalks, roads, etc.

Statement Required

The Maryland building project is at Baltimore's Friendship Airport. The Virginia Applications came from Mt. Jackson, Norfolk, Richmond and Lynchburg.

Sponsoring agencies, according to the CAA, now will be required to submit a written statement attesting that Federally aided facilities "will be available without regard to race, creed or color . . ."

Powell, who fought for the new ruling, said he was prompted partly because of concern over segregation at the Raleigh-Durham, N. C., airport.

(The United Press reported that Director C. A. Moore of the Mississippi Aeronautics Commission disclosed that Jackson, Miss., lost $15,000 in Federal aid when it refused to comply with the desegregation ruling for renovation of airport facilities.)

The CAA said where segregated facilities are involved in airport building, Federal funds would be denied in proportion to the amount of space used for segregated facilities.

May Extend Policy

Powell said he also believes it is probable the Government also will crack down against racial discrimination at airports already built. He did not say how. Extending the policy to present airports would be in line with a recent Interstate Commerce Commission ruling against racial segregation at railroad stations, Powell declared.

The CAA said the airport policy was prompted in part by the Supreme Court decisions banning segregation in public schools and other public facilities.

303 MILLION DOLLARS

PHILADELPHIA — The Veterans Administration distributed $303,150,816 in cash and services to Pennsylvania families during fiscal year 1955 according to Robert W. Wilson, manager of the Philadelphia Regional VA Office.

AIRPORT SEGREGATION IS HIT BY NEW POLICY

Commercial appeal, P. 1

Government To Deny Funds For Building Facilities Subject To Racial Ban

Sat. 5-5-56

Memphis Tenn.

By The United Press

WASHINGTON, May 4.—The Government, striking a new blow at racial discrimination, announced Friday it will deny Federal funds for construction of segregated rest rooms, dining rooms and other facilities at airports.

The Civil Aeronautics Board said it issued a special two-page memorandum April 6 declaring "where duplicate facilities are provided that are intended for segregated use, the areas involved will be excluded" from Federal aid.

Revealed By Powell

The agency announced the policy after it had been disclosed by Representative Adam Clayton Powell, Negro Democrat from New York. Powell had said he understood it meant Federal funds would be denied any airports in which there are segregated facilities.

But a CAA spokesman said it merely meant no Federal aid would be granted for segregated facilities, including separate waiting rooms, dining rooms, kitchens and similar installations. Aid would be available for other projects at airports with such facilities.

Prosegregation states to lose airport funds

Afro-American

Baltimore, Md.

Sat. 5-12-56

WASHINGTON—The Civil Aeronautic Administration will not grant any Federal funds for the construction of any airport facilities in which racial segregation will be practiced.

This decision of the CAA was made public Friday, and is to apply to those portions of buildings, such as restaurants and rest rooms, in which discimination could be practised.

However, the ruling of the CAA does not apply to the granting of Federal funds for such things as the purchase of land, lighting, or other purposes which do not involve a question of setting up segregated facilities.

* * *

"THE PURPOSE and intent of the policy," the CAA said in a memorandum to field offices, "is to prevent the use of Federal funds to further or increase racial segregation in airport buildings."

At its disposal during the fiscal year which starts July 1, the CAA has some $63,000,000 to allocate to local airports.

It was impossible to obtain an estimate on how much of this aid would be lost to those states which still insist on segregated facilities.

THE ACTION of the CAA had been predicted earlier by Rep. Adam Clayton Powell (Dem. N. Y.), who also said it would be made retroactive, a move which a CAA spokesman said would not be possible.

The CAA was unable to say whether any funds had actually been denied, or are in that process as a result of the new order.

CAA Strikes Blow At Segregated Airport Facilities

Post-Herald

Sat. 5-5-56

B'ham, Ala.

WASHINGTON, May 4 (U.P.)—The government, striking a new blow at racial discrimination, announced today it will deny federal funds for construction of segregated rest rooms, dining rooms and other facilities at airports.

P. 1

The Civil Aeronautics Authority said it issued a special two-page memorandum April 6 declaring that "where duplicate facilities are provided that are intended for segregated use, the areas involved will be excluded" from federal aid.

The agency announced the policy after it had been disclosed by Rep. Adam Clayton Powell, Negro Democrat from New York. Powell had said he understood it meant that federal funds would be denied any airports in which there are segregated facilities.

But a CAA spokesman said it merely meant that no federal aid would be granted for segregated facilities, including separate waiting rooms, dining rooms, kitchens and similar installations. Aid would be available for other projects at airports with such facilities.

The CAA said that where segregated facilities are involved in airport building, federal funds will be apportioned on the basis of the square feet of the building. Federal aid would be denied in proportion to the amount of space for segregated facilities.

U. S. Bars Funds For Airport Bias

Defender Sat. 5-12-56

Chicago, Ill. P. 1

WASHINGTON, — (INS) — The government was disclosed Friday to have laid down a new policy to deny federal aid in the construction or remodeling of segregation facilities at local airports.

The directive stops short, however, of withholding federal aid to any airport where racial segregation is enforced.

Rep. Adam Clayton Powell (D) N. Y., revealed that the policy was formulated Oct. 1 and detailed in a memorandum dated April 6 to field personnel of the Civil Aeronautics Administration.

Powell released to newsmen the order which he had received on request to CAA for explanation of the action. CAA spokesmen confirmed the policy but said it had not been publicized because it was "a matter of internal administration."

Under the policy, if public facilities such as waiting rooms, rest rooms and restaurants are segregated, their costs must be borne entirely by the local sponsoring government while other parts of the project would be eligible for federal assistance.

In line with administration anti-segregation policy, the restriction was written into regulations for distribution of $63,000,000 a year over the next four years.

NO COMPLAINTS

According to the CAA, no complaint has been received from local and state authorities.

The order, circulated to local governments last October, states: "No federal aid airport program funds will be made available for the development of separate facilities or space in an airport building when such facilities or space are designed for use now or in the future for separate racial groups."

The clarifying memorandum added: "The purpose and intent of the policy expressed in this programming standard is to prevent the use of federal funds to further or increase racial segregation in airport buildings."

Sponsoring agencies will be required to submit a written statement that federally aided facilities "will be available without regard to race, creed or color . . ."

CAA Shows Rep. Powell A Short-Cut

Advertiser p. 4-A Tues. 5-8-56

SENATOR SPARKMAN made a cogent point last week when he said of CAA's announced intentions to withhold federal aid to segregated airport facilities:

Montgomery, Ala.

"If this is an indication of what we may expect from federal agencies, it could easily defeat much badly needed legislation, including the school bill."

This we suggested in our editorial on the CAA pronouncement last week. But Sparkman further said that if the CAA action becomes a precedent for other government agencies, there would be no guarantee that the principle of the Powell Amendment might not be put into effect, even if Congress passed a school aid bill without such provision.

In other words the current controversy over the Powell amendment to the school aid bill—which would withhold funds from segregated school districts—is simply an academic argument. If the CAA can do what it did, without specific congressional sanction, what would it matter whether any school aid bill contained a segregation clause or not: whoever administers the school program, if it is approved by Congress, could, by executive order, withhold appropriations to segregated schools just as CAA says it will withhold aid to segregated airport facilities.

Many pro-integration educators, congressmen and newspapers have denounced the Powell Amendment because, while they approve of the principle, they feel the amendment will be fatal to the bill's chances of passage. As late as Sunday, after the CAA announcement, *The New York Times* was saying:

> One of the few major achievements that still seem possible of accomplishment at this session of Congress is the school aid bill . . . The biggest hurdle that any school aid bill must overleap is the Powell amendment, the proposal that would withhold federal aid to school districts that have not made a start on desegregation. Rep. Powell, Democrat of Manhattan, is determined to offer this amendment when and if the school bill reaches the floor of the House, despite widely held belief that such a move will be fatal to the bill. Why? Because, if it is adopted, and the bill containing this amendment passes the House, the Senate is almost sure to reject it or filibuster it to death—particularly so late in the legislative year.
>
> Mr. Powell's approach to this problem is simply a case of all or nothing. He is against segregated education and so are we. But . . . we see no sense in jeopardizing the welfare of American school children in order to reaffirm our belief that the Supreme Court's desegregation decision is right . . . How will the cause of education in this country be advanced by making it impossible to pass an aid-to-education bill? . . .

This would have been a forceful argument earlier last week, before CAA had announced its privately enacted Powell amendment. But coming after the announcement, it seems almost irrelevant whether Powell withdraws his amendment or not. If he should graciously relent, Southern congressmen would still have no assurance that education aid would not be later restricted to integrated schools just as airport aid now has been—not by congressional action, but simply by administrative order.

It may be that CAA Administrator C. J. Lowen, and not Adam Clayton Powell, will be the man responsible for the death of the education bill. And it will be understandable if Southern congressmen look with a jaundiced eye on all future federal aid programs of whatever nature.

DENY AIRPORTS FUNDS FOR USE IN SEGREGATION

Daily Tribune p. 6-H Sat. 5-5-56

BY ROBERT YOUNG

[Chicago Tribune Press Service]

Washington, May 4.—The civil aeronautics administration today announced it will deny federal funds for airport facilities to be used on a race segregation basis. The policy covers new construction and remodeling and repair of existing facilities.

Chicago, Ill.

The CAA announcement followed disclosure of the recently adopted policy by Rep. Powell [D., N. Y.]. The Negro congressman said in a statement that James T. Pyle, CAA administrator, notified him of the policy by letter last Wednesday.

The policy was outlined in a memorandum issued by the CAA April 6, which said "where duplicate facilities are provided that are intended for segregated use, the areas involved will be excluded" from federal aid.

Doesn't Cover All Aid

A CAA spokesman explained today this does not mean that all federal aid will be withheld from an airport which enforces racial segregation but only funds specifically allocated for the construction, remodeling, or repair of segregated facilities such as waiting rooms, rest rooms, dining rooms, kitchens, and the like.

Powell had said it was his understanding the policy meant that federal money would be withheld from any airports "in which there are segregated facilities." He recalled that the interstate commerce commission recently prohibited racial segregation in railroad stations.

Under the federal airport act, the federal government gives funds for the construction and improvement of airports. The federal aid is matched on a 50-50 basis with funds from state and local authorities sponsoring the airport projects. The CAA is in charge of distributing the federal airport aid funds, which amounted to 62.5 million dollars in the current fiscal year ending June 30 and are expected to amount to 63 million in each of the next four fiscal years.

Money for Other Uses

As explained by the CAA spokesman, an airport which enforced segregation would not be denied funds for such facilities as its runways and control tower, but would receive no federal aid for segregated waiting, dining or rest room facilities. This policy would apply to single facilities if they were reserved for one race, as well as to duplicate facilities provided for different races.

Powell said that since last November he has contended that a provision of the airport act gives the CAA authority to withhold federal aid for the construction of segregated facilities. The congressman said he started his campaign for the new CAA policy partly because of his concern over segregation practices at the Raleigh-Durham, N. C., airport

MILD REACTION

Advertiser

Segregated Ports Denied U.S. Fund

Sat. 5-5-56 P. 1

Montgomery

WASHINGTON, May 4—The Civil Aeronautics Administration announced today it will not make federal funds available for construction of any airport facilities in which racial segregation is practiced.

The CAA said the order does not necessarily apply to whole buildings but only those portions—such as dining rooms or rest rooms—in which there might be discrimination as to race, color or creed.

"The purpose and intent of the policy," the CAA said in a memorandum to field offices, "is to prevent the use of federal funds to further or increase racial segregation in airport buildings."

One of the first reactions to the order came from Mayor William B. Hartsfield of Atlanta, who said it is 'nothing to get excited about."

There are no segregated facilities of consequence at the big Atlanta terminal or any large airport that he knows about, Hartsfield said in Atlanta.

NEW ORDER

"In our case," he continued, "the only segregated facilities are rest rooms. We construe the new order to mean that if we include segretated rest rooms in any new terminal, federal money may not be used in any portion of the building set aside for rest room—a matter of a few thousand dollars."

It is estimated the CAA will have about 63 million dollars a year to spend on federal aid to airports over the next four years. The money is allocated on a 50-50 basis, with the federal government matching the amount put up by local sponsors of the projects.

A spokesman for the Department of Health, Education and Welfare said he knew of no similar move planned for federal aid in its field, which includes schools and hospitals.

In the House, however, Rep. Powell (D-NY) is battling to bar federal school construction aid to states which defy the Supreme Court order against segregation in the public schools. Powell is a Negro.

President Eisenhower has said several times he doesn't think the segregation issue should be tied to the school aid program. Efforts to do so stalled school aid legislation in Congress last year.

CAA places segregation rider on funds

News P. 1 Fri. 5-4-56

Birmingham, Ala.

WASHINGTON, May 4—(AP)—The Civil Aeronautics Administration said today it will deny federal funds for construction of airport facilities which are to be used on a racially segregated basis.

The CAA said its order provides that the government will not contribute any money for that part of a building from which persons may be barred for reasons of race, creed or color.

The agency, which parcels out money for airport purposes, said its new rule will apply to construction and remodeling and repair of existing facilities at airports.

It will apply to single dining rooms or rest rooms if they are limited to one race and also to construction of dpulicate facilities provided for different races.

The CAA said that in computing how much federal funds will go to the projects the entire cost of construction or repair must be figured and a deduction made for the entire cost of any part of the structure intended for segregated use.

A CAA spokesman told a reporter the policy was formed last October and was put in formal wording in a memorandum issued April 6. The CAA did not make its action public until today.

Dannelly Job Will Continue Despite Order

P. 1

Montgomery Advertiser

The Civil Aeronautics Administration in Washington revealed yesterday it would deny federal funds for construction of airport facilities to be operated on a segregated basis, but Montgomery city officials said the Dannelly Field project would continue unhampered.

5-3-56

The CAA said the government would not contribute any money for "construction of that part of a building from which persons may be barred for reasons of race, creed or color."

The proposed administration building at Dannelly Field will be constructed in the near future at a total cost of approxmiately $550,000. The CAA had previously granted the city $299,000 for construction of the building.

CITY PAYS COST

Mayor W. A. Gayle said yesterday that the rest rooms, waiting rooms and restaurant in the proposed building will be segregated. "The city will foot the bill for these segregated facilties 100 per cent," he said. "We'll have to deduct the cost of these segregated facilities from the total cost of the building. Then the CAA will pay half of the difference."

Gayle said an estimate on the cost of segregated facilities "will not be available until we have drawn up our final plans." He affirmed that the city would not be moved toward construction of non-segregated facilities because of the CAA's ruling.

RULING GIVEN

The CAA added that its ruling will apply to single dining rooms and rest rooms if they are limited to one race and also to construction of duplicate facilities provided for different races.

Advertiser P. 8

The agency, which parcels out money for airport purposes, said that in computing the amount of federal funds to go to a project including segregated facilities, the entire cost of the construction must be figured and a deduction made for the entire cost of any part of the structure intended for segregated use.

Gayle said the policy was formed last October, "but the CAA said it would release the information from their offices." The CAA did not make its action public until yesterday.

AIRPORT AID OUT FOR SEGREGATED

Times-Picayune

CAA Bans Funds Where Race Bars Practiced

Sat. 5-5-56

WASHINGTON, May 4 (AP)—The Civil Aeronautics Administration announced today it will not make federal funds available for construction of any airport facilities in which racial segregation is practiced.

38b P. 38

New Orleans La.

The CAA said the order does not necessarily apply to whole buildings but only those portions—such as dining rooms or rest rooms—in which there might be discrimination as to race, color or creed.

"The purpose and intent of the policy," the CAA said in a memorandum to field offices, "is to prevent the use of federal funds to further or increase racial segregation in airport buildings."

'Nothing to Get Excited About'

One of the first reactions to the ord[illegible] Mayor William B. Hartsfield of Atlanta, who said it [illegible] "nothing to get excited about."

There are no segregated facilities of consequence at the big Atlanta [illegible] airport that he knows about, Hartsfield said in Atlanta.

"In our case," he continued, "the only segregated facilities are rest rooms. We construe the new order to mean that if we include segregated rest rooms in any new terminal, federal money may not be used in any portion of the building set aside for [illegible] a matter of a few thousand dollars."

Allocation on 50-50 Basis

It is estimated the CAA will have about 63 million dollars a year to spend on federal aid to airports over the next four years. The money is allocated on a 50-50 basis, with the federal government matching the amount put up by local sponsors of the projects.

A spokesman for the Department of Health, Education and Welfare said he knew of no similar move planned for federal aid in its field, which includes schools and hospitals.

In the House, however, Rep. Powell (D-NY) is battling to bar federal school construction aid to states which defy the Supreme Court order against segregation in the public schools. Powell is a Negro.

President Eisenhower has said several times he doesn't think the segregation issue should be tied to the school aid program. Efforts to do so stalled school aid legislation in Congress last year.

AIRPORT FUND IN DOUBT

Commercial Appeal P. 23

Adams County Must Decide Segregation Policy

NATCHEZ, Miss., May 5.—The Adams County Board of Supervisors will have to decide Monday whether to sign a non-segregation agreement covering use of a proposed new administration building at the Natchez Adams County Airport.

If they refuse, and it is expected they will, the Civil Aeronautics Authority has said it will withhold matching funds to construct the new passenger terminal.

Memphis Tenn.

CAA representatives are due in Natchez Monday with the agreement and are expected to present it at Monday afternoon's meeting.

Several members of the Board of Supervisors have already indicated they will not sign the agreement, thus relinquishing Federal aid for construction of the building.

The county recently issued $35,000 in bonds as its share of the building program. The CAA was expected to match it and had indicated it would.

38b 1956

NAACP In Little Rock Seeks Bus Integration

Montgomery Ala.

LITTLE ROCK, April 24 (AP)—An immediate end of racial segregation on Little Rock buses will be sought by the National Association for the Advancement of Colored People, a spokesman said today.

Frank W. Smith, state executive secretary of the NAACP, said the first step would be a request. He declined to say what would be the next step if the request is turned down.

4-25-56

David Durbin, vice president of Citizens Coach Co., said transit company attorneys would not advise a company policy until the decision had been studied.

Little Rock Bus Firm Ends Segregation

Courier-Journal

Little Rock, Ark., April 26 (AP)—White and Negro passengers rode together on front seats of some City buses at Little Rock today. No incidents were reported.

Louisville Ky.

Citizens Coach Company, which operates buses here and in adjacent North Little Rock, said yesterday it was ending segregation on its vehicles. The decision was made, it said, to comply with Monday's ruling by the United States Supreme Court.

Arkansas Buses Are Integrated

Herald P. 16-A

Miami, Fla.

Fri. 4-27-56

LITTLE ROCK, Ark. — (AP) — White and Negro passengers rode together on front seats of some city buses at Little Rock Thursday. No incidents were reported.

Citizens Coach Co., which operates buses here and in adjacent North Little Rock, said it was ending segregation of races on its vehicles. The decision was made, it said, to comply with Monday's ruling by the Supreme Court.

Previously Negroes seated from the rear and white passengers from the front of buses.

Arkansas is one of 13 Southern states with laws requiring segregation in seating on public transportation vehicles.

Mrs. L. C. Bates of Little Rock, president of the Arkansas Chapter of the National Assn. for the Advancement of Colored People, said, "we agree, of course, with the bus company's decision."

No Incident From Mixed Riding Seen

State Press P. 1

Little Rock, Ark.

Transition from Old to New Presents No Problem to Negro - White Riders

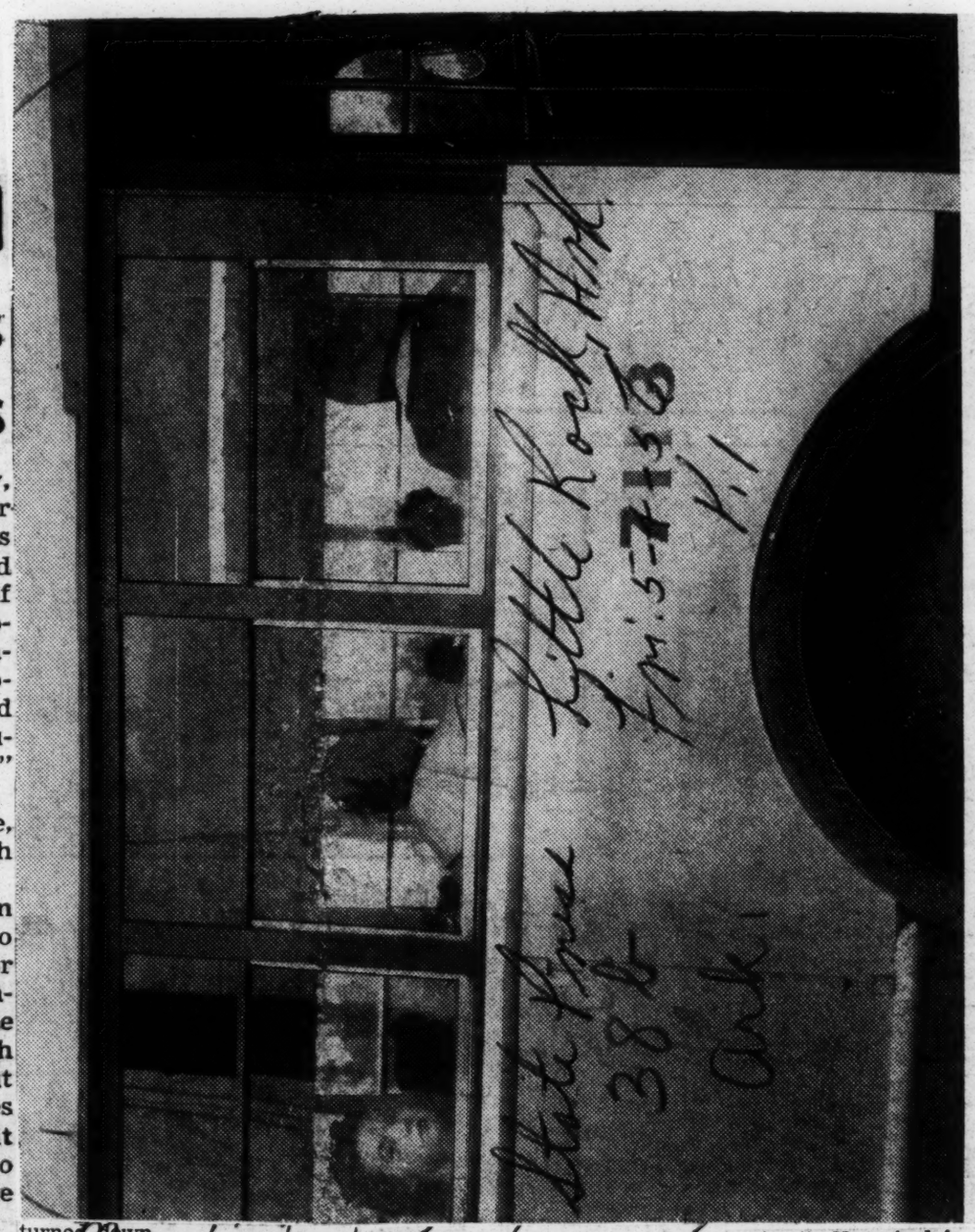
Fri. 5-4-56

Thursday morning, April 26, was just an ordinary day, same as any other of the fifty-two Thursdays that make their round during the twelve month period. But this Thursday was a day of regret to many of the members of the fair-skinned race, whose only hopes of the survival of their false claim of superiority had vanished overnite. To the Negro and the progressive-minded white citizen, Thursday was a day of jubilation, a day of hope, a day that strengthened faith in a democratic nation, a day where another section of America had put into practice what she had so deceivingly spread thruout foreign countries - - - it was the day that forced "jimcro" disappeared on the city bus lines.

Without any special order, and with no, or little fanfare, enforced segregation of passengers ended in Citizens Coach company buses in Greater Little Rock Wednesday afternoon.

The transition from the old tradition to the new pattern was so smooth, that it was hardly noticed by reporters who boarded buses for a story of the century. Neither Negroes nor whites, showed in attitude toward the change in seating enforcement. The whites, however did take advantage of the available seating space as they entered by doubling up, which was somewhat different to the old practice of spreading out in single file. The reason was obvious. It would keep Negroes from sharing the same seat. The Negroes, from force of habit for many years of restriction and intimidation, continued to seat from the rear, only in a few cases, where they took the first available seat.

It is reported that after the announcement of the United States Supreme Court action in banning segregation in intra-state travel, the Citizens Coach company accepted it as the law of the land, and immediately tried to get the officials of the twin cities to take the initial steps toward ending the jim-cro practice. The governmental heads refused, but stated their cooperation in the company's compliance with the law.



History was made in Little Rock Thursday morning, May 26, when unsegregated buses began their first day of service, in compliance with the United States Supreme Court's decision.

LITTLE ROCK, April 24.—(AP)—An immediate end of racial segregation on Little Rock buses will be sought by the National Association for the Advancement of Colored People, a spokesman said Tuesday.

Commercial Appeal 4-26-56

Frank W. Smith, NAACP state executive secretary, said the first step would be a request. He declined to say what would be the next step if the request is turned down.

Memphis Tenn.

David Durbin, vice president of the Citizens Coach Co., said transit company attorneys would not advise a company policy until the decision had been studied.

BUS OFFICIALS ARREST HALTED BY ATTORNEY

Commercial Appeal P. 33

Segregationist Is Rebuffed In Little Rock SEATING ROW FLARES

Memphis, Tenn.

Fri. 6-22-56

By The Associated Press

LITTLE ROCK, June 21.—A segregationists attempt to have three bus company officials arrested for permitting mixed seating was halted at least temporarily, by City Atty. O. D. Longstreth Jr. Thursday.

"So far as I know, there is no valid ordinance against integration on buses in Little Rock," Mr. Longstreth said.

Amis Guthridge, a Little Rock lawyer and leader of White America, Inc., said officials of Citizens Coach Co. are "violating our laws pertaining to segregation." He asked for warrants for arrest of President Fred C. Worden of Des Moines, Iowa; Executive Vice President David S. Durbin of Little Rock and Secretary William Nash of Little Rock.

Meeting Planned

Mr. Guthridge said his next step would be a meeting with Reed Thompson, city attorney of North Little Rock, across the Arkansas River. Mr. Guthridge said he hoped to meet with Mr. Thompson Friday to ask for warrants of arrest for the CCC officials.

Citizens Coach Co., which has operated buses in Little Rock

and North Little Rock since February, formally refused to enforce segregated seating in April.

The decision to quit requiring Negroes to seat from the rear and whites from the front was made after a United States Supreme Court decision that indicated segregation on public vehicles was unconstitutional. The Supreme Court later sent the case back to a lower court, where it was dismissed. There has been no clear decision on city bus segregation.

Mr. Guthridge was accompanied by two women, whom he referred to as "the people I represent." The women were Mrs. Fred Atkinson and Mrs. Richard Heiry, both of Little Rock.

Going All the Way

Mr. Guthridge said: "We are serious. We are going all the way. No public official is exempt."

Mr. Guthridge asked if Mr. Longstreth would prepare a city ordinance calling for separate seating on public vehicles.

Mr. Longstreth answered he would, if a city coucilman asked him to prepare it.

Mr. Guthridge cited a city ordinance of 1952 which, in effect, gave the city's approval to all state laws. He said that either this ordinance prohibited integration on buses, or previous bus operators violated the law by requiring separate seating.

"You can't have blanket laws," Mr. Longstreth said, calling the ordinance invalid. "If there is a state law that says integration is illegal, that's something else."

There has been no violence since CCC officials said they would not enforce separate seating. One minor disturbance was reported. Generally Negroes have continued to seat from the rear and whites from the front.

BUS SEATING DEMAND

LITTLE ROCK, Ark. — O. D. Longstreth, Jr., city attorney, last week rejected a request to issue warrants to arrest three bus company officials for permitting integration on city buses.

Arkansas Woman Sues for $75,000

Bystander Injured

Des Moines, Iowa

Little Rock, Ark. —(CNS)— A white woman has filed a suit for $75,000 damages claiming that she was seriously hurt when a Negro woman—Mrs. Dorothy May Payne sat down beside her on a Little Rock bus.

Chron. 11-29-56

The white woman, Mrs. Freeda Wright, says during the scuffle which resulted after Mrs. Payne sat beside her, she suffered a skull fracture, brain concussion, scratches and bruises. She claims, too, that when she tried to move after Mrs. Payne sat beside her, then Mrs. Payne attacked her.

The white woman names both Mrs. Payne in her suit and the Citizens Coach Co. which began integrated seating last May. She also charged that Mrs. Payne is a member of the NAACP.

So They Say

Courier p. 1

Buses Mixed In Arkansas

Pittsburgh, Pa.

Sat. 11-24-56

LITTLE ROCK, Ark. — Buses in most major Arkansas cities and towns already were integrated when the U. S. Supreme Court handed down its decision overturning state bus segregation laws.

38.85

It was a sort of passive integration on Arkansas buses that grew out of the Supreme Court's ruling last spring which merely dismissed an appeal from another decision overturning a South Carolina segregation law.

Bus company officials at Little Rock, Hot Springs, Fort Smith and Pine Bluff sidestepped a possible controversy and, in effect, left the matter in the hands of their customers.

NEGRO WOMAN NAMED IN BUS INJURY SUIT

Commercial Appeal

White Rider Says She Was Hit By Defendant

Fri. 11-16-56

LITTLE ROCK, Nov. 15.—(AP) —A suit for $75,000 was filed in Pulaski Circuit Court Thursday by a white woman for injuries she said she received when a Negro woman attacked her on a Little Rock city bus.

Memphis Press

P. 21

The complaint, filed by Mrs. Freeda Wright, named the Citiens Coach Co. and Dorothy May Payne as defendants. The Negro was described as a member of the National Association for the Advancement of Colored People.

Mrs. Wright said that she suffered a skull fracture, brain concussion, scratches and bruises.

She said that she attempted to move to another seat when the Negro woman sat down beside her. The Negro woman then attacked her, she said.

The suit also charged that the Negro woman "mtliciously and willfully boarded said bus for the sole and primary purpose of harassing, annoying and intimidating white persons thereon in the futherance of the purpose of said association (the NAACP) to inaugurate integration of Little Rock city buses."

Mrs. Wright also charged the bus driver "wantonly and maliciously refused and neglected to quell same or to warn the defendant . . . became amused at the plight of the plaintiff . . ."

The suit charged the Negro woman tripped Mrs. Wright and shoved her down the aisle, causing her to strike her head on the metal portion of a seat and continued to "kick, strike and curse the plaintiff."

The Citiens Coach Co. began integrated seating last May.

SOUTHERN BUS BOYCOTT LEADERS discuss their difficulties with transportation problems and steps they are taking to correct them with Col. John Gage, chairman of Southside Transportation committee which is heading fight to save Kenwood-Stockyards "L" in Chicago. Rev. W. J. Powell (left) of Montgomery and Rev. J. Metz Rollins (right) of Tallahassee spoke at Metropolitan Community Church Tuesday. Resolution calling on Gov. Stratton, Mayor Daley and Chicago Transit Authority to keep the service going was adopted by meeting. CTA is now negotiating with owners of the track over which service is run.

Defender 4-40 Chicago, Ill. Sat. 7-7-56

Tradition and pride, boycott and turmoil

Afro-American Baltimore, Md. Sat. 8-4-56

BY SAMUEL HOSKINS

TALLAHASSEE, Fla. — The motors race in strained harmony — almost, it seems to the breaking point.

The asphalt runway slips away. The big, silver plane banks, climbs, and suddenly, there it is — "Florida's Capital City."

Natives boast: "It's steeped in tradition."

They suggest Ponce de Leon landed here on his second voyage in 1521.

* * *

THEY SAY it's a fact Panfilo de Narvarex traversed the area in 1528. And in 1939-40 Hernando de Soto spent the winter.

Some still will tell you, "Tallahassee was the only capital of a Confederate state not captured by Federal Forces."

The Chamber of Commerce is proud of its facts and figures—

Population, 38,100; a railroad, six truck companies, two airlines, 97 churches, 24 schools, two colleges, two newspapers, a TV station, three radio stations, 36 motels and a bulging bank account of almost $47,000,000.

Reason to be proud.

Pride and tradition!

* * *

THEN IT ALL comes back. And to the "tradition and pride" you add "boycott and turmoil" —change.

Sitting there at a 45-degree angle, your forehead pressed against the window - pane and, in your ears the deafening noise of the racing motors, you see it — closeup and realistically.

It is in the voice of Jessie who was due at work at 5 p.m., but had to wait until six for a ride and there was none to be had because car-pool drivers were being harassed by police.

* * *

THE QUESTION is: "Do you think folk will ride the buses when they are put back?"

Her answer is simple, matter-of - fact: "I don't know what other folk will do. I only know what one will not do."

The same thing is in the voice of Mrs. Mamie Williams, mother of four (soon to be five) who was held by police for two hours.

"I was trying to get to my job," she kept repeating. "I was just trying to get to my job."

IT WAS IN the FAMU faculty member's voice when she said: "Pretty soon, in order to be a respectable citizen, one will have to have been arrested."

It shows through the dry humor of Johnnie Cook as he jokes about being jealous of the Rev. Lawrence Daymon who has been picked up four times. Cook has only three "arrests" to his credit.

"I'm worried," he says, laughing. "Looks like they're neglecting me."

* * *

AND, TOO, it's there in the quiet, dignified reserve of the Rev. King Solomon Dupont, in the blustery good humor of Dan Speed and in the lonely concentration of Theries Lindsay, boycott attorney.

* * *

ONE NIGHT you stroll in and out of the juke - joints of Frenchtown, and it's also there —shining brightly (and profanely) through the fever of "Rock 'n' Roll" fanaticism.

"Do you think the folk will ride the —"

You give me fever when you kiss me,
Fever when you hold me tight —

* * *

"MAN, DON'T ask me a no-good question like that. Them people must think we're dad blasted fools or something."

Fever early in the morning,
Fever all through the night.

* * *

THERE IS another kind of fever on exhibit at the mass meeting at Bethel AME Church.

It's half spiritual, half eloquent, half Holy Grail—but it's fever yes, "early in the morning and all through the night."

It's composed of the fervent, unpolished poetry of the prayers, the unique figures of speech of the sermons, the quiet determination of the routine reports, the devastating magic of a multitude of people marching together as they sit shoulder to shoulder in church pews.

* * *

AND OUT of the din comes the plaintive, electrifying cry of the Rev. Ulysses Smith:

"God, come and walk in Tallahassee"

Somewhere near the summit of the sound is the voice of the Rev. Charles Kinzie Steele, boycott leader:

"We are still walking!

"We're being intimidated, investigated and humiliated.

"But, thank God, we're still walking."

And the congregation takes up the refrain and goes off with it. The tramp, trampling of the feet is the sound of an army marching to martial music.

* * *

SOMEHOW THE entire tableau is mixed with the whirring noise of the airplane propellers.

But it's so plain.

You wonder why Police Chief Frank Stoutamire, the City Commissioners, Chamber of Commerce and the bitter-enders in the Legislature can't see it, too.

It shows a people and a city caught in the inevitability of change.

What was yielding to what must be, tradition to the urgency of now and pride to common sense.

They must see it, or like some blinded and bitter Samson, they will pull down the Temple on all.

The plane straightens itself out, heads north. Terese Nairn, flight attendant, passes a pillow. You lean back and wait. Destination, Montgomery (Ala.) another southern city face to face with the agonizing necessity to change.

Florida boycotters need aid

Afro-American Baltimore, Md. Sat. 8-4-56

TALLAHASSEE, Florida — The chief of police in Tallahassee, Fla., keeps his gold-plated badge in the top drawer of his desk.

He neither wears a gun nor carrys a blackjack.

He regards the officers on the force as "My boys."

HIS MAID has been with the family for 20 years. Once when she was ill for the greater part of a year, he personally took her weekly salary to her each Saturday night.

In the strict sense of the word, he isn't a politician. Yet, no politician in town would dare to make a major move without first finding out how the chief "feels about it."

* * *

ON ONE occasion when police arrested a faculty member of Florida A. and M. University, who was caught in a "compromising situation" with a white woman, the chief personally intervened to "prevent a lynching."

His solution was to send the teacher back to "the people at the college" with instructions that they get him out of town "before there's trouble."

* * *

HE SAYS that if he had been in town on May 26 when the two FAMU coeds were arrested there would have been no boycott.

"I would have stopped it before it got out of hand," he says.

He explained this by saying he simply would have called the judge and told him: "Let those girls go."

We would have handled it the same way we handle incidents involving girls at the "white university," he says.

* * *

BUT THE chief wasn't there and the situation got out of hand.

"These new colored leaders don't understand tradition and custom (in Tallahassee)."

Tradition and custom mean that as long as there are white and colored in Tallahassee ("and as long as I'm chief of police") there won't be any mixing of the races on buses or anywhere else.

* * *

HE SUMS the bus boycott up in this manner: "The colored folk don't want to ride the buses, so let 'em walk.

"If the company can't operate without colored riders, let 'em move the buses.

"We can get along without buses in Tallahassee, anyway."

* * *

AS IT RELATES to race relations in Tallahassee and the current bus boycott, the opinion of Police Chief Frank Stoutamire is important.

Multiply his attitude by the number of public officials in Florida's capital, allowing for differences in age, education and temperment, and it will indicate what the boycotters face.

* * *

THE CHIEF and men like him are in control of the city government.

The governor, who could do something about the situation is afraid. His prosegregation legislature would pitch a tantrum. They worship at the shrine of

tradition and custom.

Consequently, race relations, so far as they are concerned, is simply another way of saying tolerant paternalism.

To them there is nothing either morally wrong or humiliating about requiring colored patrons to enter buses by the side doors, ride on back seats and give up ther seats for white passengers.

(The possible exception to this rule is Mayor Fred Winterle, who was re-elected. He privately concedes that evenutally the U.S. Supreme Court will outlaw all racial segregation.)

* * *

BOILED DOWN, this means Tallahassee (race relations-wise) is a city without a beach head, a dead end town.

Nowhere in the city is the an interracial group which may meet and discuss racial issues.

To-date efforts to establish such a group have failed.

SINCE THE boycott forced the bus company to suspend operation, there are reasons to believe that now Chief Stoutamire and the men around him are embarking on a "get tough campaign."

According to reports from boycott leaders, police harrassment of boycott car pool drivers has increased.

One thing is certain. Whether the bus company resumes operation, or not there will be no easy victory when it comes to abolishing bus segregation.

Final resolvement of the issue will have to be by the U.S. Supreme Court.

MEANWHILE, the boycotters will have to continue meeting the situation as best they can. It's going to be a long, uphill struggle. And they need money.

Everyone who can ought to send as much money as possible to these people as quickly as he can.

The address is 803 Floral St. Tallahassee, Fla.

Weigh Boycott Against White Fla. Merchants

New Orleans, La.

Tallahassee, Fla.--(ANP)--Hours after their month-long boycott resulted in suspension of all bus services here by Cities Transit Company, Negro leaders gave notice Sunday that they will boycott white merchants unless the city stops "police intimidation."

The Rev. C. K. Steele, president of the Negro Inter-Civic Council," told a meeting of about 500 council members Sunday night.

Post 7-7-56

"It really appears that our city policemen have decided to run us out of town - that is, off Monroe and Adams streets. (the main commerical thoroughfare)

"If they continue their police intimidation it will finally become necessary for us to stay out of town and make other arrangements. We may even have to form excursions to other cities to spend that little money we have to spend."

at a news conference, Steele td reporters that police appear to have opened a deliberate campaign of harassment and intimidation of Negroes in the downtown area since the city's 14,000 colored citizens began their bus protest early last month.

Police are rude and crude Steele said. He added that officers make arrests for the slightest violation of city traffic ordinances and Negroes have been taken to police headquarters and subjected to "a third degree" for minor traffic violations that ordinarily mean nothing more than a ticket placed on the windshield.

cal branch of the National Association for the Advancement of Colored People, said his group at present is taking no part in the boycott. But he said "there is quite a possibility it will spread to the rest of the city."

A. and M. students either walked, drove private cars or took taxis to the campus this morning, when final examinations began. Graduation is next Monday, Summer school opens June 17.

'Target' in House Stoning Convicted of Nonsupport

NEW YORK, May 29 (AP)—The stoning of a Negro's house in a predominantly white Bronx neighborhood early this month had a sequel today when he was found guilty of nonsupport of his wife.

His wife, Mrs. Percy Hill of Pleasantville, N. J., said her eight-year search for him ended when she saw photographs of him after the stoning incident. He was arrested yesterday on an eight-year-old warrant.

Hill, 44, an elevator operator, was ordered by Domestic Relations Court Justice Frederick Backer to pay $500 by Wednesday on an estimated $5000 in back payments to his wife or go to jail for six months.

Hill was ordered held in jail overnight.

Hill and a woman he identified as his wife moved into a two-story frame house in the Belmont section last February. The house was stoned May 6 and 7. Three youths and a 25-year-old man, all white, were later arrested for the attacks.

Last night Mrs. Hill had the warrant served on her husband at his home.

Hill said in Night Court that the woman he identified as his wife at the time of the stonings is Cora Thompson, "a girl friend of mine." He said he last saw Mrs. Hill about eight years ago and had stopped a $15-a-week support payments when he was out of work.

the arrest of two girl students.

The girls, Wilhelmina Jakes, 26 years old, and Carrie F. Patterson, 20, were arrested Saturday after they refused to move to the rear of a bus. They were charged with placing themselves in a position to cause a riot and released in $25 bail each. A hearing will be held in Police Court Friday.

New York N.Y.

Last night a small wooden cross was burned on the lawn of the house in which they were living and their landlady said they became frightened and moved into the college dormitory.

Students cheered and clapped their hands as an empty city bus was driven through the campus today. Earlier, several hundred students held a meeting and voted to stay off city buses for an indefinite period.

Broadus H. Hartley, president of the student body, said, "I would not call it a boycott. We are just refraining from riding the buses until we can have assurances that we will receive better treatment."

Negro Bus Rider Jailed in Miami

Times-Picayune Wed. 6-13-56

MIAMI, Fla., June 12 (AP) — Rudolph Reid, 19-year-old Negro, was arrested Monday night after he refused to move to the rear of a Miami Transit Co., bus in what may be Miami's first segregation test case.

New Orleans

Reid was charged with tending to create a breach of the peace and released on $500 bond.

Reid, an organizer of a local youth council in the National Association for the Advancement of Colored People, denied that he wanted to be arrested to create a test case but Neal Adams, 39, member of the NAACP, told the Miami Herald that the bus company "will be sued" and that "it

In a letter sent to the British consul here, the Rev. Grover C. Bullock charged that the attack took place on a bus bound from Miami to Kansas City. The priest said that he and his wife had boarded the vehicle in Miami and had taken seats in the middle of the bus.

A passenger boarding the bus at Perry, Fla., stalked back to where they were seated, demanded that both the priest and his wife move to the rear and when the couple refused, lashed out and struck both of them.

The ensuing struggle was broken up by Patrolman William H. Barnes Jr. of Perry, who revealed that the attacker was Milton Poppell of Perry. The policeman said that Poppell confessed to striking Rev. Mr. Bullock. Barnes added that since he did not see the incident, he arrested both men on a charge of fighting.

■

THE PRINCIPALS each forfeited $25 bonds, said Barnes.

Rev. Mr. Bullock and his wife were en route to Kansas City for the purpose of visiting relatives while undertaking a tour of the United States.

The British Consul in Kansas City has announced that the priest's letter has been forwarded to the Bri ish Embassy in Washington, D. C. He said that this line of action was taken because the incident did not take place in his jurisdiction.

The bus driver had instructed him to sit in the rear but Bullock refused to do so.

Bullock said he was punched in the face several times.

At the Miami office of Trailways, the district agent said that he had been called by the driver concerning the Rev. Mr. Bullock's insistence that he would not move to the rear of the bus and that he had ordered him "to do nothing because Bullock was an interstate passenger bound for Kansas City."

Bus Boycott Confined to School

Post + Times Herald Wed. 5-30-56

TALLAHASSEE, Fla., May 29 (AP)—A boycott by 2600 Negro college students of city buses showed no signs today of spreading beyond the campus of the Florida A. and M. University for Negroes.

Washington

The boycott was a protest against the arrest of two women students who refused to move to the rear of a bus.

The Florida Board of Control which has charge of the school, called on its officials to encourage students to "behave themselves during the boycott.

Empty buses sped through the A. and M. campus this morning without slowing down, but downtown buses carried the usual number of Negroes to their jobs. A number of city Negroes whose route would carry them through the campus did not ride the buses, apparently to escape ridicule of students.

The Rev. Dr. C. K. Steele, pastor of the Bethel Baptist Church and president of the lo-

FLORIDA STUDENTS STOP RIDING BUSES

Times P. 27-C 5-30-56

TALLAHASSEE, Fla., May 28 (AP)—Students at Florida A. & M. University for Negroes appeared to be starting a boycott of city buses today in protest against

Priest, Wife Beaten On Bus in Florida!

Courier Pittsburgh, Pa. Sat. 8-25-56

KANSAS CITY—An Anglican priest from Jamaica, after discovering that American bigots have no respect for the "cloth," has filed a protest with the British consulate here charging that both he and his wife were victims of an assault on a bus passing through a small Florida town.

Ask Fla. city to mix buses

Afro-American Sat. 7-7-56 Baltimore, Md.

ST. PETERSBURG, Fla. (ANP) — City officals here last week heard requests from colored persons for equal seating facilities on city-owned buses, but took no immediate action on them.

The Cooperative Citizens Committee, an organization composed of St. Petersburg citizens, made the request to Mayor Samuel G. Johnson and the city council. Johnson promised the requests would be given the "earliest possible" consideration.

During the conference, CCC officials suggested buses on two routes used almost entirely by colored patrons be integrated at once and "that total integration be brought about at such time as whites and colored persons are made ready by religious and social agencies."

The Rev. Enoch Davis, spokesman, said that in the light of a U.S. Supreme Court decision on bus desegregation and absence of city ordinances on segregated seating "colored people are now ready to sit anywhere they choose."

of the Sunday schools, Allen Christian Endeavor Leagues and the Women's Missionary Society of the 11th Episcopal District of the AME Church.

Bishop Nichols, who returned from an extended tour of countries behind the "iron curtain" this week, said, "...I preached to about 2,000 people in the Second Reformed Church in Budapest, Hungary.

"The congregation seemed amazed that I, a Negro, told them that basically the policy of the American government is that there shall be no second-class citizens; that we may still have certain problems to be worked out but that the Negro can walk down a street in America without being afraid of the government.

"The action of the Tallahassee officials is a direct contradiction of what I told those people," the Bishop said.

■

IN TALLAHASSEE, some 11 persons participating in the boycott's car pool were arrested under the state's "for hire" regulation.

Attorney Theries Lindsey, who represents the Inter-Civic League, filed action in the Circuit Court testing the legality of state laws requiring segregation on public vehicles.

Rev. C. K. Steele, chairman of the Inter-Civic Council and president of the Tallahassee Chapter of the NAACP, who has been arrested three times, called for a prayer meeting at 8:00 P. M. Saturday night following an announcement that the Ku Klux Klan would hold a "cross burning" and discuss the bus boycott on a private plot near Tallahassee.

Sheriff W. P. Joyce announced that he would keep the meeting of the Klan "under observation."

To sue police in Fla. protest

Afro-American Sat. 7-7-56 Baltimore, Md.

(Special to the AFRO)

TALLAHASSEE, Fla. — A showdown battle between bus boycott leaders and the police department and the City Commissioners appeared in the offing Saturday.

Resentment was reaching a fever pitch after police had resumed their harassment tactics against drivers of the car-pool operated by the Inter-Civic Council, which is spearheading the bus protest.

The stepped-up police campaign was viewed as an all-out effort to break the boycott before classes resume at Florida A. and M. University.

* * *

STUDENTS at this school launched the fight three months ago when two coeds were arrested for refusing to move to the rear of a bus.

The suit, if it is filed, will list the Rev. King Solomon Dupont as complainant.

He was the first of seven car pool drivers arrested on "car-for-hire" law.

Attorney General Richard Erwin gave an opinion that drivers in the car pool were violating this statute, although car pools are commonly used by white workers, especially state employees living in neighboring communities.

Afro-American

BUT THUS far the law has been applied only to colored motorists. And the police chiefs has been quoted in the daily newspapers as saying, "The criminal arrests will continue until the police believe the car pool operations have been curtailed."

P. 2

Inter-Civic Council officials charge that this is an open admission that the police department has been enlisted to force colored passengers back on the buses.

Besides the Rev. Mr. Dupont, other drivers arrested have been Offie Burns, Parker Hollis, Ralph G. Coleman, Edward Irons and his wife, Mrs. Bessie Irons.

* * *

WITH THE exception of Rev. Mr. Dupont, all were driving their own automobiles when stopped by police.

The Rev. Mr. Dupont was driving his church's station wagon, which the church has owned for two years.

The first three persons were released under $200 bonds each, while the last four were required to post $100 bonds.

As a result of the arrests, the few colored passengers who had been enticed back on the buses by such empty bribes as free rides, morning newspapers and letter-mailing service, are now back off walking again.

* * *

THE JAILED drivers are being represented by Theries Lindsay, attorney, who has been working with the Inter-Civic Council since its organization last May.

Following the arrests, a mass meeting was held at Tabernacle Baptist Church.

The Rev. Charles K. Steele, ICC president, told the overflowing crowd that the arrests were part of the effort to "herd colored riders back to the buses."

"These tactics," he said, "will have the opposite effect. The colored people of Tallahassee cannot be driven to support bus segregation."

The boycott forced the bus company to suspend operations from June 30 to August 1.

* * *

THE CHAMBER of Commerce persuaded the bus company to resume its schedules and to hire two colored drivers on lines that serve the colored sections of the city.

At that time, the Rev. Mr. Dupont said: "Colored people of Tallahassee will not be herded like cattle to the rear of the buses, even if they are operated by colored drivers."

Dan Speed, director of the pool, said less than 15 per cent of the riders prior to the Aug. 23 arrests were colored.

This figure has dropped to an estimated 2 two per cent.

Prior to the boycott, colored riders accounted for 75 per cent of the paying passenger load for the bus company.

ICC DIARY PART V
August 22, 1956

SINCE THE "Free-Day" of Aug. 2, a few shamed-faced colored passengers have been riding the buses. Though the number normally seen on the bus is five or six, but now nine out of every 10 buses which travel the A. and M., Frenchtown routes have one or less.

These few riders have a tendency to slump down in their seats or turn their heads when the people on the streets stare at them.

This is in deep contrast to the situation which existed prior to the bus protest. The buses were crowded with standing room only, especially during the early morning and evening hours.

* * *

THE COLORED patrons have followed their leaders better than the whites in this issue.

Every attempt to get the white citizens to cooperate and ride the bus has failed.

Before the buses were taken off on June 30, an appeal was made by the daily newspaper to the white citizens to leave their cars home and ride the buses, or the city would lose its public transportation system.

This effort failed as indicated by the "taking off" of the buses.

* * *

WHEN THE buses were put back on, another "ride the bus" campaign was sponsored by the Junior Chamber of Commerce. All sorts of concessions were instituted for bus riders, such as free orange juice, morning papers, mailing letters, etc.

They reported that a thousand civic workers were combing the white neighborhood in an effort to sell bus passbooks at a rate of $1.25 per week.

They reported a gross sale of $800, or less than one book per worker.

When the buses actually started rolling again, there were even fewer whites riding the bus than before they went out of business.

It explained that by saying that some people had made other arrangements while the buses were out of business.

* * *

IN A PROTEST movement such as this, the colored leaders have admonished that colored persons should stay off the buses until they get decency.

With no more people riding the buses than are now riding, it is roughly estimated that the colored people are cooperating by roughly 98 per cent. What leader could ask for more?

Some people have ...akenly gotten the idea that the bus seat in question now is the end for which we are fighting. These persons holding that belief could never be more wrong.

The bus seat (as was so aptly put by a white citizen in a letter to Tallahassee papers), is merely a symbol of the thing that we are fighting—a system which says you are inferior and you must take the rear of everything.

* * *

THE SOLIDARITY WITH which the colored man has fought this fight has done more to awaken the colored people to a sense of his own worth and strength, both economically and politically than anything since the Civil War.

It has further served notice to the white man that the colored man's cup has run over; that the colored man no longer will be a door mat for him to

Nichols Calls Upon AMEs to Support Tallahassee's Boycott of Bus Concern

Courier Pittsburgh, Pa. Sat. 9-8-56 P. 2

By AL DUNMORE

JACKSONVILLE, Fla.—Bishop D. Ward Nichols called upon the 150,000 members of the African Methodist Church in Florida to give 100 per cent support to the Tallahassee bus boycott.

Bishop Nichols, presiding prelate of the AME Church in Florida, told a group of 500 religious and lay leaders of the church meeting in Jacksonville that they should provide "all the financial, moral and spiritual aid possible."

Donations of $550 were made at a meeting held at the St. Paul AME Church to be sent immediately to the Inter-Civic Council which is sponsoring the boycott.

■

THE MEETING was held in conjunction with the annual state tri-institute, a three-day meeting

BISHOP NICHOLS
... in Budapest, amazement

wipe his feet when dirty.

To date we have won every scrimage in this battle. If we would point to one thing which has been more responsible for our success than anything else, we would say cooperation.

Whatever we have undertaken to do as to refrain from doing, 98 per cent of us have cooperated. Above that however, is the fact that this is a Christian movement of God's children.

If prayer can't change this thing—nothing can.

Leader of Tallahassee Negro Bus Boycott Arrested Again

Herald Wed. 8-29-56 Miami, Fla.

P. 8-a

TALLAHASSEE —(AP)— The leader of Tallahassee's Negro boycott against city buses was arrested Tuesday for the second day in a row for driving a car pool automobile without a "for hire" tag.

The Rev. C. K. Steele was taken to the police station and was released on $100 bond, pending a hearing.

Steele, president of the Negro Inter-Civic Council which has sponsored the 3-month-old boycott, registered a strong protest against his arrest.

He was picked up at about the same place as on Monday. The car he was driving was filled with passengers at the time.

Steele served notice that legality of the arrests would be challenged.

Cases of six Negro drivers arrested last week for violating the "for hire" tag requirement were set for trial in municipal court for Sept. 6 despite protests of an attorney for the civic council that jurisdiction should be in state court rather than municipal court.

State Atty. Gen Richard W. Ervin ruled recently that automobiles operated in the car pool must carry "for hire" tags since they are primarily engaged in transporting passengers.

The boycott was called May 28 in protest against segregated seating, required by state law.

Steele in the Tallahassee bus boycott "a heinous offense against the principles of democracy."

Bishop Nichols, a Negro, returned Tuesday on the liner Queen Elizabeth from Hungary, where he attended meetings of the World Council of Churches.

The bishop said the churches are morally justified in backing a boycott under present conditions in Tallahassee and also in Montgomery, Ala.

He said he was leaving for Jacksonville and has called a meeting for Thursday at the St. Paul A.M.E. Church there to organize support for the boycott and for Steele.

Bishop Nichols said the organization would caution against anything that might lead to violence.

Citizen Groups Fail to Get Whites to Cooperate In Attempt to Keep Patronage

Black Dispatch P. 1

Oklahoma City, Okla.

Aug. 8-31-56

Police Arresting Negro Who Drive in Car Pool

Regular Riders Make Other Plans

TALLAHASSEE, Fla.—Since the "Free-Day" of August 2, three weeks ago, a few shame-faced Negroes have been riding the buses. Though the number normally seen on the bus is five or six, the number has steadily decreased until today nine out of every ten buses which travel the A and M-Frenchtown routes have one or less.

These few riders have a tendency to slump down in their seats or turn their heads when the people on the streets stare at them.

This is in deep contrast to the situation which existed proir to the bus protest, in which the buses were crowded with standing room only, especially during the early morning and evening hours, while people were going to and from work.

Better Cooperation than Whites

The Negroes have followed their leaders better than the whites have followed their leaders in this issue.

Every attempt to get the white citizens to cooperate and ride the bus has failed. Before the buses were taken off on June 30th, an appeal was made by the daily newspaper to the white citizens to leave their cars home and ride the buses, or the city would lose its public transportation system This effort failed as indicated by the "taking off" of the buses.

When the buses were put back on, another "ride the bus" campaign was sponsored by the Junior Chamber of Commerce. All sorts of concessions were being made to bus riders, such as free orange juice, morning papers, mailing letters, etc. They reported that a thousand civic workers were combing the white neighborhoods in an effort to sell bus passbooks at a dollar and a quarter per week. They reported a gross sale of $800.00 or less than one book per worker.

When the buses actually started rolling again, there were even fewer whites riding the bus than before they went out of business. They explained that by saying that some people had made other arrangements while the buses were out of business.

Black Dispatch

In a protest movement such as this, the Negro leaders have admonished that Negroes should stay off the buses until they get decency. With no more people riding the buses than are now riding, it is roughly estimated that the Negro is cooperating by roughly 98 per cent. What leader could ask for more.

Oklahoma City, Okla.

Police Arresting Negro Drivers in Car-Pool

Wednesday, August 22, 1956 the police department began arresting any Negro with a group of people in his car, the charge being that of violating the "vehicle for hire" law. The bond for this offense is $150.00.

Fla. 8-31-56

In the opinion of many, this is another intimidation move on their part, designed to stop Negroes from picking up the people who are walking. If they can do this, they can make the people ride the bus, they hope.

Court Fight Expected

P. 2

The Inter-Civil Council plans to test this law all the way to the U. S. Supreme Court if necessary.

Philosophy Behind Fight

Some people have mistakenly gotten the idea that the bus seat in question now is the end for which we are fighting.

These persons holding that belief could never be more wrong. The bus seat, (as was so aptly put by a white citizen in a letter to the Tallahassee Democrat) is merely a symbol of the thing that we are fighting—that is a system which inherently says that you are inferior, and because of that inferiority you must take the rear of everything.

The solidarity with which the Negro, both professional and non-professional, has entered and fought this fight, has done more to awaken the Negro to a sense of his own worth and strength, both economically and politically than anything since the Civil War. It has further served notice to the white man that the Negro's where the boycott was initiated — will certainly support the effort.

They are trying to break the boycott, in the hope that once the students return and see other colored passengers on buses they, too, will forget the arrest last May of two FAMU coeds.

The anti - boycott drive is doomed to fail. Arresting the leaders will not stop the boycotters in Tallahassee any more than it did in Montgomery, Ala. To the contrary, it will solidify the movement.

The odds are 100 to 1 that when the students return next month, they too, will remain off the buses.

Meanwhile, people and organizations elsewhere in the country ought to let the people of Tallahassee know they are not alone in their struggle for decency.

The boycott leaders need funds to carry on. Back them up with generous donations. The address is the Inter - Civic Association, 803 Floral Street, Tallahassee, Fla. The Rev. C. K. Steele is president.

Klan Calls Rally Near State Capital

Herald P. 8-a Wed. 8-29-56

TALLAHASSEE — (AP) — The Florida Assn. of the Ku Klux Klan will stage a statewide rally and cross burning near Tallahassee Saturday night.

A Klan spokesman said the meeting would be held on private property six miles west of Tallahassee on U.S. 90.

The Klan spokesman said the three-month-old bus boycott in Tallahassee would be one of the subjects discussed by speakers.

The hooded organization has had several meetings recently in central and northeast Florida, but this is the first to be staged near the Florida capital recently.

cup has run over. That the Negro no longer will be a door mat for the white man to wipe his feet on when they get dirty.

To date we have won every scrimage in this battle. If we would point to one thing which has been more responsible for our success than anything else, we would say cooperation. What ever we have undertaken to do as to refraim from doing, 98 per cent of us have cooperated. Above that however, is the fact that this is a Christian movement of God's children. If prayer can't change this thing—nothing can.

Negro Bishop Calls For Boycott Support

Herald P. 8-a Wed. 8-29-56

NEW YORK —(AP)— Bishop D. Ward Nichols, presiding bishop of the Florida area of the African Methodist Episcopal Church, Tuesday termed the arrest of the Rev. C. K.

Bus Rider Convicted In Seat Case

Herald P.1
Fri. 6-15-56
Miami, Fla.

By J. L. (Dixie) SMITH
Herald Staff Writer

A young Miami Negro who refused to take a bus seat behind white passengers during a ride down NW 27th Avenue was ruled guilty of disorderly conduct Thursday in a two-hour city court trial.

Judge Francis A. Sobieski, commenting that he hoped the case would be "the first and last before this court," ordered Rudolph Reid, 19, of 2525 NW 67th St., to pay a $50 fine or serve 24 days in jail.

Then the judge suspended the sentence.

Reid and his Negro attorney, G. E. Graves Jr., promptly announced they plan no appeal.

A similar case, filed against Mrs. Bessie Kerbo, 50, of 341 NW 10th St., is scheduled for City Court hearing today.

In Reid's trial, Judge Sobieski commented that he found no evidence to convince the court that the youth's actions last Monday aboard a Miami Transit Co. bus were "premeditated or intended to provoke any incident."

City Prosecutor Tom O'Connell contended in final arguments that Reid's refusal to obey the bus driver and to abide by state and city segregation laws was "invoked and provoked by the NAACP" as the means for testing the validity of the state segregation law. The NAACP is the National Assn. for the Advancement of Colored People.

"This boy deliberately sat where he knew he should not be sitting, ahead of white people," O'Connell said. "His act could well have been just the thing to set off a riot."

He urged the judge to consider also that young Reid had admitted in his testimony that he was "interested in organizing here a youth group which was hoping to affiliate with the NAACP."

The city used four witnesses in the trial. Reid called two young friends in addition to telling his story to the judge.

The bus driver, Henry Ahlbrandt, said Reid and two other Negro teenagers boarded the southbound bus at NW 27th Ave. and 36th St. about 3:40 p.m. Monday, taking seats near the side door.

"I noticed in my mirror that one boy (Reid) sat down in front of a white woman on a single seat, even though there was plenty of vacant seats to the back, Alhbrandt said. "I walked back to him and asked him to move. He said 'No, I like this one better.' I left the bus and called police to meet the bus at NW 7th Street.

Herald

"The boy, with the officer present, again refused to move and he was taken off the bus and put in a patrol car after the patrolman explained the state and city segregation laws to him."

P.2-A

Mrs. Amy Cram, 53 NW 24th St., a Miami resident 40 years, testified Reid sat opposite her and ahead of another white passenger.

"I heard him say, 'Nobody can make me do anything' after the driver asked him to move back on the bus. I told him once to shut up and he said he didn't have to. It looked like it was all planned."

Mrs. Cram said Reid was "a brazen one" and added that his young friends "just laughed" over the incident.

Patrolman K. M. Hardin testified that Reid claimed, "It's too hot back there" when asked a second time to change seats. Later, Hardin said, the youth complained the bus driver "hurt my pride" by asking him to move.

Asked why he made the arrest, Hardin replied:

"I felt there might have been trouble if I left him where he was sitting."

H. M. Thompson, transit company executive, said the firm has insisted on a policy of having Negro passengers "seat from the rear" and has posted signs to that effect.

Aside from the Reid incident, Thompson said, the company has had "only an occasional argument" over the seating plan as set by law.

In his defense, Reid contended his choice of a seat caused "no disorder and no disturbance" on the bus. He claimed he had not acted on "promptings from any group" in taking the seat ahead of white persons. "I sat where I ususally sit on the bus," he testified. "I've never been asked to move before, even when I sat up farther front on several other buses."

As witnesses to the incident, Iona Williams, 16, and Willie Collins, 18, Reid's companions, said they were on the way to W. Flagler St. and 14th Ave. to "pay a bill."

They said they sat in a double seat just to the rear of the side door, with Reid diagonally across the aisle — in the seat ahead of a white woman who later moved.

The court's ruling upheld the police charge that Reid had committed "disorderly conduct by a breach of the peace through an unlawful act (failure to obey the segregation law on public carriers)."

Boycotted Transit Line Ready to Quit

Post + Times Herald
Sat. 6-16-56
Washington, D. C.

TALLAHASSEE, Fla., June 15 (AP)—The Cities Transit Co. disclosed today it intends to go out of business in Tallahassee July 1 unless a solution is found to the problems created by a boycott of its buses by Negroes.

The Negro community, about one third of Tallahassee's 40,000 population, has been refusing to ride buses since May 29 in protest against segregation practices required by state and city law.

P.10

An estimated 70 per cent of the bus company's business prior to the boycott came from Negroes.

A full page advertisement in the Tallahassee Democrat reproduced a letter from the bus company to the City Commission announcing the transit line's intention of suspending all service July 1 "under existing circumstances."

The company's letter said the boycott has cut revenues 60 per cent.

The Negroes are demanding as conditions for ending the boycott that they be permitted to take seats wherever they choose, that Negro drivers be employed on predominantly Negro lines and that bus drivers be required to treat them with courtesy.

City Faced By Boycott Of Buses

Herald P.1
Miami, Fla.
Fri. 6-8-56

NAACP to Call For Integration

Possibility of a boycott of Miami Transit Co. buses loomed Thursday as the local chapter of the National Assn. for the Advancement of Colored People prepared to demand an end to segregation on buses.

The NAACP's educational committee was to meet this morning to decide what action it will take on the boycott. Several leaders Thursday night said nothing definite had been decided.

Octavio Cuevas, general manager of the company, said that until local and state laws are changed there is no possibility the company will alter its present policy.

That policy, loosely enforced for years, is for Negroes to seat from the rear, whites from the front. In other words, first Negroes on a bus are supposed to take back seats, while whites take the front seats.

There is no demarcation line on how far either group may go. When seats are filled, additional passengers — Negro or white — are supposed to stand.

Cuevas said the transit company has not been presented with any requests or demands to alter that policy, and knew of the proposed ultimatum only through calls from newspapermen.

"But it isn't up to us to decide," he said. "We operate on a franchise from the city, and must function under city ordinances and state laws.

"We will have to work under those regulations until we are notified they have been changed."

He said that he knew of no incident between Negro and white passengers on buses, even since a bus boycott was called by Tallahassee Negroes a week and a half ago.

The meeting of the NAACP to take a stand on a boycott was called by the local chairman, the Rev. Theo R. Gibson, pastor of Christ Episcopal Church.

He said that a special committee will be appointed to present demands for end of bus segregation to the transit company and to circulate petitions among Negroes and whites.

"If they don't come across, we will call a boycott or go to the courts, or both," said the Rev. Mr. Gibson. "We hope we can accomplish this by peaceful, logical and reasonable means. If we call a boycott, it will be because we feel that we can get quicker relief that way.

Meanwhile, at Tallahassee, The Rev. Charles K. Steele, local president of the NAACP, was sentenced to pay a fine of $35 or serve 20 days in jail for ignoring a stop sign while ferrying Negroes in a car pool.

The Rev. Mr. Steele said he would appeal the conviction to Circuit Court, and sentence was deferred for 10 days. The NAACP has demanded full integration of the city's bus lines as its price for ending the boycott of the buses.

Miami Held Too Big for Bus Boycott

Herald P.1
Sun. 6-17-56
Miami, Fla.

The threat of a possible bus boycott by local Negroes diminished Saturday as Negro leaders here indicated they believe the idea impractical at this time.

Meanwhile, a mass meeting to consider various ways to end Negro segregation on local buses will be held at 3 o'clock this afternoon in St. James AME Church, 1824 NW 66th St.

H. E. Sigismund Reeves, editor of the Negro weekly newspaper, The Miami Times, said in an editorial Saturday he is opposed to the idea of a boycott in Miami "because I just don't think it would work here.

"It has worked in Montgomery and Tallahassee but they are much smaller cities. Miami covers a far greater area and our people have to travel much longer distances.

"We can't see it for Miami. It might hurt the very people it is intended to help. Let us work in a legal manner, not with a boycott."

Today's meeting will be conducted by the Rev. Theodore R. Gibson, president of the Miami Chapter of the National Assn. for the Advancement of Colored People.

ST. PETERSBURG, TOO

Sun. 6-17-56
Baltimore, Md.

ST. PETERSBURG, Fla. — Possibility that the bus boycott fever may spread to this community loomed Friday with the announcement of colored leaders that they would demand equal seating on public transportation vehicles.

The Rev. Enouch D. Davis is chairman of the Citizens Cooperative Committee, which has arranged a meeting with the City Council and operators of the city's bus line.

P. 1

* * *

ISSUE IS TOPS

NEW YORK — The number one issue in the U.S. today, a Catholic Digest survey indicated last week, is the problem of race relations.

It takes precedence over the atomic bomb and juvenile delinquency.

—United Press Photo by Mike Ackerman

RUDOLPH REID, THIRD FROM LEFT, FACES JUDGE
. . . from left, bus driver Henry Alhbrandt, Officer K. N. Hardin Reid, and witness Iona Williams

HARRASED FAMILY — Mr. and Mrs. Herley T. Smith were arrested by Tallahassee policemen for driving their own twin daughters, Rushielle and Isabelle home from a store in downtown Tallahassee because the officers thought Mr. Smith was a car pool operator in the bus protest, now in its 6th month.

Held for driving his own family

By ELIZABETH M. OLIVER

TALLAHASSEE, Fla. — "We were shocked to see that in spite of the fact I told police officers that my passengers were my wife, my daughter and a cousin, they arrested us anyway."

This is what Henry T. Smith, one of the defendants in the city's case against car pool drivers accused of violating a local "for-hire" ordinance, told the AFRO last week.

Det. Sgt. B. J. Strickland testified during the recent trial that police officers observed Mr. Smith for three days as he picked up passengers in his car.

* * *

UNDER CROSS-examination by NAACP Defense Attorney Francisco Rodriques, Strickland admitted that when the arrest took place on the third day that Mr. Smith was carrying his own family to to town in their family car.

At the time of the arrest, city police were conducting a crackdown in an effort to break up the car pool which was formed by the Inter-Civic Council to assist citizens who refuse to ride in segregated buses.

Mr. Smith, a worker in a local furniture company, has twin daughters, Rushibelle and Isobelle, 16 years old. Mrs. Smith, a beauty parlor operator, has a shop in her home.

"My wife and daughters asked me to pick them up that day," Smith stated. "They wanted to go to town to do some shopping."

The Smiths were taken to the police station nevertheless, and Smith was placed under $500 bond and released.

Identical twins, Rushibelle and Isabelle, appeared in court Thursday with their parents. They always dress exactly alike in every detail. Thursday they wore identical blue between season cotton frocks and matching earnings.

We're Still Walking

Afro-American
Baltimore, Md.
Sat. 11-3-56

By ELIZABETH M. OLIVER

TALLAHASSEE, Fla. — "When they arrested us, we were walking. When they tried us, we were still walking. And now that they have sentenced us, we are still walking."

These were the defiant words of the Rev. C. K. Steele, president of the Inter-Civic Council, one of the 21 leaders of the five-month-old bus boycott that colored citizens of this city are carrying on to end segregation on the buses.

The five-day trial ended recently with the conviction of the 21 charges of violating a city "car-for-hire" ordinance by operating a car pool for citizens needing transportation.

Each of the defendants was sentenced by City Judge John Rudd to pay a fine of $500 or serve 60 days in jail. The jail term, however, was suspended and each defendant was put on probation for one year.

* * *

FRANCISCO RODRIQUES, attorney for the Inter-Civic Council, announced immediately that he would appeal the case. He urged the bus boycotters to accept Judge Rudd's decision "without rancor and without bitterness."

Date for filing the appeal was set for last Wednesday, but the AFRO learned Saturday that the appeal petition had not been filed, but was scheduled for filing on Monday or Tuesday.

Mr. Rodriquez had telegraphed Judge Rudd from Tampa, Wendesday, asking the postponement of the filing date for "reasons of health," and the judge had postponed the filing deadline for five days.

"Although the car pool is temporarily shut down, we are not licked. The war is not over," the Rev. Mr. Steele declared. "Now that they have struck at the heart of the ICC, we are still walking.

"It was an inspiration to me," the Rev. Mr. Steele continued, "to see, when I took my daughter to school Thursday morning, that we are still walking."

The Rev. Mr. Steele was referring to the early morning procession of domestic workers who now walk to their respective places of employment since the car pool has been called off.

* * *

THE ABANDONMENT followed a memorandum directed to the ICC from Rodriquez after Judge Rudd had rendered his decision following the trial.

"I have ordered the immediate end to any car transportation activity by the council," the memo said, "and the immediate end of any activity that even takes the semblance of transportation activity.

"This is to remain in effect so long as the order of the judge is in effect."

* *

SPEAKING IN a mass meeting, the Rev. Mr. Steele stated: "We can wait. We can give each other a lift in our cars, or we can continue to walk.

"We want our city to have a transportation system but we want them to appreciate our patronage. We want one which will treat our wives and daughters like ladies and not like female animals."

The Rev. Mr. Steele referred to the fact that when riding a bus, our women who work long hours as domestics were forced to sit in the back or stand up to allow white women to have their seats.

* * *

"WE WILL not go back to segregated buses," he added, "because our fight has brought us together."

Afro-American
Sat. 11-3-56

Giving a preview of the future activities of the ICC, he revealed that they may carry on a drive to get more voters registered.

"The white man is afraid of us possessing the ballot," he declared. "But he will respect the ballot. If we can get 10,000 citizens on the books, whoever runs for office will come by and see us."

Sat. 11-3-56

ASKED IF they had planned a registration campaign, officers of the ICC stated that they had no definite plans at the moment, but that they were anticipating such a program in the future.

The Florida fall "rainy" season seemed to have begun during the days of the boycott trial. However, the courtroom was filled each day with sympathizers who had walked many miles to attend the sessions.

Questioned as to what they might do if the rains continued and the car pool would not be in operation they said, generally, "We'll just keep on walking."

* * *

SITUATED UPON seven hills, Tallahassee, the only unconquered capital city of the old South, is spread out over a distance of about 10 miles in four directions off a courthouse square.

Many of the people upon whom the boycott rests walk as great distances as six miles a day to and from their jobs.

"Our fight is wrapped up in love. It is a spiritual idea, one based upon freedom, for which we so hungrily yearn," the Rev. Mr. Steele pointed out. "That is why we will not give up."

* * *

A STATEMENT of an elderly woman who has been walking since June and refuses to ride in any vehicle is one which she made following a speech she heard Rev. King Soloman Dupont, ICC vice president, deliver in September.

"Someone asked me," she said, "if I was tired, one night as I was walking home.

"I said, 'son, for years my soul has been tired of this segregation. Now my feet are tired, my soul is resting. I think I can keep on walking'."

Negroes Are Convicted In Florida Carpool Case

Sunday Star
Washington, D.C.
Sun. 10-21-56
p. 19-A

TALLAHASSEE, Fla., Oct. 20 (AP).—City Judge John Rudd today found 21 members of the Negro Inter-Civic Council and the council itself guilty of operating an illegal transportation system.

He fined each $500 and sentenced them to 60 days in jail, but suspended the jail sentence and placed them on probation for a year.

The sentence was stayed pending a defense motion for a new trial, which is expected by October 24.

The judge's decision was not accompanied by an opinion.

"Based on the law and the facts, the court finds the defendants guilty as charged," he said.

The charges against the defendants arose from operation of a carpool to provide transportation for Negroes boycotting the city buses in protest against segregated seating.

Special City Prosecutor Mark Hawes told the court that if the council members were acquitted licensed transportation systems would be in "serious jeopardy."

Defense Attorney Francisco Rodriguez told the court the Inter-Civic Council carpool does not fall within the definition of transportation "for hire." Part of the trial testimony revolved around the fact the carpool automobiles carry no "for hire" tags.

Mr. Rodriguez said none of the riders had paid fares and therefore the transportation they received could not come into the "for hire" category.

IT WAS reported by the Rev. J. Metz Rollins, ICC treasurer, Saturday, that the airplane company gave the Rev. Mr. Steele $100 to partially cover the loss.

The Rev. Mr. Steele is currently on a speaking tour of the United States to raise money for 21 leaders of the bus boycott movement who recently were fined $500 or 60 days in jail for their activities in leading the boycott.

The Rev. Mr. Steele was en route to Tampa to address the state-wide meeting of the NAACP when the robbery occurred.

'Left only what is on my back'

Afro-American
Baltimore, Md.

PITTSBURGH, Pa. — The Rev. C. K. Steele, president of the Tallahassee Inter-Civic Council which is leading a bus boycott movement in that Florida city, was robbed of all his baggage at the airport here last Wednesday.

11-3-56

His telegram, sent to the ICC in Tallahassee calling for help, said: "I have left only what is on my back."

The Rev. Mr. Steele was checking on the time his plane for Tampa, Fla., was to leave at the ticket counter when his bags were stolen.

* * *

Gore plays possum on boycott trial

Afro-American
Baltimore, Md.
Sat. 11-3-56

TALLAHASSEE, Fla. — "I read something in the paper, but I don't understand what it's all about."

Dr. George W. Gore Jr., made this statement to the AFRO Tuesday when asked what he thought about the outcome of the trial for the 21 leaders of the bus boycott in Tallahassee.

Dr. Gore is president of Florida A. and M. University. It was reported that he was "embarrassed" by the now almost five-month old protest against segregated-seating on Tallahassee buses.

In September, Dr. Gore told the AFRO that he did not threaten to fire any teachers for participating in the boycott, adding:

All teachers have contracts for the year ending in June 1957, and that "even if he wanted to, he could fire no one."

We won't pay, Steele tells NAACP

Afro-American
Baltimore, Md.
Sat. 11-3-56

BALTIMORE

"The demonstration will continue."

Standing in a small room of the main auditorium of the Sharp St. Memorial Methodist Church, the Rev. C. K. Steele spoke with firm conviction on Sunday afternoon.

The Florida minister had just finished delivering an impassioned speech at a mass meeting of the local NAACP; and while he admitted that he was tired, his voice was strong as he commented in the latest development in the Tallahassee bus boycott.

The day before, on Saturday, the Rev. Mr. Steel and 20 other persons had been fined $500 each for allegedly violating a Tallahassee automobile for-hire ordinance in connection with the boycott.

* * *

"WE CERTAINLY don't intend to pay the fines at this stage of the game," the Rev. Mr. Steele said as he explained that the imposition of fines has been stayed for ten days and an appeal of the verdict was being considered.

Asked if he would continue to take a direct part in the boycott, the Rev. Mr. Steele said:

"We (the persons fined) can't drive any more because even a traffic violation would bring them (city officials) down on our heads.

"But we have asked everyone to start picking up people on a voluntary basis and we have asked everyone to walk if they can't get a ride.

"They ghought they had hit the very heart of the (boycott) system but they haven't.

"The bus demonstration will continue."

The Rev. Mr. Steele was in Baltimore in conjunction with the current membership drive of the local NAACP.

The drive has a goal of 15,000 members. It is scheduled to end on Friday with a 8 p.m mass meeting at the Sharp St. Church at which Gus Courts of Mississippi will be the speaker.

Mr. Courts is the man who was shot when he attempted to vote in the Southern state.

* * *

BEFORE HE made these comments on the bus boycott, in which he was played a leading role, as president of the Inter-Civic Council, the minister had stirred the audience in the church with a ringing speech that was frequently interupted by applause as his words thundered in the auditorium.

At several points in his speech he reminded the listeners that: "Old Talahassee is not what she used to be," and each time he mentioned these words and explained how the colored citizens had achieved a new sense of dignity through the boycott, the audience cheered.

Tracing the start of the bus boycott, the Rev. Mr. Steele recalled that on May 26, two coeds from Florida A and M University had been arrested following a dispute over segregated seating on a city bus.

"These young ladies had too much of the modern colored blood to take it," the minister said.

A cross was burned in front of their residence to frighten them, but, said the minister: "Thank God it had the opposite effect."

* * *

THAT BEGAN the bus boycott, said the Rev. Mr. Steele, and since then the movement has been to set by a string of crises caused by both white and colored citizens, the latter group identified as "the new Uncle Toms," by the Rev. Mr. Steele.

"The old Uncle Tom stooped and bowed to obtain some favor for the race. The New Uncle Tom stoops, grins talks out of both sides of his mouth to feather his own nest.

"I don't know which group has been the most disappointed, the White Citizens or he new Uncle Toms. They have learned the hard way that Old Tallahasee is not what she used to be."

* * *

TURNING TO the NAACP the mnister heaped praise upon the organization for its work in the field of civil rights and said that it must be effective since it was feared so much by the White Citizens Councils.

"I would be a member of the NAACP if for no other reason than that it is feared by the Southern white man," he added.

He also reminded the audience that one of their most effective weapons was the ballot, and said:

"In the voting booth every man is a king and every woman a queen."

* * *

DEALING DIRECTLY with the bus boycott, the Rev. Mr. Steele emphasized that it was not being waged against people but against principles and thereby it had to be conducted on a non-violent basis based on love of a fellow man.

"Love is the most powerful force in the world. There is no power stronger. But protesting in love is not easy," he said.

"It is not easy to tell a man who thinks he has a right to stand on your foot, 'Brother, I love you, get off my foot.'

"We have to be careful least the agony of our suffering causes bitterness to come from our hearts."

Making liberal references to the Bible, the Rev. Mr. Steele's voice rang clear and loud as he shouted:

"From the very beginning we had the knowledge that we were right. That it is right for us to pay our fares and to choose our seats.

"Right is eternal. No one can destroy the man who is wrapped up in right.

"No matter if the crowd walks away," he advised with passion in every word, "be right! be right!"

* * *

AS THE AUDIENCE showed its approval with words of encouragement, the Rev. Mr. Steele said:

"It is far better to walk in humble dignity than to ride in shameful humiliation."

Then as the misister neared the end of his speech, his voice rose and his hands grabbed the edge of the lectern as the words tumbled forth to send a wave of unsupressed emotion through the audience.

Boycotters pray despite judge's order

Afro-American Baltimore, Md. Sat. 11-3-56 P.3

TALLAHASSEE, Fla. — Judge John Rudd refused the Inter-Civic Council's request, made through the Rev. C. K. Steele, that the first day of the bus boycott trial be opened with prayer.

Following a mass meeting Wednesday night, the members of the council, 21 of whom were to be tried for violating the city's "car-for-hire" law, decided to pray enmass, in secret.

* * *

BEFORE each of the remaining sessions of the four-day court procedure, all of the defendants and sympathizers who jammed the courtroom sat silently, with their heads bowed in prayer.

Afro-American Baltimore, Md. Sat. 11-3-56 P.3

'I KNOW MRS. IRONS'—That is the way Mrs. Laura Flucas answered a prosecutor's question in the Florida bus boycott case when he insisted "Do you know Bessie Irons."

Afro-American Baltimore, Md. Sat. 11-3-56 P.3

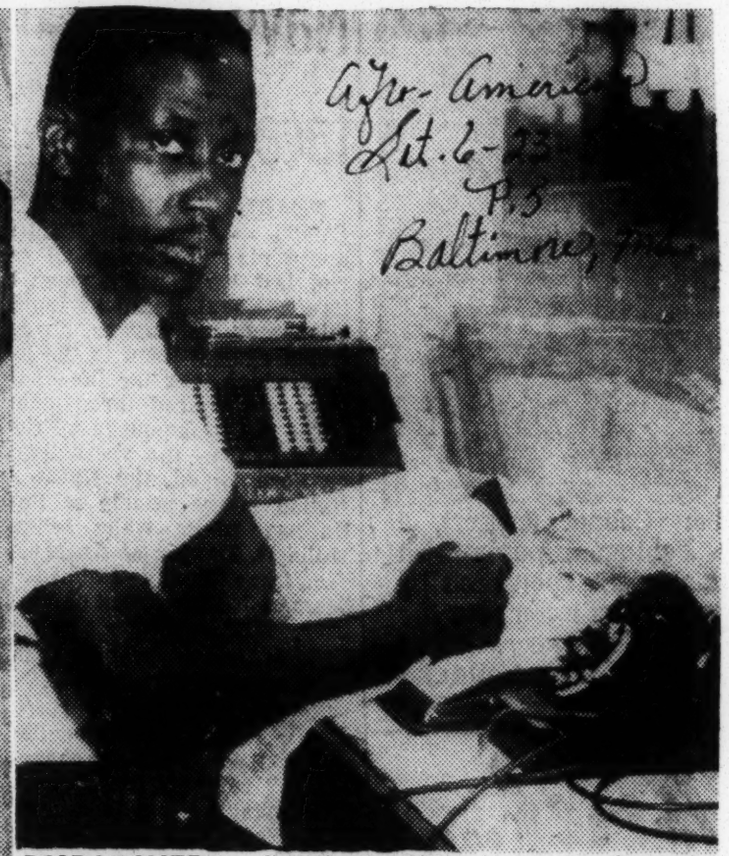
CONFUSES COURT—John Payne, Tallahassee filling station operator, caused a mild stir in the case with his answers to questions. He and Mrs. Flucas were ordered to say "Yes or no sir."

The signal for which they waited to begin their "communion with God" was given by Father David H. Brooks, who stood up from his seat among the other defendants and lowered his head to let them know when to pray.

Judge Rudd noted the action, but made no comment. He did not bow his head.—EMO.

SEEKS INJUNCTION— Francisco Rodriguez, NAACP attorney from Tampa, is asking a Federal court injunction to halt execution of the sentences in the Florida bus boycott cases. He represented the Inter-Civic Council, sponsors of the walking movement, in the four-day trial.

BUS BOYCOTT LEADERS in Tallahassee, Florida, are, left to right: FIRST ROW—H. McNeal Harris, Elbert W. Jones, Eddie Barrington, the Rev. C. K. Steele. Dr. M. C. Williams: SECOND ROW — Rev. D. H. Crawford, I. F. Bradley, Rev. L Daymon, Dan Speed; THIRD ROW — Rev. J. C. Collier, Rev. T. S. Lofton, K. S. Dupont and Theries Lindsay, attorney.



DISPATCHER — Connie A. Gillispie at telephone in headquarters of Tallahassee Intercity Civic Association, where he serves as dispatcher in the car pool. He is a student at Florida A. & M. University where bus boycott began.

Transport Workers hail bus boycotters

Afro-American Sat. 6-23-56

Baltimore, Md.

NEW YORK—"We call upon the bus drivers of Montgomery and any other city or town where a boycott or a campaign of passive resistance to the segregation edicts is being conducted, to join with the forces of decency and progress in their communities and to refuse to carry out policies of segregation or racial discrimination in the performance of their daily duties."

This statement was made by the International Executive Council of the Transport Workers Union of America, AFL-CIO, at a session at the Park-Sheraton Hotel here last Thursday.

The resolution blasts White Citizens Councils and commends the courage, determination and maturity of the colored people of Montgomery in their unflinching insistence on long overdue justice.

* * *

Excerpts from it follows:

"The fight for civil rights in America has recently been brought into sharp focus by the valiant stand of American citizens in their struggle for first class citizenship and by the Supreme Court's decisions which have torn down the barriers of segregation in the public schools and in inter- and intra-state transportation.

"The Transport Workers Union of America, AFL-CIO, joining with organized labor and all other decent elements in our society, hails this genuine progress toward the achievement of full and unqualified citizenship by our colored brothers.

"However, it is with deep concern and anxiety that we view the efforts now being made to subvert this progress and to deny in practice what the country's highest court has sustained to be the rights of colored citizens under the Constitution of our land.

* * *

"THE WHITE Citizens' Councils, mushrooming from the hate-beds of the South, are spreading their racist poisons through an alarming large number of our states.

"By economic intimidation and the encouragement of mob-violence and murder, the White Citizens' Councils have revived the cowardly tactics of the hooded massacre and the desecration of the burning cross.

"Their end is to crush not only the organizations of colored people but to wipe out all groups, and particularly the trade unions in the South which are fighting for justice and equality for all minorities.

"This International Executive Council of the Transport Workers Union of America, AFL-CIO, condemns the White Citizens' Councils as a menace to all America and a blight upon our national life."

In Tallahassee

Bus Co. Ends Line Struck By Boycott

Post & Times Herald p. 3 Wed. 6-6-56

Washington, D.C.

TALLAHASSEE, Fla., June 5 (AP)—Bus service on runs serving Tallahassee Negro communities has been shut off as a result of an 8-day-old boycott.

The city commission yesterday authorized the Cities Transit Bus Co. to discontinue the runs after the transit firm reported they had become unprofitable.

The transit company, in petitioning the commission for authority to pull buses off these routes, said its Tallahassee operations had been losing money and one way to "minimize the loss factor" was to close the runs doing little business.

The city commission rejected a demand by the Negro Inter-Civic Council for full integration on city buses as a condition for ending the boycott.

Commissioners said to grant the request would be a violation of state segregation laws.

Only a handful of Negroes are still riding the buses. Others are walking or being transported in carpools.

The boycott was touched off by arrest of two Negro students of Florida A&M University for Negroes for sitting on a seat beside a white woman and refusing to move. The charges were later dropped.

Fla. Boycott Forcing Bus Co. To Quit

Journal + Guide Sat. 6-23-56 P. 1 Norfolk, Va.

Special to Journal and Guide

TALLAHASSEE, Fla.—With the boycott of local buses only four weeks old, the local transit firm is already ready to call it quits, fold up shop and go out of business.

The Cities Transit company announced that it plans to go out of business on July 1 unless some solution is found to the financial problem which has been created by the boycott.

* * *

IN THIS EVENT, Florida's capital city will be without a public transportation system.

The boycott of buses by the city's 13,000 Negro residents began on May 28 just after two Florida A. and M. university c--eds were arrested for refusing to move out of their seats on a bus and give them to white patrons.

* * *

A FULL-PAGE announcement in a local newspaper last weekend said that the transit firm, literally and actually, is at the end of its rope. Fully 70 per cent of the company's resources was realized from colored patronage, it was pointed out.

The transit firm has given indication that it is willing and anxious to discuss requests made by colored patrons for first-come, first-served seating, colored drivers on predominantly-colored routes and more courteous service to patrons.

But local officials have shown an unwillingness to cooperate, basing their stand on local and state laws requiring segregated seating. Such laws have been found invalid by Federal district courts and the US Supreme court.

IN THE meantime, Tallahassee's colored citizens are getting to and from their jobs and other places utilizing the 60-odd cars that make up a motor pool hastily set up to replace buses as modes of transit.

And at Miami colored citizens have rejected the idea of staging a boycott of buses in protest to the city's stringent segregation code.

Journal + Guide 6-23-56

Instead, suits challenging the constitutionality of the segregation statutes will be filed in Federal District court.

COEDS CLEARED, BUT BUS PROTEST SPREADS

Daily World P. 1 Thurs. 5-31-56 Atlanta, Ga.

Group Demands Negro Drivers; First Come Seats

TALLAHASSEE, Fla. — (INS) — City officials declined Wednesday to prosecute two Negro coeds for insisting on seats toward the front of a bus, but a boycott launched in protest over their arrest spread throughout Tallahassee.

Students at Florida A and M University began boycotting buses through the campus Monday. Leaders of the Tallahassee Negro community met Tuesday night, and Wednesday issued a call for a city-wide Negro protest.

TWENTY-ONE CARS

Twenty-one private automobiles worked from 12 centers Wednesday, answering more than 200 calls from Tallahassee Negroes joining in the bus boycott movement. Leaders say only half as many Negroes were riding city buses in the Florida capital city yesterday.

A similar boycott has continued in Montgomery, Ala., for more than six months. The Montgomery protest began with the arrest of a Negro woman who refused to move to the rear of a bus, but has since broadened into a protest against segregated seating.

NAACP BACKING

Tallahassee Negro community leaders, backed by an official of the National Association for the Advancement of Colored People, made three demands upon city and bus line officials Wednesday. They asked for the right to be seated on a first-come, first-served basis, for more courteous treatment by bus drivers, and for assignment of Negro bus drivers on runs where passengers are predominantly Negro.

The city Wednesday decided not to prosecute the two coeds--Miss Wilhelmina Jakes, 26, and Miss Carrie Patterson, 20 -- charged with placing themselves in a position to incite a riot. Police Chief Frank Stoutamire said the cases were turned over to university officials for action, in the same manner as are most minor police cases against students of the all-white Florida State College at Tallahassee.

Meanwhile, R. W. Sanders, Florida State Secretary NAACP, who attended the meeting of 450 persons Wednesday night, told the group:

"I've been in contact with our national office and they told me to come in and make a thorough survey to see what can be done from a legal standpoint. The NAACP is watching every move you make."

PRESS BARRED

Reporters were not permitted at the Wednesday night meeting at which the decision to apply the college boycott city-wide was made.

City officials and bus company officials declined all comment on the arrest Saturday of the two college students or the subsequent protest.

Daily World 5-31-56

Protest leaders claimed that the boycott had already cut the bus company's patronage by Negroes in half. They pointed out that except for brief radio reports, Thursday morning newspapers would be the first word most people in the city would have concerning the call for the city-wide protest. Daily newspapers did not publish afternoon editions because of the Memorial Day Holiday.

Atlanta, Ga.

Integration Plea Renewed at Tallahassee

TALLAHASSEE, Fla., June 5 (AP)—The Negro Inter-Civic Council Tuesday renewed its demand for integration on Tallahassee city buses.

Wed. 6-6-56

The request has been denied by the Cities Tranist Bus Co., and the Tallhassee city commission. The company eliminated service through Negro districts Monday because of the eight-day-old bus boycott by Negro passengers.

New Orleans

The council issued a statement saying it is hoped "a partial agreement in principle by the city and bus company" on requests for employment of Negro drivers and more courteous treatment will lead to "an equitable agreement" on the integration demand.

Bus Bias End Asked For In St. Petersburg

Daily World Sat. 6-23-56 Atlanta, Ga.

ST. PETERSBURG, Fla.— (INS) — Negro civic leaders, declaring we want to be treated like human beings," Friday urged the St. Petersburg city council to end racial segregation on local buses.

Mayor Samuel Johnson and city manager Ross Windom told the Negro officials the situation would be given "immediate" consideration. P. 1

The Negroes also asked that Negro drivers be assigned to serve Negro areas and that special police protection be given "when the integration begins."

J. P. Moses, chairman of the civic group and spokesman for the Negroes, said he will call a mass meeting to urge that no boycott of city buses be called "until we find out what the city is going to do."

Harry Young, city attorney, asked the Negroes to prepare a list of special grievances and present it at another council meeting.

Dr. Fred Alsup, Negro physician, told the council "the situation is acute. All we ask is that we be treated like human beings." P. 2

Many of the Negroes who attended the meeting are plaintiffs in legal action against the city to force integration at St. Petersburg's public beach and swimming pool. The suit presently is on appeal from a federal district court ruling which upheld the plaintiffs.

Bus Manager's Attitude Held Regrettable

Daily World Sat. 4-28-56 Atlanta, Ga.

ST. PETERSBURG, Fla.-- (INS) -- The city manager of St. Petersburg said city-owned buses will continue to be segregated and predicted Negroes will not object. P. 1

The president of a Negro civic group, however, called the action "regrettable."

City Manager Ross Windom said there is no city ordinance requiring segregation on city buses. He said it is a "matter of custom and policy."

Windom declared, "The Negro patrons are accustomed to it and do not object."

J. P. Moses, Negro president of the Citizens Cooperative Committee said, however, "It is regrettable that St. Petersburg which is one of the finest communities in the South, isn't following the steps of other communities in this matter."

Daily World

Moses said the group will meet next week to discuss the matter and will question candidates for county offices at a Negro church rally on Monday. P. 4

The city is currently appealing a Federal Court order requiring the de-segregation of the city-owned Spa Beach and Spa swimming pool.

Tallahassee Sidelights

Afro-American P. 20
Sat. 6-16-56

TALLAHASSEE, Fla — The Chattanooga (Tenn.) News-Free Press, Saturday came out with a front-page picture, purportedly showing a group of colored citizens "hooting" derisively at an empty bus passing by.

The picture showed some in the group pointing withoutstretched arm as the bus rolled by.

The rub was, however, that several of the persons photographed had their faces turned toward the photographer, showing the picture obviously to have been a "faked" or "staged" one, planted by the photo-snapper to try to show others how "disrespectful" their former subordinates had become.

Baltimore Md.

THE STORY had a headline on it that read, "Negroes 'hoot' but refuse to clarify demands in Tallahassee bus boycott," and went on to say:

"The principal question appeared to be what is meant by the colored citizens' demand that bus seating be on a 'first come, first served basis.'

"Executive Editor Malcom B. Johnson of the Tallahassee Democrat met with a colored delegation to seek a more specific phrasing of the request, but reported no agreement could be reached on any statement clarifying or explaining the exact meaning of the phrase.

* * *

"COLORED PEOPLE said when the demand was first announced they didn't want any member of their race to be forced to stand while a bus had vacant seats," the article stated.

How much more explicit could they be? That is the crux of the matter . . . ending segregation.

As the company's rules are now interpreted by the bus operators, colored passengers have to enter through the back door of buses and sit behind white passengers who enter through the front door.

If whites are seated on any of the two-or three-seat benches and all seats behind them are filled, colored riders are required to stand rather than occupy one of the vacant seats next to a white occupant.

SERVING TALLEHASSEE'S 15,000 colored residents are one colored pharmacy, four physicians and two dentists.

The pharmacist is Dr. H. A. Roberts, proprietor of the Economy Drug Store, and his wife, also a registered pharmacist, who obtained her training at A. and M. University.

The physicians include Drs. R. L. Anderson, L. H. B. Foote, W. A. Baker and C. M. Stevenson. The dentists are W. O. Campbell and M. C. Williams.

Professional men at FAMU frequently offer their advice and service to the local pros and Tallhasseeans.

ABSURDITY IN bus segregation, according to Willie Jackson, 1306 Central St., who has operated his own cab for some time, is that white taxies are permitted to have colored passengers and vice versa, while bus mixing is prohibited.

Jackson also pointed out that white and colored people ride together in private cars all the time and nothing is said about it by police or city officials, although it violates the state's jim crow arrangements.

The time was "overdue for an explosion," according to the cabbie, who said he is glad it happened here, but hopes violence will be averted.

* * *

NAACP LEADERSHIP in the bus protest was disavowed by the Rev. C. K. Steele, president of the Inter-Civic Council. He said that only incidentally is he president of the local branch of the NAACP.

No money from outside of Tallahassee has been received by the Inter-Civic Council, it has been stated, but the total amount donated to operate the car pool for stranded ex-bus riders exceeded $250 the first week.

Public contributions have been received from a local insurance firm and one labor union, in addition to funds offered by private individuals and churches at mass meetings.

IN TALLAHASSEE, the ICC president said, only he and the Rev. Mr. Daymond face charges lodged after the protest began.

The Rev. Mr. Steele was charged with two traffic violations while hauling seven boycotters last week. His hearing is to be held this week.

The Rev. Mr. Daymond, it is reported, received three tickets on the same day, Friday—one for giving a belated stop signal, another for driving astraddle a white line marking different traffic lines, and the third for having let his Georgia driving license expire on midnight before the day he was apprehend.

The same traffic policeman, a certain Officer Peacock, it was said, issued 3 of the 4 tickets to the Rev. Messrs. Steele and Daymond.

This gives substance to expressed beliefs of ICC leaders that no insidious program has yet been launched by city officials to harass the body for leading the bus protest.

* * *

MOST OF the leaders of ICC operate their own vehicles; and some say they have never ridden upon a city bus.

The complaints that they have heard of indignities and insults have impelled them to spearhead the movement for those less privileged than themselves and of their blood, they said.

EN ROUTE to Baltimore from Tallahassee, via Eastern Airlines, Monday, this reporter was in some outstanding company.

Seated directly behind him were Dr. George W. Gore Jr., president of Florida A and M University; and Dr. John W. Davis, former president of West Virginia State College and former Point-4 advisor to Liberia for the United States and at present special education consultant for the NAACP.

Dr. Gore was scheduled to deliver the commencement address at Albany State College, Albany, Ga., and Dr. Davis had completed the commencement address at Florida A and M, Tallahassee.

* * *

BOARDING THE plane at Albany, en route to Atlanta, was Dr. Sherman Greene Jr., secretary-treasurer of the General Board of Education, AME Church.

Dr. Greene, who took a vacant seat next to this reporter, had preached the baccalaureate sermon at Albany State College and was to stop over in Atlanta for the Atlanta University commencement before proceeding to his home in Nashville, Tenn.

He said that in his baccalaureate sermon he pointed out that contrary to Chamber of Commerce's advice that what the world needs now is more persons trained as scientists, atomic specialists and engineers, it needs persons trained in the techniques of human relations.

He cited J. Edgar Hoover as saying that America's greatest danger is not from communism but in the moral degeneration of her people.

Dr. Greene said he told Albany's graduates that what they had to do was not so much learning how to make a living as in learning how to live.

The director of the now integrated set-up of AME education was jubilant over his new plans for progress in these AME institutions, which, he said, will be put in operation July 1. — A. Randall.

Boycotted Bus Firm To Give Up

Herald Miami, Fla. Sat. 6-16-56

TALLAHASSEE —(UP)— The city bus company, financially crippled in a boycott by Negroes demanding an end to segregated seating, announced Friday it will have to go out of business in two weeks.

P. 22-B

President J. S. Coleman of Cities Transit, Inc., said the boycott which began May 28 has caused a 60 per cent drop in revenue. Coming on top of a $3,000 operating loss for last year, Coleman said the company has no alternative but to "liquidate our holdings quickly so as to keep our losses as low as possible."

Leaders of the boycott by the city's 14,000 Negroes had little to say about the announcement but insisted they are open to offers by the city. The City Commission offered "first-come, first-served" seating shortly after the boycott began but consistently rejected demands for full integration.

The Rev. K. S. Dupont, an officer of the Negro Inter-Civic Council, said that integration is not the main desire of the Negroes.

"If we called off the boycott today I doubt seriously that many would go back to riding the buses," he said. "There is no great hue and cry about integration — just the daily abuses and discourtesy from the bus drivers. To go back to what we had would be worse than walking."

In his statement to the Tallahassee Commission Coleman took a slap at the Inter-Civic Council which he said must bear the blame "for the long-range results on this community" if the company goes out of business.

"The real loser, as we see it, will be the community and all of its citizens, including those whose ambitions the boycott was designed to further," he said.

Mass Rally Over Buses Due Sunday

Herald Miami, Fla. Sat. 6-16-56

By BERT COLLIER
Herald Staff Writer

Steps to end segregation on local buses will be discussed at a negro mass meeting Sunday.

The big meeting, expected to draw several hundred persons, will be at 3 p.m. at the St. James A. M. E. Church, 1812 NW 66th St.

GRAVES

G. E. Graves Jr., attorney who represented a Negro youth convicted of refusing to move to the rear of a bus, said the group will consider legal action. It is not interested in a bus boycott, he said.

Negro leaders apparently are united against a bus boycott because of the hardship it would cause. The number of Negro riders and the distances involved would make it difficult to organize a boycott, they said.

Graves said it is likely a separate suit will be filed in Federal Court attacking the constitutionality of segregation in local buses. The U.S. Supreme Court already has ruled out segregation in interstate transportation.

Graves represented Rudolph Reid, 19, who was found guilty in Miami City Court Thursday of disorderly conduct. The sentence was suspended.

There will be no appeal, Graves said. The NAACP attorney indicated the remedy will be sought in civil action.

City Judge Richard M. Swann granted a continuance Friday in the trial of Mrs. Bessie Kerbo, Miami Negro, charged with disorderly conduct in a similar bus incident.

She and her attorney, Joseph Kaplan, asked the delay until June 26.

NAACP In Miami Rejects Boycott

Advertiser Mon. 6-18-56

MIAMI, Fla., June 17 (AP)—The Miami chapter of the National Assn. for the Advancement of Colored people today rejected the idea of a boycott of Miami buses to force integration.

A resolution condeming boycotts as "untenable" was passed at a mass meeting of about 400 Negro and NAACP leaders at St. James AME Church.

At the same time, G. E. Graves, attorney representing the NAACP, announced he would file a federal court suit challenging the constitutionality of Miami's bus segregation laws "very soon." He said the suit would be filed when it has been "adequately prepared."

E. L. Davis, Graves' law partner, said the fight is not with the bus company, but "it is with the people who pass and refuse to revoke segregation laws."

All Bus(ted) Up

Defender Sat. 6-23-56 P.9 Chicago, Ill.

Commodore

Jimcro Enforced; Negroes Walking

State Press Fri. 6-1-56

Little Rock, Ark. P.1

TALLAHASSE, Fla.—A spark similar to the one in Montgomery, Alabama, which startled the world over Negro unity and put a utility company in a financial strain, has been ignited in this Florida city. Last December, a Negro woman seamstress was arrested on a Montgomery city bus line for refusing to give her seat on the bus to a white man was the incident which started a city-wide boycott of the city buses. This boycott has been so successful that it has claimed the attention of darker skin people thruout the world, and especially in the deep south. Monday in this Florida city, two Negro women were arrested for refusing to move to the rear of a bus, and the burning of a cross at their home followed.

Tallahasse is the home of the Florida Agricultural and Mechanical college, and this incident prompted quick action from the student body. A meeting was called which was attended by more than 2,300 Negroes, and petitions calling for a bus boycott were circulated, according to Broadus Hartley, president of the student body at FA&M. Shortly afternoon the boycott was on.

The first bus after the petitions were circulated about 2 p. m. went thru streets and the campus of the college empty, followed by police escort. The Negroes yelled as they lined up and down the streets, "We'll Walk!"

This has the earmarks of being a replica of Montgomery, Alabama, where the boycott is now in its sixth month. There has been no violence in Montgomery, and there was no violence here, the Negroes have just decided to walk.

President George Gore of the college, where the boycott had its origin, was out of the city Monday, when the boycott started, and other officials stated that no formal statement would be made over the students' action until the president returned.

Miami boycott delayed; court action expected

Afro-American P.1 Sat. 6-16-56 Baltimore, Md.

MIAMI — Local NAACP officials Friday evening, delayed for the present plans to institute a bus boycott in Miami and Miami Beach in an effort to end segregated seating as required by Florida state law.

Earlier in the day, the Rev. T. R. Gibson, president of the local NAACP branch, said the association might call for a boycott against Miami Transit Co. unless it abandoned segregation.

* * *

THE NAACP official said the boycott was called off because members decided it should be used only as a last resort. Only 10 per cent of Greater Miami's 270,000 population is composed of colored people.

A committee was named Thursday night to formulate demands to be made to the bus company. Boycotts are currently being waged against bus companies in Montgomery, Ala., and Tallahassee, Fla.

* * *

THE PROPOSAL, the Rev. M Gibson, said, was suggested because the city's colored population thought it was time to wipe out segregation on buses.

Plans were also made to circulate petitions among white residents in an effort to gain their support. He said the boycott would be used as a "last resort."

He also had indicated that the colored residents would take court action if necessary.

Will Report Bus Arrest To NAACP

Daily World Atlanta, Ga. Wed. 6-13-56

MIAMI (INS) — A Miami Negro arrested for refusing to move to the rear of a segregated bus will report to the local chapter of the National Association for the Advancement of Colored People today.

Rudolph Reid, 19, was invited to speak before an NAACP meeting after his arrest last night for refusing to move to the rear of a Miami bus when ordered to do so.

The youth was released on bond and will appear in municipal court Thursday morning on a breach of peace charge.

G. E. Graves, attorney for the local branch of the NAACP, said young Reid was "invited to come up and tell our meeting just what happened." The lawyer added that no immediate boycott of city buses by Negroes is planned.

However, Neal Adams, a Miami grocer and NAACP member, said he was president of a local Negro citizens' group which "will give serious consideration to a boycott." It was Adams who posted Reid's bond after his arrest.

He said no boycott would be called unless Negroes were fairly certain it would be "90 to 100 per cent effective."

The Reid boy told police he didn't want to sit in the back of the bus because it was "too hot back there." Adams denied that Reid would be made a "test case" but advanced the possibility that the Miami Transit Co. might be sued.

Bus company officials said driver Henry Ahlbrandt was merely following a state law when he summoned police when the boy refused to take a seat in the rear of the bus.

Boycott Bankrupts Bus Line In Tallahassee, Fla.

Defender Sat. 6-23-56 P.1

Chicago, Ill.

TALLAHASSEE, Fla.—(INS)—The president of the Tallahassee Transit Co. admitted last week the boycott of coaches by Negroes has been "successful" and announced the company plans to suspend operations as of July 1.

In a letter to the City Commission, J. S. D. Coleman, president of Cities Transit Co., said:

"Under existing circumstances it is our intention to suspend operation of buses in this community as of July 1, 1956 for an indefinite period."

A group of local citizens, however, immediately prepared to fight the boycott by aiding the transit company by wider use of buses by whites and soliciting funds if possible to aid the company.

Containers such as those used in the march of dimes campaign and other charitable drives have been place in restaurants and other public places.

REVENUE DOWN

Coleman said the boycott has been "successful in that it has taken 60 per cent of the company's revenue." Negroes had made up 70 per cent of the passenger load before the boycott began 22 days ago Monday with the arrest of two co-eds from nearby Florida A & M college.

The two girls were arrested for refusing to move to the rear of a bus when a white woman complained to a driver.

Negroes comprise about one-third of Tallahassee's 40,000 population. They have refused to ride city buses since May 29 in protest against segregation laws of the state and city.

The city commission, in a full-page advertisement in the Tallahassee Democrat, asked the white citizens of the community to "actively support the bus company" in the battle.

Only last Thursday night, the Negro inter-civic council announced after a mass meeting that the council "had reaffirmed our desire to continue walking until passengers of all races sit wherever they choose on city buses."

NO SOLUTION IN SIGHT

A spokesman for the group added that "since Negro citizens of Tallahassee give the bus company more than 70 per cent of its support, they keenly resent the fact that there has been no effort made to give them the same treatment that other American citizens of Tallahassee receive."

In his letter, Coleman said the bus company was willing to continue operating at a loss for "a reasonable period of time," but added "with no solution in sight and being an independent company without unlimited resources, we cannot continue to impair our financial condition, under circumstances as they now exist."

Negotiations between leaders of the boycott and City Commission have collasped over the issue of open seating on the buses. The company, however, has promised to consider Negroes for employment as drivers and to treat all passengers "with proper courtesy."

In Miami, leaders of the National Association for the Advancement of Colored People called a mass meeting Sunday to decide what policies to adopt concerning segregated seating on local buses.

The Tallahassee boycott was patterned after the six-month-old bus boycott in Montgomery, Ala.

BUS LINE PLANS HALT IN FLORIDA BOYCOTT

Times New York

TALLAHASSEE, Fla., June 15 (AP)—The Cities Transit Company said today that it would suspend service July 1 unless a solution was found for the problems created by a boycott of its buses by Negroes.

Negroes, who form about one third of Tallahassee's 40,000 population, have been refusing to ride buses since May 29 in protest against segregation practices required by state and city law. An estimated 70 per cent of the bus company's business before the boycott came from Negroes.

A full-page advertisement today in The Tallahassee Democrat reproduced a letter from the bus company to the City Commission announcing its intention. The letter declared that the boycott had cut revenues 60 per cent.

The city granted to the company this week authority to increase its fares from 10 to 15 cents to help make up for the revenue loss.

Today's advertisement also reproduced an open letter from the City Commission to the citizens urging "active support" for the bus company.

The boycott was touched off by students of Florida A. & M. University. Negroes are demanding the right to take seats wherever they choose on buses.

New Bus Boycott Ignored by Many

World-Telegram & Sun P.3 Wash. 5-31-56

By BARBARA FRYE,
United Press Staff Writer

TALLAHASSEE, Fla., May 31.—Negroes vowed an all-out boycott of local buses today in a carbon copy of the Montgomery strike but the spirit appeared lacking so far to make it half so effective. N. Y.

Many Negroes walked or rode in car pools to work to back up demands for first come, first served seating arrangements and "more courtesy" from drivers.

A spot check of buses during the morning rush hour, however, indicated that just about the usual number of Negroes were riding the vehicles in the downtown area.

The boycotting Negroes were led by a hastily-formed "Inter-Civic Council."

Police arrested the Rev. C. K. Steele, local chapter president of the National Assn. for the Advancement of Colored People, on charges of running through a stop sign and speeding while driving his own car which he had placed in the car pool. He was ordered to appear in Police Court next Monday.

The boycott emerged from the arrest of two Florida A&M University coeds who sat in the white section of a segregated bus. Graduation ceremonies wil lbe held at the university Monday, and city officials hope the controversy will die when school is out.

City to Get Bid to End Race Bars

Herald P.2-A Miami, Fla. Sat. 6-9-56

Bus Boycott Threat Eased for Present

By AL NEUHARTH
Herald Staff Writer

Local leaders of the National Assn. for the Advancement of Colored People today will begin a "lawful and reasonable" program to end segregation, after canceling plans for any immediate bus boycott.

G. E. Graves Jr., attorney member of the NAACP committee on education and information, said he will prepare petitions requesting the Miami City Commission to repeal all segregation ordinances.

That was the initial step in a program adopted Friday by the six-member committee. It outlined these plans:

1. **PETITION** the Miami City Commission and the Florida Legislature, asking both groups to repeal existing segregation laws.

2. **IF THAT FAILS,** seek legal remedy in the courts, carrying the issue "as high as is necessary."

3. **USE OF BOYCOTTS** only as a "last resort."

The Rev. Theodore R. Gibson, president of the Dade NAACP, said the new course of action was decided on to show "we are law abiding people seeking a reasonable and harmonious program" for both white and Negro citizens.

He and other committee members expressed confidence their program will be effective, but acknowledged that the time element is uncertain. They said they expect some delays.

"If the courts don't expedite things, that's the penalty we'll pay for being law abiding citizens," the Rev. Mr. Gibson said. "We're a reasonable group and we'll approach this with good will."

He said petitioning of the City Commission, the first step, will be done within a matter of a few days. Petitions will be presented to the commissioners, and a public hearing asked.

Mayor Randall N. Christmas said the commission probably will take no action on the proposed petition until after conferring with the attorney general and the governor.

Christmas pointed out Miami's present segregation regulations are simply part of a general ordinance adopting all state laws.

"Even if the city should repeal its segregation ordinance, we couldn't enforce desegregation as long as the state law exists," the mayor explained.

Gibson and Graves emphasized they will seek no special state legislative session to act on that petition, but will await the 1957 meeting.

"We're going to take things in stride. We don't want anybody to get the impression there is hysteria," the Rev. Mr. Gibson said.

A committee statement said plans for any present bus boycott were dropped because a demand to bus company officials to end segregation would be an unlawful demand.

"We do not intend to ask members of our association, our friends, or public officials to violate the laws of the land. On the contrary, we shall do all in our power to persuade them to keep the laws," the statement said.

"Therefore, we find it necessary to have the laws changed so as to comply with the Supreme Court decision of late."

One of the committee members, the Rev. J. N. Byrd, said he also was opposed to any bus boycott because he didn't think it would be effective.

"The percentage of bus riders who are colored is too small," he said.

Dade's Negro population is only about 10 per cent of the total, Graves pointed out.

Committee members in addition to the Rev. Mr. Gibson and the Rev. Mr. Byrd and attorney Graves were Mrs. Ruth Perry, Ralph S. Williams and Edwin L. Davis. No out-of-town NAACP representative was present.

Tallahassee Facing Loss Of Bus Line

Advertiser Sat. 6-16-56 Montgomery, Ala.

TALLAHASSEE, Fla., June 15 (AP)— Florida's capital city was faced today with the threat of losing its only public transport system July 1 due to a Negro boycott of city buses.

The Cities Transit Co. announced it intends to go out of business on that date unless a solution is found to financial problems created by the boycott.

The announcement came in a full-page advertisement in the Tallahassee Democrat. P.1

Tallahassee's Negro community, representing about a third of the city's 40,000 population, has been refusing since May 28 to ride city buses in protest against segregated seating required by city and state laws.

A group of white citizens was reportedly forming a committee to help promote bus travel and to solicit direct funds if necessary to subsidize bus operations.

An estimated 70 per cent of the bus company's business prior to the boycott came from Negro riders.

"Walk" Effective 90 Per Cent In Tallahassee, Fla.

Daily World
Sat. 6-16-56
Atlanta, Ga.

TALLAHASSEE, Fla. — (INS) — The president of the Tallahassee Transit Co., admitted Friday the boycott of coaches by Negroes has been "successful" and announced the company plans to suspend operations as of July 1.

In a letter to the City Commission, J. S. D. Coleman, president of Cities Transit Co., said:

"Under existing circlmstances it is our intention to suspend operation of buses in this community as of July 1, 1956 for an indefinite period."

CITIZEN AID

A group of local citizens, however, immediately prepared to fight the boycott by aiding the transit company by wider use of buses by whites and by soliciting funds if possible to aid the company.

Containers such as those used in the March of Dimes campaign and other charitable drives have been placed in restaurants and other public places.

60 PER CENT GONE

Coleman said the boycott has been "successful in that it has taken 60 per cent of the company's revenue." Negroes had made up 70 per cent of the passenger load before the boycott began 18 days ago with the arrest of two Negro co-eds from nearby Florida A and M College.

The two girls were arrested for refusing to move to the rear of a bus when a white woman complained to a driver.

Negroes comprise about one-third of Tallahassee's 40,000 population. They have refused to ride city buses since May 29 in protest against segregation laws of the state and city.

FULL PAGE AD

The City Commission, in full-page advertisement in Friday's Tallahassee Democrat, asked the white citizens of the community to "actively support the bus company" in the battle.

Only Thursday night, the Negro Inter-Civic Council announced after a mass meeting that the council "had reaffirmed our desire to continue walking until passengers of all races sit wherever they choose on city buses."

A spokesman for the group added that "since Negro citizens of Tallahassee give the bus company more than 70 per cent of its support, they keenly present the fact that there has been no effort made to give them the same treatment that other American citizens of Tallahassee receive."

REASONABLE LOSS

In his letter, Coleman said the bus company was willing to continue operating at a loss for a "reasonable period of time." but added "with no solution in sight and being an independent company without unlimited resources, we cannot continue to impair our financial condition, under circumstances as they now exist.

Negotiations between leaders of the boyott and City Commission have collapsed over the issue of open seating on the buses. The company, however, has promised to consider Negroes for employment as drivers and to treat all passengers "with proper courtesy."

In Miami. leaders of the National Association for the Advancement of Colored People have called a mass meeting for Sunday to decide what policies to adopt concerning segregated seating on local buses.

Bus Window Shattered -- Gunshot?

Herald P.1
Miami, Fla.
Thurs. 6-14-56

A window on a Miami Transit Co. bus was shattered Wednesday afternoon by what the driver and passengers believe was a bullet fired in the vicinity of SW 27th Ave. and Bird Rd.

R. L. Gaylor, driver of the bus, told Miami Police Officer A. S. Dorcas that he heard what he thought was a gunshot when the bus was about 100 yards north of Bird Road. Then passengers called the driver's attention to a shattered window back in the bus.

The object hit the fourth window on the left side of the bus. The passenger sitting in the seat by that window was Mrs. Irene Georgitson, of 2328 SW 18th St.

She told police that she too heard what sounded like a gunshot and heard something whiz by her head.

Investigation showed that the object did not actually penetrate the window, but slivers of glass were found in the bus aisle and on the seat opposite.

Mrs. Georgitson said she first thought the loud noise was the backfire of a car and glanced in time to see an old, black vehicle pass the bus going in the opposite direction.

A passenger sitting in front of Mrs. Georgitson called her attention to the shattered window beside her.

Mrs. Georgitson said the driver stopped the bus near Dixie Highway and called Miami Transit officials and police. There were only three other passengers on the bus at the time of the incident, besides Mrs. Georgitson.

Fla. bus boycott Afro-American lawyer heartened

Sat. 11-24-56

TAMPA, Fla. —Francisco Rodriquez, attorney for the Inter-Civic Council in the Tallahassee bus boycott cases told the AFRO, Tuesday, "I plan some very definite steps as a result of the decision."

He, however, refused to reveal what the steps might be.

"I consider the decision of great import to all the pending segregation cases in the field of intracity transportation," he said, adding:

"I think it changes the complexion of all the cases we have under advisement in this particular area."

FLORIDA BOYCOTTERS LACK MONEY TO PAY HEAVY FINE

Baltimore Afro-American
Sat. 12-1-56

Brooklyn, Nov. 26.—The five and one-half month boycott of City Transit Bus Co. lines in Tallahassee, Fla., will not cease until there is an agreement to "first come, first serve" provisions for all passengers.

Such was the declaration of Rev. Charles Kinze Steele last Monday at a mass meeting at Mt. Ollie Baptist Church, Brooklyn.

Rev. Steele, leader of the Inter-Civic Council and Tallahassee Branch, NAACP, and pastor of Bethel Baptist church, said if the 21 persons under conviction for operating a car pool do not win their appeal they may have to go to prison.

The treasury of the Council is far short of the $11,000 needed to pay their total fine, he said.

The State NAACP has given the service of its legal representative, Atty. Francisco Rodriques of Tampa, to defend the boycotters.

Rev. Steele praised the NAACP and said that the appropriation of $50,000 by the state of Florida for an investigation of that organization and the Inter-Civic Council was a move to shutup these militant organizations.

Florida Boycotters Get Bond Ultimatum

Afro-American
Montgomery
Sat. 12-8-56

TALLAHASSEE, Fla., Dec. 7 (AP) — Negro bus boycott leaders were handed an ultimatum today to post $22,000 in appeal bonds by 11 a.m. tomorrow or pay $11,000 in fines immediately.

City Judge John Rudd served the notice on the Negro Inter Civic Council, which sponsored car pools during the six-month-old boycott and 21 of its members.

They were convicted Oct. 20 of operating an illegal transportation system.

Merely Obeying the Law

Herald P.10-A

Why Sue Us? Negroes Asked by Bus Firm

Sat. 11-3-56
Miami, Fla.

By RONALD YORK
Herald Staff Writer

Negroes seeking integration of Miami Transit Co. buses have aimed their federal court suit in the wrong direction, the bus company charged Friday.

The company asked that it be ruled out of the action which would leave only the city and individual city commissioners to face the suit.

At the same time the city moved to have the suit thrown out because the Negroes have not demanded relief from the "proper city officials" before coming to court.

The city also wants the state of Florida added as an "indispensable" defendant since state segregation laws are at issue.

The suit was filed Oct. 10 by four Negro women who said bus segregation denies their constitutional rights. They want city and state bus segregation laws declared unconstitutional.

"It appears the only complaint against the company is that it is complying with statutes and ordinances which are in full force and effect," argued attorney Lee M. Worley, for the company.

If it did not segregate buses it would be criminally liable and its franchise put in jeopardy, Miami Transit contends.

BUS PROTEST STRONGER IN FLA. AS FARES ARE RAISED

NEGROES 70 PERCENT OF CITY FARES

Daily World Atlanta, Ga. June 6-14-56

TALLAHASSEE, Fla. — (INS) — The 17-day-old boycott of city buses by Tallahassee Negroes appeared to be gaining strength Wednesday despite the fact that fares were raised from 10 to 15 cents by the Transit Co. to offset the loss of revenue caused by the boycott.

Bus Company Vice president Charles L. Carter, In announcing the Hike in fares, said the system was doing so because of "our recent trouble" and "present financial situation."

"A LAST RESORT"

Carter said the increase was "a last resort" to remain in business. He said the bus company lost a considerable sum of money last year and had planned to ask for an increase in fares before the boycott began.

Prior to the boycott, Carter said Negroes made up at least "70 per cent of the company's business."

BOYCOTT STRONGER

The latest developments strengthened the boycott, according to officials of the Tallahassee Inter-Civic-Council, which is leading the Drive. Officials claimed the boycott is "about 95 per cent effective."

Meanwhile, no developments were announced after meetings between Attorneys for the city and the Inter-Civic Council. Council president Rev C. L. Steele left Tallahassee reportedly because he had received many insulting telephone calls regarding his part in the Fracas. However, he is expected to return for tonight's council meeting.

MAY 28

The boycott began May 28 with the arrest of a pair of Negro co-eds from Florida A. & M College in suburban Tallahassee. The two girls were arrested when they refused to take a seat in the rear of a Bus after a white woman complained.

The city later dropped the charges against the two, but the boycott had already gained momentum.

Passive Resistance Spreading?

Defender P.9

At Tallahassee, students of Florida A. and M. College, started a boycott of the city bus lines in protest over the treatment of two of their colleagues. They had been ejected from the bus when they refused to move back into the Jim Crow section and asked for their money back.

A fiery cross was burned that night on the lawn of the rooming house where one of the students lived. In Orangeburg, S. C. an orderly student sit down strike against harsh impositions of the board of trustees and a proposal to investigate the campus for alleged NAACP participation is still in progress. 6-9-56

Two weeks ago, a South Carolina school teacher was summarily fired from her post when she signed her name to a petition for integrated schools. Elsewhere in Alabama, Louisiana, Georgia, and even Mississippi! incidents are taking place daily which indicate that the passive resistance movement sparked in Montgomery, Alabama is catching on and spreading.

Everywhere on the face of the globe the fires of freedom are breaking out and the Colonial powers are being hard pressed for money and arms and men to put down the rebellions. As a matter of fact, there is reluctance on the part of many of the troops they are sending in to carry out their assignment of butchering helpless people. Chicago, Ill.

At this point, we believe that the United States has the greatest opportunity in history to seize the psychological advantage over Communism. Without waiting for Congress which still insists on playing political football with civil rights, President Eisenhower could this afternoon through the broad powers of his executive authority charge the Justice Department to move forthwith to protect every citizen who seeks to register and vote.

He could order the FBI to move immediately into Mississippi and apprehend the murderers of Rev. George Lee, LaMarr Smit, and the attackers of Gus Courts, and he could elevate the civil rights section of the Justice Department to a full division with an Assistant Attorney General in charge whose responsibility would be to keep a close watch on what is happening in the South and elsewhere in the country on violations of civil rights and move swiftly to prosecute violators.

Of course, there would be howls of outrage from the South. Jimmy Byrnes would call for curbing Presidential power lest we become a police state and somebody in Virginia would propose interposition of states rights over the Federal Constitution, but the Kremlin's propaganda machine would be virtually annihilated and world tension would be considerably eased. Besides it would be cheaper than spending millions on propaganda which our friends across the sea don't believe anyhow.

12 given tickets in two days

Pro-American Sat. 6-16-56 Baltimore, Md.

By SAMUEL HOSKINS
Editor, Washington AFRO-AMERICAN

(Earlier Stories, Page 20)

TALLAHASSEE, Fla. — "To be on the safe side, don't take anything — not even a five cent soda.

"There are a few weak ones. Don't put it past them to use paid stool-pigeons against us."

His (Daniel Speed's) was the grim warning issued, Saturday night, to drivers of the police-plagued car pool here.

The citizen-operated pool, composed of approximately 100 passenger cars, station wagons and trucks, is the backbone of the two-week-old bus boycott some 16,000 colored citizens are waging against the City Transit Company.

* * *

IT IS UNDER the immediate direction of Mr. Speed, chairman of the transportation committee, Inter-Civic Council of Tallahassee.

The Council, composed of 11 businessmen, ministers and lawyers, is spearheading the boycott.

The warning to the drivers was issued following a closed meeting at Council headquarters, 803 Floral St., called by the Rev. C. K. Steele, chairman, and pastor of Bethel Baptist Church.

While the meeting was closed to the press, it was learned that it was called mainly to discuss means of combatting harassing tactics employed by city police against car pool drivers.

* * *

ON SATURDAY the driver of a station wagon was stopped three times, once for going "21 miles per hour in a 20-mile speed zone," according to the apprehending officer.

To date, 12 drivers have been stopped, including two who were fined for alleged traffic violations. One of the latter was the Rev. Mr. Steele.

Further background for the emergency meeting, Saturday night, is the growing belief on part of Council members that police, bus company officials and the City Commission are resorting to "divisive tactics" in an effort to break the boycott.

In this connection, it is pointed out that the boycott is costing the transit company over $2,000 daily.

* * *

THE STALEMATE between the Civic Council and city and bus company officials was pointed up Friday when a meeting between the two sides failed to produce any tangible results.

When questioned regarding the meeting, Theries C. Lindsay, one of the two attorneys for the council stated: "All I can say at this point is we are still negotiating."

However, other members of the Council are expressing growing concern as to the sincerity of members of the City Commission.

* * *

THIS STEMS from the fact that earlier the commissioners "invited" a so-called group of "interested citizens" to come in and discuss the bus situation.

Privately, the boycott leaders are describing the "interested citizens" group as "Jefferson Davis negotiators." Pro-American

Asked if the term means "handkerchief heads," the bus leaders answered: "Use your own judgment." P.2

Subsequently, the "interested citizens" were not asked to speak at the following mass

JEER AT EMPTY BUS—Students at A and M University stopped riding the buses on May 25, after two coeds were arrested because they sat next to a white passenger in defiance to the bus driver's orders. This incident touched off the second bus segregation protest in state capitals within a year's time. The first protest was also sparked by a woman passenger in Montgomery, Ala., six months ago, and the boycott is still going on.

meeting.

At a meeting Friday with the group, City Commission representatives were careful to explain that the "interested citizens" had been "invited to come in and discuss the situation."

* * *

The current phase of the Tallahassee bus trouble dates from Saturday, May 26.

Two Florida A. and M. coeds, Misses Welhelmina Jakes, 26, and Carrie Patterson, 20, were arrested for sitting in the only two empty seats on the bus.

The seats happened to have been beside a white woman. The young women, both of Lakeland, Florida, refused to move when ordered to do so by the driver, Max Coggins.

They were charged with "placing themselves in a position to incite a riot," but were released on $25 bail when university officials intervened.

* * *

ALTHOUGH THE charges against them were dropped, later a cross was burned in front of the house where they boarded.

The following morning, Broadus Hartley, president of the student council (2,600) called a mass meeting in the campus auditorium. By an almost unanimous vote, the students agreed to stop riding the buses.

"We don't want to be humiliated any more," the student body president explained.

The boycott quickly spread to the colored population off the campus. The Rev. J. Metz Rollins Jr. defined it as a "matter of principles, not personalities."

After the boycott got rolling, the Rev. Mr. Steele was arrested "for passing a stop sign" while transporting passengers. He was fined $35, but is appealing both the conviction and sentence.

The first mass meeting, held at Bethel Baptist Church, also voted to submit three requests to the city and the bus company.

On June 4 these were drawn and submitted by Attorney Lindsay. They were:

1. All passengers shall have the right to sit wherever seats are available on buses.

2. Qualified colored opplicants be hired as bus drivers.

3. Equitable treatment be given all passengers, regardless of race or color.

* * *

ON THE DAY this communication was received, George C. White, city auditor and clerk, sent the city's answer.

It was " . . . the request was unanimously denied."

Simultaneously the bus company's answer was relayed by John C. Usley, attorney for City Transit Company.

It was:

"1. Denied.

"2. Denied.

"3. Granted, but superfluous."

Tonight at Bethel Baptist Church, the Citizens Council group is holding its second city-wide mass meeting "to let the people know what is ahead of us and to plot our course of action," the Rev. Mr. Steele declared.

INDOMITABLE—This is the family of the Rev. C. K. Steele, protest leader in the Tallahassee bus boycott. Sunday, he said he had been arrested, but was calm within, because he knew "the right, with God's help, will prevail." Sons are Charles K. Jr., 14; Henry, M., 12; Clifford N., 11; daughter is Rochelle, 9. Not in picture is Darryll Keith Steele, who was 2 months old on June 2. Mrs. Steele is the former Miss Louise M. Brock of Montgomery, Ala.

Bus Company Nearly Broke

Leaders of Boycott Win First Round In Tallahassee, Fla.

Courier P. 2 Sat. 6-9-56
Pittsburgh, Pa.
38b

By ALBERT DUNMORE

TALLAHASSEE, Fla.—Failure to agree to a compromise offer by city and bus officials may result in the continuance of an effective bus boycott by Negro citizens of this city.

Although leaders of both groups are non-committal on results of a series of meetings being held, it has been learned that the following agreement to the three-point program presented by boycott leaders has been offered by city and bus officials:

1. That bus drivers would be more courteous than previously to Negro riders;
2. That negotiations would be started to have Negro drivers on city buses which served predominantly Negro routes.

No agreement could be reached on the requests for a "first come, first served seating arrangement" demanded by the boycott leaders.

■

IT IS KNOWN that several Negro leaders have sought to effect a compromise, but others are holding firm that all three of the demands be met before the boycott is lifted.

Started after two Florida A&M University co-eds were arrested after insisting that they occupy two seats in the front of a bus, the boycott spread from the campus throughout the county and by the week-end had become 90 per cent effective.

TALLAHASSEE—The two co-eds who touched off the local bus boycott are Miss Wilhelmina Jakes of West Palm Beach and Miss Carrie Patterson of Lakeland.

Bus officials admitted that more than 65 per cent of the riders on the city buses were Negroes and that a continued boycott would bankrupt the company.

Inside sources admit that the company could not withstand two weeks of an effective boycott.

Concern has been expressed that the boycott will have its effect in many areas.

■

THE STATE LEGISLATURE is scheduled to meet in special session, and although the meeting was called to meet the problem of the Mediterranean fruit fly, there has been talk that the matter of segregation will be brought to the floor and that anti-integrationists will move first to outlaw the NAACP in the State of Florida as has been done in other Southern states and to tighten controls on Florida A&M University.

■

PRESIDENT George W. Gore and other university officials have remained non-committal on the boycott.

From all appearances two women students, both midterm seniors, were successfully spirited away from the campus as reporters from virtually every major publication and communication outlet in the nation converged on this state's capital to cover the story.

None were able to get interviews or pictures from the two students.

Brodes Hartley, president of the Student Government Association, has also refused to make positive statements to the press relative to the boycott.

The boycott was begun by students after the girls' arrest and a subsequent burning of a cross on the lawn of the home where they lived.

The two co-eds were released almost immediately after their arrest under $25 bond and on Wednesday, charges of "placing themselves in a position to incite a riot" were dropped and the matter was turned over to university officials.

No official statement could be obtained from the university.

■

ALTHOUGH THE officials deny that no pressure had been brought to bear on them by the State Board of Control, as was rumored, the curtain of silence concerning the matter that has encompassed the FAMU campus has been completely effective.

A big question mark now centers around the appearance of the Rev. Edward Graham of Miami, who was scheduled to deliver the baccalaureate sermon Sunday, and Dr. John W. Davis, former president of West Virginia State College and now a member of the national staff of the NAACP, who was to give the commencement address.

Both men are known militants on the matter of granting full citizenship to Negroes.

Tallahassee Protest Head Fined In Court

Daily World p. 4
Atlanta, Ga.
38b

MIAMI — (INS) — The drive to win equal rights for Negroes in the South spread Thursday to Miami, a city heavily populated with "Northerners" despite its location deep in the heart of Dixie.

The president of the Miami chapter of the National Association for the Advancement of Colored People (NAACP) announced that a boycott of city buses may be called if segregated seating is not abolished.

TWO BOYCOTTS

Bus boycotts by Negroes presently are in progress in Tallahassee, Florida's capital city, and Montgomery, Ala. A suit seeking equal rights for Negroes on buses is pending in Memphis, Tenn.

Just 55 miles north of Miami in the exclusive little resort town of Delray Beach, a battle is raging over use of the city-owned swimming facilities by Negroes. City fathers have gone so far as to propose realigning the city's boundaries and severing the Negro section from the rest of the town.

MIAMI CHAPTER

The Rev. Theo R. Gibson, president of the Miami Chapter of NAACP, said that if the Miami Transit Company does not abolish segregation on local buses, a boycott may be called.

PRESIDENT CONVICTED

Meanwhile in Tallahassee, Fla., Rev. C. K. Steele, president of the local chapter of the National Association for the Advancement of Colored People, was found guilty of speeding and running a stop sign in Tallahassee City Court.

Steele, a leader in the Negro bus boycott in Tallahassee, was sentenced to 20 days in jail or a $35 fine. He had pleaded innocent to the charges and declared he would file an appeal.

The NAACP leader has until Monday to post his fine or inform the court of his appeal move.

14 DAY BOYCOTT

Meanwhile, the boycott of city buses by Negroes was in its 14th day today with members of the Tallahassee Inter-Civic Council continuing to turn down offers of a settlement by the City Commission and Transit Company.

A Council meeting last night attracted some 500 persons. Steele urged the group to continue the boycott but asked them to avoid any violence. More than $2,000 has been collected to date to aid in the running of car pools for Negroes.

The bus company earlier this week cut off service to the Negro section of the city bordering Florida A and M College, an all-Negro institution. The arrest of two co-eds from the college who refused to move to the back of a segregated bus, touched off the boycott.

Bus Boycott Leader Fined for Speeding

Evening Star
Washington, D.C.
38b

TALLAHASSEE, (Fla.), June 8 (AP).—The Rev. C. K. Steele, leader of the Negro group spearheading Tallahassee's bus boycott, yesterday was sentenced to pay a fine of $35 or serve 20 days in jail on traffic law violation charges.

He pleded not guilty in Municipal Court and indicated he will appeal to the Circuit Court. City Judge John Rudd gave him until Monday to file notice of appeal.

He was charged with driving 35 miles an hour in a 25-mile zone and failing to halt at a stop sign. He was carrying boycott car pool passengers at the time.

Free 2 Coeds As New Bus Boycott Spreads

Defender P. 1 Sat. 6-9-56 Chicago, Ill.

Fight Jim Crow In Tallahassee

TALLAHASSEE, Fla. — Seemingly inspired by the heroic stand taken by bus boycotters in Montgomery, Ala., some 2,600 college students—part of the core of America's lifeline—have started a boycott here against racial segregation on city buses.

The arrests of two Florida A and M university coeds ignited the fire and, enraged and embittered, the entire student body of the school began a campus boycott.

Now it seems to be spreading throughout all Tallahassee, even though city officials declined to prosecute the two coeds who were arrested for insisting on seats toward the front of a bus.

[illegible] of Tallahassee have apparently heeded the call of their younger brethern. They met last week and issued a call for a city-wide protest and, one day after the boycott began on the university campus, about 21 private automobiles were working from 12 centers, answering more than 200 calls from Tallahassee citizens joining in the movement.

ARREST PROMINENT LEADER

The same day Rev. K. C. Steele, president of the local NAACP chapter, was arrested for running a stop sign and speeding after he picked up a group of Negroes at a bus stop. The arresting officer said he did not know Steele was an NAACP official and that the arrest was routine.

Steele denied the charges and was released without bond to appear in City Court Monday.

Negroes comprise about one third of the 40,000 Tallahassee population, and an estimated 70 to 90 percent of Tallahassee bus riders are Negro. Tallahassee's Negro leaders declare the boycott so far has been 50 to 75 percent effective.

PREDICTS RUINATION

Mayor Fred Winterle has predicted that if the boycott continues to spread the bus company would be ruined.

Sat. 6-9-56

The boycott and unrest was touched off at Florida A and M university (for Negroes) after two girl students, Wihelmina Jakes, 26, and Carrie F. Patterson, 20, were arrested May 26 and charged with placing themselves in a position to cause a riot by refusing to move to the rear of a segregated bus.

Chicago, Ill.

According to the two girls, described by a college official as "good students and in good standing," they found only two seats when they boarded the bus. Both were in front. Asked to move, they told driver Max Coggins they preferred to leave the bus if he would refund their fares. He called police instead.

The girls were released on $25 bail each pending a hearing in city court the following Friday. But city officials declined to prosecute the coeds and their cases were turned over to the university officials for action — in the same manner as are most minor police cases against students of the all-white Florida State College here.

On Sunday, May 27, a flaming cross was thrown from a car to the lawn of the girls' rooming house. They became frightened and took refuge in the university's dormitory for women.

The cross burning really set it off. The student body met the following day, May 28, in the auditorium and heard speeches by three of their leaders, including student president Broadus Hartley, who called the arrests the latest "in a series of incidents in which we have been humiliated by bus drivers."

Hartley later said:

"I would not call it a boycott. We are just refraining from riding the buses until we can have assurance that we will receive better treatment."

Shortly after the meeting, students began circulating bus boycott petitions. Ninety minutes later, the first bus — driven by Coggins, who had caused the girls' arrest — went through the campus empty.

Tallahassee Negro community leaders have made no less than three demands upon city and bus line officials, asking:

"....for the right to be seated on a first-come, first-served basis.... for more courteous treatment by bus drivers....and for assignment of Negro bus drivers on runs where passengers are predominately Negro."

Charles L. Carter, manager of the Florida-owned Cities Transit Co., who insisted that Negroes had not been humiliated on the city buses, conceded that his company had felt a loss of passengers on the university run.

Governor Shuns Bus Boycott

Herald P. 6-C Jun. 6-5-56

Miami, Fla.

By JOHN L. BOYLES
Herald Staff Writer

TALLAHASSEE — Gov. LeRoy Collins said Monday the Tallahassee bus boycott by Negro citizens "is a local problem and should be settled locally."

The governor said previously every legal means will be sought to maintain segregation on public transportation in Florida. He said he was "disappointed" by the action of a Negro group Monday in which full integration on Tallahassee city buses was demanded.

Both the governor and the attorney general's office pointed out that Florida's law which calls for segregation of Negro and white passengers on intrastate buses is still valid.

Apparently a U. S. Supreme Court decision of April 23 abolished segregation only on buses operating between states. Assistant Atty. Gen. Ralph Odum said it did not affect Florida.

Actually under the statute, the Cities Transit Inc., operator of the Tallahassee buses, could not legally accept the Negro group's demands.

Negro leaders demanded an end to "humiliating" segregation on city buses Monday as their price for ending a bus boycott, but the City Commission refused the request.

The commission also granted a petition by the Cities Transit to remove buses from the Negro section of town and from Florida A&M University for Negroes where the boycott started. Patronage on those two runs was predominantly Negro.

The city had agreed to an earlier demand by the Negroes for "first-come, first-serve" seating without doing away with state and local laws requiring segregation. The city interpreted this "concession" as meaning that "if a person of one race takes the last vacant seat in the bus, a member of the other race may not take a seat beside such a person, but the seated person is not required to surrender the seat."

The city also had agreed that the bus company should accept applications for Negro drivers and should require drivers to be courteous to all passengers, regardless of color.

The Negro Inter-Civic Council rejected this attempted compromise at a mass meeting Sunday night attended by about 800 of the city's 14,000 Negroes who also chipped in $698 to continue a free "car pool" for persons boycotting bus transportation.

The council put its new demands for complete integration into writing following the mass meeting and submitted them Monday to City Atty. Ben C. Willis.

"Since the present bus seating arrangement is economically unsound, humiliating, arbitrary, inequitable, inconvenient and morally unjustifiable, all bus passengers shall have the right to sit wherever they choose on any bus or buses," the resolution demanded.

It also demanded that Negroes be allowed to work as drivers and in "various capacities" for the bus company and that all bus drivers be "constantly reminded of their never-ending obligations to render courteous service and equitable treatment to all passengers regardless of race, creed or color."

Success of bus protest is assured

Afro-American Sat. 6-16-56 Baltimore, Md.

By ARTHUR RANDALL
Assistant Managing Editor

TALLAHASSEE, Fla. — Now that a Federal court has ruled segregation on publicly operated buses in Montgomery unconstitutional, the course of action taken by the Inter-Civic Council of this city is predetermined and the success of its program assured, to one who has seen at first-hand how valiant and indefatigable the people of this city are in their struggle to win their civil rights in this area.

P. 20

The mass meeting, Sunday, led by the forceful Rev. C. K. Steele, and participated in by more than 1,000 Tallahasseans, was proof positive that a force has been generated in the colored citizens that cannot be quelled by halfway measures nor by violence.

* * *

MONDAY, THE City Transit Company carried out its formerly forbidding threat to halt operations of its buses running through predominantly colored neighborhoods and the campus of Florida A and M University.

What else could it do when each bus, with its formerly arrogant white driver, rolled by throngs of ex-passengers walking to their jobs, walk-upon their errands, or being transported by volunteers of the well organized car pool which was being operated to keep the people economically active and knit together in a solidarity that no white citizen dreamed was possible for a group they regarded as inferior and subservient?

Furthermore, hadn't the regular semester closed at A and M, leaving the campus deserted by all except a few staff members? Who was there to ride segregated city buses if they would condescend to do so?

* * *

THE ICC is not fooled by this latter measure of the bus company and will not relent in its fight to abolish segregation completely in public transportation here, The Rev. Mr. Steele said Tuesday.

During a 10-minute meeting earlier Tuesday, the Tallahassee City Commission voted unanimously to reject the proposal for first-come, first-served patronage of their bus lines, which would mean the end of segregation.

Assistant City Attorney Ben Willis said that integration would be in direct violation of city and state segregation laws.

By Tuesday evening, the car pool which services Tallahassee's 15,000 colored citizens had risen to 52 drivers with 32 pickup stations.

* * *

SOME 1,000 cheering, crying Tallahasseans prayed and paid nearly $1,000, Sunday night, to keep their nine-day protest against humiliating bus segregation rolling.

2,300 To Walk

Fla. A & M Students Stage Bus Protest

Daily World P. 1
Tues. 5-29-56

TALLAHASSEE, Fla. — (INS) — Florida A&M students began boycotting Tallahassee buses Monday afternoon following the arrest of two coeds who refused to move to the rear of one of the vehicles.

Atlanta Ga.

Some 2,300 students at the all-Negro College staged a mass rally yesterday afternoon and agreed on the boycott.

The first bus to move through the campus following the rally accompanied by a police car. Students lined the route and jeered: "We'll walk," and "We mean business".

TWO ARRESTED

The coeds, Miss Wilhelmina Jakes, 26, and Miss Carrie F. Patterson, 20, were arrested Saturday and released on $25 bond on charges of violating an old city ordinance making it unlawful for anyone to place himself in a position to incite a riot.

A cross was burned Sunday night in front of the private home where the girls roomed and the landlord, Mrs. Eloise Kendrick, said the girls "got scared" and moved to a dormitory on the campus.

Broadus Hartley, President of the student body, said that all but about 300 of the school's 2,600 students attended the rally. It was Hartley who called the meeting.

STUDENT PETITIONS

The students are now circulating petitions asking persons not to ride the buses.

College President. George Gore was out of town and could not be reached for comment. The school said it was looking into the case and would issue a statement as soon as Gore returns, probably Tuesday.

City Court Judge John A. Rudd devotes Mondays to taking "guilty pleas," but the girls did not show up in his court—indicating they will challenge the charges. Their case will probably come before Rudd on Thursday.

THE ONLY SEATS

The girls said they boarded the bus Saturday night and found only two seats, both in front. They took the seats alongside a white woman and driver, Max Coggins asked them to move

The girls said they told Coggins they preferred to leave the bus providing they could get their money back. The money was refused and Coggins called police.

Mrs. Kendricks said she heard a car drive up in front of her house last night. "I didn't think anything about it," she said, "but one of the girls went to the door and said 'there's a big fire out there."

Mrs. Kendrick said she looked up and saw the cross, which had been stuck in the sand in front of her house "It was not too big, but was burning brightly," she said.

Firemen extinguished the blaze and police were called to investigate but no arrests have been made as yet

Bus Boycott Seems Likely In Tallahassee

Advertiser
Tues. 5-29-56
Montgomery

TALLAHASSEE, Fla., May 28 (AP)—Students at Florida A. & M. University for Negroes today appeared to be starting a boycott of city buses in protest against the arrest of two girl students.

The girls, Wilhelmina Jakes, 26, and Carrie F. Patterson, 20, were arrested Saturday after they refused to move to the rear of a city bus. They were charged with placing themselves in a position to cause a riot and released on $25 bond each pending a hearing in police court Friday.

Last night a small wooden cross was burned on the lawn of the house in which they were living and their landlady. Mrs. Eloise Kendrick, said they became frightened and moved into the college dormitory.

Students cheered and clapped their hands as an empty city bus was driven through the campus today. Earlier several hundred students staged a mass meeting and voted to stay off city buses for an indefinite period.

INCIDENT SERIES

Broadus H. Hartley, president of the student body, said last Saturday's arrests were the latest "in a series of incidents in which we have been humiliated by bus drivers."

"I would not call it a boycott." Hartley said of the students' actions. "We are just refraining from riding the buses until we can have assurances that we will receive better treatment."

Charles Carter, manager of the Cities Transit Co., denied that the Negro students have been humiliated. "It just has not happened," he said.

Bus Boycott Breaks Out In Tallahassee

Courier Journal
Wed. 5-30-56
Louisville, Ky.

Some Negro Students Walking In Protest

P. 14

Tallahassee, Fla., May 29 (AP) —A second Southern capital has been hit by a boycott by Negro bus riders stemming from a dispute over segregated seating arrangements.

Some students at Florida A. & M. University for Negroes began walking in preference to riding buses yesterday in protest against the arrest of two Negro girl students for refusing to move to the rear of a Cities Transit Company bus.

The Rev. C. K. Steele, president of the Tallahassee chapter of the National Association for the Advancement of Colored People, said that the boycott "will be continued beyond the university campus."

Charles L. Carter, manager of the transit firm, said, however, that his company has experienced no general effects from any boycott.

State Has Old Law

Montgomery, Ala., has felt the effects of a bus boycott by Negro riders for several months.

Florida has an old law requiring bus and railroad companies to provide separate accommodations for white and Negro passengers in intrastate travel. Florida, however, has no antiboycott law like Alabama.

The two girl students here, Wilhelmina Jakes, 26, and Carrie F. Patterson, 20, were arrested Saturday. They were charged with placing themselves in a position to cause a riot and were released on $25 bond each pending a hearing in Police Court Friday.

Steele said the N.A.A.C.P. is looking into the legal angles of the arrests and into a cross-burning in front of the student home Sunday night.

Bus Boycott Seems Likely In Tallahassee

Advertiser P. 1
Tues. 5-29-56
Montgomery

TALLAHASSEE, Fla., May 28 (AP)—Students at Florida A. & M. University for Negroes today appeared to be starting a boycott of city buses in protest against the arrest of two girl students.

The girls, Wilhelmina Jakes, 26, and Carrie F. Patterson, 20, were arrested Saturday after they refused to move to the rear of a city bus. They were charged with placing themselves in a position to cause a riot and released on $25 bond each pending a hearing in police court Friday.

Last night a small wooden cross was burned on the lawn of the house in which they were living and their landlady. Mrs. Eloise Kendrick, said they became frightened and moved into the college dormitory.

Students cheered and clapped their hands as an empty city bus was driven through the campus today. Earlier several hundred students staged a mass meeting and voted to stay off city buses for an indefinite period.

INCIDENT SERIES

Broadus H. Hartley, president of the student body, said last Saturday's arrests were the latest "in a series of incidents in which we have been humiliated by bus drivers."

"I would not call it a boycott." Hartley said of the students' actions. "We are just refraining from riding the buses until we can have assurances that we will receive better treatment."

Charles Carter, manager of the Cities Transit Co., denied that the Negro students have been humiliated. "It just has not happened," he said.

2ND BOYCOTT OF BUSES IN THE SOUTH IS STARTED

Butler County

2,600 Students At Florida College Following Move In Montgomery

American P. 1
Sat. 6-2-56
Hamilton, Ohio

Tallahassee, Fla.—2,600 students at Florida's Negro A & M Univ. are boycotting city buses which run thru the campus, doing a large business Negroes, out in the city may follow suit it was said.

The boycott started Saturday when two girl students were arrested when they occupied the only two vacant seats on a bus. The driver told them to get up and stand in the rear. They refused but asked for their fares returned and they would get off. The driver refused.

A spokesman for the students said the arrest was just one of the many incidents which led up to the boycott. "We have been long humiliated on these jim crow buses by the drivers," he said.

Police were trailing the buses that are now empty as they make their runs to and from the campus.

"There will be no violence in this," Negroes said. We only want to be treated like other Americans.

'Humiliating Treatment' of Negroes on Tallahassee Buses Protested by You

Bystander Fri. 6-7-56 P.1

Des Moines Iowa

New York.—Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, May 31 offered the "cooperation and advice" of the Association's national headquarters to the leaders of the Tallahassee, Fla., protest "against the humiliating treatment of our people on the bus lines . . . as long as it is conducted in a peaceful, non-violent manner and by lawful means."

Mr. Wilkins' offer was made in a telegram to the Rev. C. K. Steele, president of the Tallahassee NAACP branch and chairman of the new Inter Civic Council, organized to direct the protest which was started on May 26 by the arrest of two Negro women students who refused to get up and leave two seats in a local bus vacant for possible occupancy by white passengers.

Wires Encouragement

Meanwhile, the Rev. Dr. Martin Luther King, leader of the six-month-old bus protest in Montgomery, Ala., wired encouragement to the Tallahassee group.

The arrested women, Mrs. Carrie Patterson and Miss Wilmena Jakes, students at the all-Negro Florida A. & M. University located here, have been released. The charge of "placing themselves in a position to create a riot" has been dropped. Meanwhile the 2,400 students and townspeople decided not to ride the buses until their demands were met.

Students Ask

The demands, formulated at a mass meeting on May 29, are essentially the same as those advanced in Montgomery. The students and the townspeople asked:

1. That all passengers be seated on a first come first served basis;
2. That bus drivers be required to give fair and impartial treatment to Negro passengers; and
3. That Negro drivers be employed by the bus company.

As the protest got underway, local police started a campaign to arrest for alleged traffic violations Negro motorists giving rides to other citizens. Among the first arrested were Mr. Steele and some members of the university faculty.

Following the arrest of the two students, the NAACP sent its Florida field secretary, Robert W. Saunders, to Tallahassee to make an investigation of the situation. Mr. Saunders reported that trouble on the buses had been brewing for at least six weeks. Students and townspeople have been threatened and abused by some of the bus drivers. No one had been arrested, however, until May 26.

'Above Average'

Mrs. Patterson and Miss Jakes, Mr. Saunders reported, are rated "above average students" who, according to faculty members and their fellow students, had never given any trouble.

Tallahassee, capital of the state, has a population of about 40,000 people of whom 14,000 are Negroes. According to estimates, from 60 to 70 per cent of the bus passengers are Negroes. Negroes are required to sit from the rear forward, whites from the front rearward. If all seats are taken on a predominantly Negro line, colored passengers are required to get up and give their seats to white passengers as they board the bus.

FULL TEXT OF FLA. BUS:

Compromise plan boycotters spurned

Afro-American Sat. 6-16-56 P.20

Baltimore, Md.

TALLAHASSE, Fla. — The following is the complete text of the City Commission's statement on the bus boycott:

The City Commissioners have had under study the issues which appear to be involved in the bus boycott and feel that a statement of their views would be helpful in bringing the matter to a conclusion.

Specific written proposals from the Inter-Civic Council have not yet been received but there have been in the press and in informal discussions indications that there are three demands on the part of those namely:

* * *

(1) EXHIBITION OF more courteous treatment of passengers by bus drivers, (2) employment of a colored bus driver on routes whose passengers are predominately colored, and (3) application of a "first come, first served" policy in the seating of passengers.

With regard to the item of courteous treatment, the commissioners are advised that the company has and continues to have a strict policy of requiring drivers to practice courtesy to all passengers and that it intends to enforce such. It is, of course, impossible to police the drivers over every route every day and instances of discourtesy may occur without the knowledge of the bus officials.

* * *

THE COMMISSIONERS expect the Company to carry out this policy in every reasonable manner.

The second bus driver or drivers, is a matter of bus management and does not involve any of the terms of the franchise.

The company advises that it will receive applications for such employment, and in the event of a vacancy will give all such applications due consideration.

As to the "first come, first served" seating, there has been some uncertainty as to its meaning.

The franchise, and consequently the existing law, requires the company to make and enforce reasonable rules and regulations providing for the segregation of the human races where more than one race is transported on the same bus.

The company currently has a rule providing for the seating of white passengers from the front to the rear, and colored passengers from the rear to the front until the bus is full, but members of different races may not occupy the same seat.

* * *

THIS RULE complies with the requirement of the franchise.

If the "first come, first served" principle is meant to alter the terms of the franchise requiring segregation or a change in the rule to permit members of different races to occupy the same seat, the commissioners are opposed to this proposal.

Hower, it is the understanding of the commissioners that this rule, when properly applied, would not require any person, of either race, who is seated in a place in accordance with the above arrangement, to give up his seat to a person of the other race and stand.

In short, it is understood that if a person of one race takes the last vacant seat in the bus, a member of the other race may not take a seat beside such person but the seated person is not required to surrender the seat. If the rule has been applied differently by the bus drivers, the commissioners would expect the company to take the necessary steps to bring about the application of the rule as the commissioners now understand it.

* * *

THE COMMISSIONERS would be in accord with the "first come, first served" principle, if such is consistent with the above application of the existing rule.

The buses are franschised and operated for the comfort and convenience of the public and their discontinuance would impose a hardship on many persons.

The commissioners sincerely hope that the controversy will be promptly terminated so that such service may continue and that there be restored the harmonious and cooperative spirit between white and colored citizens which has made this a progressive, happy community.

the maid went to clean the room.

Sgt. W. H. Dungee of Precinct 13 in Washington said there were no marks of violence and nothing to indicate suicide.

An autopsy has been ordered by Dr. A. Magruder McDonald, District coroner. Tentative cause of death has been listed as congestive heart failure.

Mrs. Alberta Douglass, 5009 Just St., NE., his wife, is a survivor. The funeral was held Sunday at Frazier's Funeral Home.

In addition to Mrs. Douglass, and the aunt, Mrs. Johnson, the physician is survived by two daughters.

BUS BOYCOTT HINTED

Times P.25-C

Negro Group in Miami to Ask End of Segregated Transit

Fri. 6-8-56

MIAMI, Fla., June 7 (UP)—Miami was threatened today with a bus boycott by Negroes.

The Rev. Theo R. Gibson, president of the Miami chapter of the National Association for the Advancement of Colored People, said a committee would present demands to officials of the Miami Transit Company to end segregation practices.

"If they don't come across we will call a boycott or go to courts or both," Mr. Gibson said. "The strategy hasn't been worked out yet."

Segregation is not rigidly enforced now on Miami buses. But whites customarily sit in the front and Negroes from rear to front. Often Negro and white passengers sit side by side when buses are crowded.

Under the law, a Negro could be arrested for taking a seat in the front of a bus.

Tallahassee and Montgomery, Ala., are involved in boycotts by riders. A boycott is threatened in Memphis, Tenn.

TALLAHASSEE, Fla., June 6 (AP)—The Negro Inter Civic Council Tuesday renewed its demand for integration on Tallahassee city buses. The request has been denied by the Cities Transit Bus Co. and the Tallahassee City Commission. The company eliminated service through Negro districts Monday because of the eight-day-old bus boycott by Negro passengers.

Wed. 6-6-56 Memphis Tenn.

Florida Bus Firm Ups Fare In Boycott Fight

Advertiser P. Wed. 6-13-56 Baltimore Md.

TALLAHASSEE, Fla., June 12 (AP)—Operators of Tallahassee city buses, who have been hit financially by a two-week old Negro boycott got a fare increase today to help them stay in business.

The City Commission granted the petition of Cities Transit Inc., for an increase from 10 to 15 cents per fare effective immediately.

Bus Boycott Held Half Effective

Courier-Journal

Negroes Using 21-Car Pool

Louisville Ky.

Tallahassee, Fla., May 31 (AP) —A Negro boycott of city bus service has been judged about 50 per cent effective after one day of operation.

About 200 Negroes met Tuesday night and voted to boycott the buses until seating of white persons and Negroes on predominantly Negro lines is made on a first come, first served basis. They also want Negro drivers on the predominantly Negro lines and what they termed more courtesy from white drivers.

The meeting followed the arrest of two Florida A. & M. University students who had taken seats in the front of a Cities Transit Company bus and refused to move to the rear.

Charges against the two girls, Wilhemina Jakes, 26, and Carrie F. Patterson, 20, were dropped by police yesterday. Chief Frank Stoutamire said the cases would be turned over to authorities of the all-Negro school. The girls had been charged with placing themselves in a position to incite a riot and released in $25 bond each.

The boycott started before the charges were dropped.

It was difficult to gauge the effectiveness of the boycott yesterday because of the Memorial Holiday. Negroes were riding some bus lines, however, although those running through the A. & M. campus were empty.

Boycott leaders estimated the number of Negro passengers had been cut in half. They said a 21-car pool was providing transportation.

About one-third of the 40,000 persons who live in Tallahassee are Negroes.

Tallahassee Negro bus boycott goes into fifth day

Times Fla. June 1, 1956

TALLAHASSEE, Fla., June 1—(AP)—The Tallahassee Negro community's bus boycott went into its fifth day today and efforts were started to set up an interracial council to head off such incidents in the future.

The boycott, for which 75 per cent effectiveness is claimed by Negro spokesmen, started after two women students of Florida A. & M. university for Negroes were arrested for refusing to move to the rear of a bus.

Charges against them later were dropped but the boycott started by their fellow students already had spread to Negro townspeople.

An unofficial committee of white and Negro leaders met yesterday.

Negroes have demanded bus seating on a first come, first served basis, employment of Negro drivers on predominately Negro routes and what they call more courteous teatment from drivers.

Tallahassee has a population of about 40,000. About a third of the residents are Negroes.

ting themselves in a position to incite a riot and released on $25 bond each. They will be given a hearing in Police Court Friday.

Tallahassee has a population of about 40,000. About a third are Negroes. It is the second Southern city to have its buses boycotted in an anti-segregation move.

Most of the 50,000 Negro residents of Montgomery, Ala., have been boycotting buses since last December in protest against segregation.

Stoutamire denied the charges had been dropped to "appease" the Negro leadership. He said the case of the two co-eds merely was being turned over to university officials for handling, much as Florida State University, also located here, has jurisdiction over student discipline.

Charges Against Negro Co-Eds Dropped; But Bus Boycott in Tallahassee Widens

Times Fla. 5-23-56 New York Thurs. 5-31-56

TALLAHASSE, Fla., May 30 (UP)—The police dropped charges today against two Negro co-eds who refused to move to the rear

200 Negro Leaders Ask Tallahassee Bus Boycott

Star Wed. 5-20-56 Washington, D.C. P. 5-B

TALLAHASSEE, Fla., May 30 (AP).—A full-scale boycott of Tallahassee buses has been recommended by more than 200 Negro leaders who are requesting employment of Negro bus drivers and what they call "more courteous treatment" for Negro passengers.

At a meeting last night, the Negro ministers, civic leaders, business and professional men and students of Florida A&M University for Negroes organized a car pool to provide transportation for those who depend on buses.

The boycott will last, they said, until consideration is given a three-point request for Negro drivers, a first-come-first-served seating policy on predominantly Negro routes and for "more courteous" treatment by white drivers for Negro passengers.

Manager Charles L. Carter of the Cities Transit Bus Co. said he has "no plans to make any changes in company operations and will continue to operate as in the past."

The Tallahassee boycott was touched off Saturday when two Negro women students refused to move to the rear of a bus and were arrested.

They were charged with put- of a segregated bus. Other Negroes throughout the city, however, joined in a boycott of the transit system.

"It's a matter of principles, not personalities," the Rev. C. K. Steele, local president of the National Assocaition for the Advancement of Colored People, said. Mr. Steele also was made chairman of a new inter-civic council formed to carry out the boycott.

Boycott leaders promised there would be "no violence, if it can be avoided." But racial uneasiness clearly was mounting in this state capital, which has a population of 23,708 whites and 14,392 Negroes.

Charges of putting themselves in position to incite a riot were dropped against the two Florida A. & M. University co-eds whose arrest precipitated the boycott here.

The students had denounced "constant humilitation and intimidation" by white bus drivers.

But Chief of Police Frank

Negroes' Tallahassee Bus Boycott Is Reported as 75 Pct. Effective

Constitution Atlanta, Ga. P. 3

TALLAHASSEE, Fla., May 31 (AP)—Negro passengers became rarer and rarer on Tallahassee buses today as a boycott touched off by a flareup over segregated seating was reported 75 per cent effective. Jrn. 6-1-56

Meanwhile, city and bus company officials withheld action on a three-point demand by Negro leaders until they can get a written statement of what is wanted.

The Negroes have submitted a verbal request for seating on a first come, first served basis, employment of Negro bus drivers on predominantly Negro routes and more courteous treatment from drivers.

Charles Carter, manager of the Cities Transit Bus Co., said he wanted to know exactly what is meant by the first come, first served demand. Boycott leaders have said verbally they want Negroes permitted to sit as long as there are vacant seats on buses.

Associated Press Wirephoto

BUS BOYCOTT IN FLORIDA: Students of Florida A. & M. University at Tallahassee hoot as an empty bus passes campus. City-wide bus boycott by Negroes was begun on Monday.

Tallahassee Boycott Of Buses To Continue

Courier-Journal p. 5
Louisville Ky.
Thurs. 5-31-56

Tallahassee, Fla., May 30 (AP)—Police today dropped charges against two Florida A. & M. University coeds, whose arrest Saturday precipitated a boycott of city bus service.

But Negro leaders apparently planned to maintain the boycott against segregated buses.

Police Chief Frank Stoutamire said the cases of the two girls had been turned over to authorities of the all-Negro university.

Stoutamire said he dropped the charges after a telephone conference with Municipal Judge John Ruddy, who is in Miami.

Procedure 'Normal'

Stoutamire said his procedure in the cases of the Negro girls was the same that is followed in dealing with students of the all-white Florida State University who are arrested for minor law violations.

A Negro leader, the Rev. J. Metz Rollins, said the boycott would continue even though police had withdrawn the charges against the two girls.

The Negro coeds, Wilhelmina Jakes, 26, and Carrie F. Patterson, 20, were arrested on charges of placing themselves in position to incite a riot after they allegedly had taken front seats in a Cities Transit Company bus and refused to move to the rear when asked to do so by the driver. They were released under $25 bond each.

A Third Are Negroes

Monday, fellow students at Florida A. & M. announced a boycott of the buses. The boycott spread slowly among others of the Negro community, which makes up about a third of Tallahassee's 40,000 population.

A mass meeting of more than 200 Negroes last night adopted a resolution calling for seating on buses on predominately Negro lines on a first-come, first served basis; employment in the future of Negro drivers on predominently Negro bus lines, and a halt to discourtesy and intimidation of Negro passengers by white bus drivers.

The meeitng voted to maintain the boycott until the demands were met.

gro university students spread through the Tallahassee Negro community today.

Montgomery Ala.

Executive Secretary Gilbert Porter of the Florida State Teachers Assn., one of a group of Negro leaders who met to discuss he situation, said few Negroes rode buses today and that automobiles were circulating to give free rides to Negroes seen waiting at bus stops.

P. 2-A

The boycott movement started after two girl students of Florida A&M University for Negroes refused to move to the rear of a Cities Transit Co., bus.

The bus driver stopped his vehicle and called police. A cross was burned Sunday night outside the house where the girls had rooms.

The students were charged with putting themselves in position to incite a riot.

The boycott has been calm and orderly with the only indication of feeling a crudely lettered sign posted near the A and M campus reading: "We'll walk. Fight segregation."

Boycott Grows In Tallahassee

Advertiser
Wed. 5-31-56

TALLAHASSEE, Fla., May 29 (AP)—A bus boycott started by Negro university students spread through the Tallahassee Negro community today.

Executive Secretary Gilbert Porter of the Florida State Teachers Assn., one of a group of Negro leaders who met to discuss he situation, said few Negroes rode buses today and that automobiles were circulating to give free rides to Negroes seen waiting at bus stops.

The boycott movement started after two girl students of Florida A&M University for Negroes refused to move to the rear of a Cities Transit Co., bus.

The bus driver stopped his vehicle and called police. A cross was burned Sunday night outside the house where the girls had rooms.

The students were charged with putting themselves in position to incite a riot.

The boycott has been calm and orderly with the only indication of feeling a crudely lettered sign posted near the A and M campus reading: "We'll walk. Fight segregation."

2 Negroes Held in Bus Seating Row

Herald p. 1
Mon. 5-28-56
Miami Fla.

TALLAHASSEE (AP) — Two Tallahassee Negro women were arrested late Saturday after policeman Fred Lehman said they refused to move to the rear of a City Transit bus.

The two were charged with violating an old city ordinance making it unlawful for anyone to place himself in a position to incite a riot.

The women, Wilhelmina Jakes, 26, and Carrie F. Patterson, 20, were released on $25 bond. A hearing for them was set in City Police Court for June 1. Lehman said they declined to make a statement.

Lehman said the two women sat down in a front seat by a white woman and refused to move to the rear when requested to do so by bus driver Max Coggins.

Coggins said when they refused to move and he feared trouble would result, he stopped the bus and called police. There were several other passengers on the bus at the time.

Tallahassee has a city ordinance based on state law authorizing regulating of seating on intrastate buses.

Protest Reported 50 To 75 Percent Effective Now

Daily Herald
Atlanta, Ga.
Fri. 6-1-56

TALLAHASSEE, Fla. — (INS) — The president of the local chapter of the NAACP was arrested Thursday for speeding after he had picked up a group of Negroes who are boycotting Tallahassee's city bus line in protest over the arrest of two Florida A & M Co-eds.

Rev. C. K. Steele, local president of the National Association for the Advancement of Colored people, was charged with running a stop sign and speeding after he picked up several Negroes participating in the boycott of Tallahassee buses.

DENIES KNOWLEDGE

The arresting officer said he did not know Steele was an NAACP leader and that the arrest was routine. Steele, who denied the charges was released without bond to appear in city court June 4.

Leaders of the Bus Boycott declared Thursday the move has been "50 to 75 per cent effective" and added a shuttle service has furnished rides for more than 1,200 Negroes since the movement began.

City officials dropped charges against Miss Carrie Patterson, 20 and Miss Wilhelmina Jakes, 26 Florida A. & M. Co-eds who were arrested last Saturday night for refusing to move to the rear of a segregated bus.

The two had sat down in a front seat next to a white woman who complained.

Meanwhile, leaders of the Boycott continued meetings with city and bus line officials. However, a stalemate was reported Thursday and the boycott continued.

The Negroes have asked for more courteous treatment by bus drivers and for assignment of Negro bus drivers on runs where passengers are predominently Negro.

Charges Erased In Bus Boycott

Post + Times Herald p. 20
Washington D. C.

TALLAHASSEE, Fla., May 30 (UP) — City authorities today dropped charges against two Negro college students whose arrest for sitting beside a white woman in a bus touched off a spreading Negro boycott of Tallahassee city buses.

Police Chief Frank Stoutamire said the city has turned the matter over to authorities of Florida A. and M. University.

Chron. 5-31-56

Wilhemina Jakes, 26, and Carrie Paterson, 20, had been free on $25 bond to appear in city Police Court Friday on charges of putting themselves in a position to incite a riot.

Stoutamire denied that the charges were being dropped in order to appease Negro leaders who are demanding the right for Negro bus riders to take vacant seats in the white section of city buses when the Negro section at the rear is full.

"We would like, of course, to see integration on the buses, but we're not pulling at that bone now," said the Rev. C. K. Steele, local president of the National Association for Advancement of Colored People."

Negro leaders, representing the Inter-Civic Council, put their demands before City Manager Arvah Hopkins, Mayor Fred Winterle and C. L. Carter, manager of Cities Transit, Inc.

Carter claims the boycott, now in its third day, has not affected bus revenues or passenger loads, even though Negroes compose 60 to 65 per cent of total riders. He said the usual number of Negroes is riding, with the exception of A. and M. University students.

Steel admitted many Negroes rode the buses yesterday and some were waiting at the regular bus stops today, "but that is because we weren't organized any they didn't know where else to go for transportation."

Steele said a car-pool service now has been worked out to pick up Negroes at 13 different stops.

Besides first-come, first-served seating, the Negroes also demanded courteous treatment from bus drivers and employment of Negro drivers on buses serving predominantly Negro areas. These are the same demands presented by Negroes who have boycotted city buses in Montgomery, Ala., since last December.

Bus Boycott In Tallahassee

Advertiser

TALLAHASSEE, Fla., May 31 (AP) —Negro passengers became rarer and rarer on Tallahassee buses today as a boycott touched off by a flareup over segregated seating was reported 75 per cent effective.

Meanwhile, city and bus company officials withheld action on a three-point demand by Negro leaders until they can get a written statement of what is wanted.

Montgomery Ala.
A.M. 6-1-56

The Negroes have submitted a verbal request for seating on a first come, first served basis, employment of Negro bus drivers on predominantly Negro routes and more courteous treatment from drivers.

P. 2-D

Manager Charles Carter of the Cities Transit Bus Co., said he wanted to know exactly what is meant by the first come, first served demand. Boycott leaders have said verbally they want Negroes permitted to sit as long as there are vacant seats on buses.

COMPANY POLICY

Carter said that has been the policy on buses serving Negro sections but that state racial segregation laws must be observed.

About 1,200 Negroes who normally ride buses were transported by means of carpools today. Expansion of the pools was credited for success of the boycott by the Rev. C. K. Steele, president of the Tallahassee Chapter of the National Assn. for the Advancement of Colored People.

Students Refuse To Sit In Back

Call p. 7
Fri. 6-1-56
Kansas City Mo.

Won't Ride After Arrest Of Two Co-eds

TALLAHASSEE, Fla. —(INS)— Students of the Florida A & M college boycotted Tallahassee buses Tuesday, May 29, in protest over the arrest of two coeds for refusing to sit in the rear of one of the vehicles.

Some 2,300 students at the school launched the boycott at a mass rally Sunday, May 27.

A police car accompanied the first bus to pass through the campus following the meeting.

Students lined the route and jeered:

"We'll walk," and "we mean business."

The students circulated petitions asking persons not to ride the buses.

The coeds, Wilhelmina Jakes, 26, and Carrie F. Patterson, 20, were arrested Saturday night and released in $25 bonds on charges of violating an old city ordinance making it unlawful for a person to place himself in a position to incite a riot.

The girls reported that they had boarded the bus and found only two seats, both in front and along side a white woman, empty in the vehicle.

They related that they sat down next to the woman and the bus driver, Max Coggins, then asked them to move to the rear.

The girls said they told Coggins they preferred to leave the bus he would return their money.

They added that Coggins refused and called the police.

A cross was burned Sunday night in front of the private home where the coeds roomed and the landlord, Mrs. Eloise Kendrick, said the girls "got scared" and moved to a dormitory on the campus.

The girls are expected to challenge the charges against them because they did not appear in city court where Judge A. Rudd takes guilty pleas on Mondays.

The cases probably will come before Rudd Thursday.

COEDS CLEARED, BUT BUS PROTEST SPREADS

World ~~Atlanta~~ B'ham Ala Fri. 6-1-56

Group Demands Negro Drivers; First Come Seats

TALLAHASSEE, Fla. — (INS) — City officials declined Wednesday to prosecute two Negro coeds for insisting on seats toward the front of a bus, but a boycott launched in protest over their arrest spread throughout Tallahassee.

Students at Florida A and M University began boycotting buses through the campus Monday. Leaders of the Tallahassee Negro community met Tuesday night, and Wednesday issued a call for a city-wide Negro protest.

TWENTY-ONE CARS

Twenty-one private automobiles worked from 12 centers Wednesday, answering more than 200 calls from Tallahassee Negroes joining in the bus boycott movement. Leaders say only half as many Negroes were riding city buses in the Florida capital city yesterday.

A similar boycott has continued in Montgomery, Ala., for more than six months. The Montgomery protest began with the arrest of a Negro woman who refused to move to the rear of a bus, but has since broadened into a protest against segregated seating.

NAACP BACKING

Tallahassee Negro community leaders, backed by an official of the National Association for the Advancement of Colored People, made three demands upon city and bus line officials Wednesday. They asked for the right to be seated on a first-come, first-served basis, for more courteous treatment by bus drivers, and for assignment of Negro bus drivers on runs where passengers are predominantly Negro.

The city Wednesday decided not to prosecute the two coeds--Miss Wilhelmina Jakes, 26, and Miss Carrie Patterson, 20 -- charged with placing themselves in a position to incite a riot. Police Chief Frank Stoutamire said the cases were turned over to university officials for action, in the same manner as are most minor police cases against students of the all-white Florida State College at Tallahassee.

Meanwhile, R. W. Sanders, Florida State Secretary NAACP, who attended the meeting of 450 persons Wednesday night, told the group:

World P. 8

"I've been in contact with our national office and they told me to come in and make a thorough survey to see what can be done from a legal standpoint. The NAACP is watching every move you make."

Fri. 6-1-56

PRESS BARRED

Reporters were not permitted at the Wednesday night meeting at which the decision to apply the college boycott city-wide was made.

City officials and bus company officials declined all comment on the arrest Saturday of the two college students or the subsequent protest.

Protest leaders claimed that the boycott had already cut the bus company's patronage by Negroes in half. They pointed out that except for brief radio reports, Thursday morning newspapers would be the first word most people in the city would have concerning the call for the city-wide protest. Daily newspapers did not publish afternoon editions because of the Memorial Day Holiday.

Bus Company Offers "Polite" Segregation

Daily World Atlanta Ga. Tues. 6-5-56

TALLAHASSEE, Fla. — (INS) — The boycott of Tallahassee City buses by Negroes appeared to be gaining strength Monday despite improvements in conditions promised by city and transit company officials. P. 1

Negro leaders of the boycott Monday refused a compromise agreement offered by the city and the transit company immediately asked the City Commission for permission to discontinue its service through the Negro section bordering Florida A and M College.

SEVEN REASONS

The Tallahassee Negro Inter-Civic Council, in a written request to the City Commission, labeled the present bus seating arrangements "economically unsound, humiliating, arbitrary, inequitable, inconvenient and morally unjustifiable."

A meeting of the Negro Council Sunday night attracted nearly 1,000 persons who voted unanimously to turn down a compromise offer made jointly by the City Commission and the Transit Co. Saturday night.

COMPROMISE

The city ruled that Negroes would no longer be required to stand in the rear of crowded buses and that "courtesy would be shown to all passengers." The ruling also promised that Negro drivers would be hired for predominately Negro routes.

However, the city said that members of different races would not be allowed to sit side-by-side in the same seats.

BROUGHT IN COURT

Rev. C. K. Steele, local president of the National Association for the Advancement of Colored People, appeared in court Monday to answer a traffic charge.

He pleaded not guilty to speeding and running a red light last week while operating a shuttle service for Negroes participating in

His trial was set for next Thursday in City Court.

In the letter to the City Commission, which was signed by nine Negro leaders, the Council declared:

NEW EVENTS

"The events of the past few days have given Tallahassee great new opportunities for national leadership. This is Tallahassee's hour to add laurels to her illustrious name as its public service duty."

The transit company replied that it has been "losing money in its entire operation" for the past year as a result of "factors beyond the control" of the company.

The boycott began a week and a half ago when two Negro co-eds from Florida A and M were arrested for refusing to move to the rear of a coach. Charges against the two were subsequently dropped.

Daily World

Tallahassee Fails To Halt Bus Boycott

Constitution Thurs. 5-31-56 Atlanta, Ga.

TALLAHASSEE, Fla., May 30 (AP)—Police today dropped charges against two Florida A&M University coeds, whose arrest Saturday precipitated a boycott of city bus service, but Negro leaders plan to maintain the boycott against segregated buses. P. 2

Police Chief Frank Stoutamire said the cases of the two girls were turned over to authorities of the all-Negro university.

Stoutamire said he dropped the charges following a telephone conference with Municipal Judge John Rudd, who is in Miami. Stoutamire said his procedure in the cases of the Negro girls was the same followed in dealing with students of all-white Florida State University who are arrested for minor law violations.

Dr. George Gore, president of A&M, returned to his desk today after an out-of-town absence of several days, but was not available for comment.

A Negro leader, the Rev. J. Metz Rollins, said the boycott will continue even though police have withdrawn the charges against the two girls.

The Negro coeds, Wilhelmina Jakes, 26, and Carrie F. Patterson, 20, were arrested on charges of placing themselves in position to incite a riot after they allegedly had taken front seats in a Cities Transit Co. bus and refused to move to the rear when asked to do so by the driver. They were released under $25 bond each.

Monday, fellow students at Florida A&M announced a boycott of the buses. The boycott spread slowly among others of the Negro community.

Boycott Halves Bus Business

Star P. 16-A Thurs. 5-31-56 Washington, D.C.

TALLAHASSEE, Fla., May 31 (AP).—A Negro boycott of city bus service has been judged about 50 per cent effective after one day of operation.

About 200 Negroes met Tuesday night and voted to boycott the buses until seating of white persons and Negroes on predominantly Negro lines is made on a first-come, first-served basis. They also want Negro drivers on such lines and what they termed more courtesy from white drivers.

The meeting followed the arrest of two Florida A&M University students who had taken seats in the front of a Cities Transit Co. bus and refused to move to the rear.

Charges against the two girls, Wilhemina Jakes, 26, and Carrie F. Patterson, 20, were dropped by police yesterday. Chief Frank Stoutamire said the cases would be turned over to authorities of the all-Negro institution. They were charged with placing themselves in a position to incite a riot and were released in $2' bond each.

The boycott started before the charges were dropped.

It was difficult to gauge the effectiveness of the boycott yesterday because of the Memorial holiday. Negroes were riding some buslines, however, although those running through the A&M campus were empty.

Boycott leaders said a 21-car pool was providing transportation.

About one-third of the 40,000 persons who live in Tallahassee are Negroes.

Virginia Clergyman Leads Florida Bus Boycott Plan

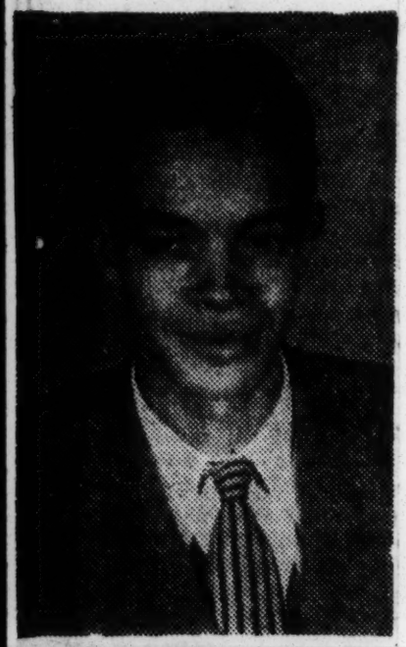
Journal & Guide P. 1 Sat. 6-9-56

Norfolk Va.

Special to Journal and Guide

TALLAHASSEE, Fla. — A young Virginia-born minister is acting as spokesman for local colored citizens who have decided to extend a boycott of buses started last week when two Florida A. and M. University coeds were arrested for alleged violation of local statutes dealing with riot incitement.

The spokesman is the Rev. J. Metz Rollins Jr., pastor of Trinity Presbyterian Church.:



REV. J. METZ ROLLINS
Spokesman

THE YOUNG minister is the son of the Rev. J. Metz Rollins Sr., who for many years has been pastor of Carver Memorial Presbyterian Church in Newport News, Va.

The announcement from Rev. Mr. Rollins last week said that local citizens would continue their boycott of buses even though charges against the two coeds had been dropped.

* * *

WHEN THE announcement was made colored citizens had already set up a "motor pool" operating much like the one that has been serving bus boycotters in Montgomery, Ala, for the past six months so effectively.

But unlike the Montgomery situation where—to date—all efforts at settling the matter have been futile, bus company officials show indications here that they are willing to "further discuss" the boycott.

* * *

BUT LIKE the situation in Montgomery, city officials have shown no indication that they are concerned here.

But the press in the area, in one instance is "going along" with colored citizens

* * *

IN A SCATHING editorial in its issue of May 31, the Capital Post said, editorially of the situation "There is a boycott. And it is real."

The Post further said that "The Negroes have suggested a remedy. They ask better treatment of members of their race by bus drivers on predominantly Negro routes. They ask seating on a first-come, first-served basis so that Negroes will not have to stand when there are empty seats."

* * *

OF THE MANNER in which the situation has been handled to date, the Post said "We have the assurance of the Negro groups that they are not motivated by vindictiveness or hate. The way they have handled the boycott to date seems to bear out their claim."

Last week, 21 private automobiles operating from 12 centers, answered more than 200 calls from Negroes joining the boycott.

* * *

THE LEADERS said only half the usual number of colored citizens were riding buses in the Florida capital city.

The leaders with Rev. Mr. Rollins and others as spokesmen made three demands on city and bus line officials.

TRANSIT SHUTDOWN LOOMS

Conference Fails To End Tallahassee Bus Boycott

Advertiser P. 2-A Tues. 6-26-56

Montgomery Ala.

TALLAHASSEE, Fla., June 25 (AP) —Tallahassee's white and Negro leaders talked for 2½ hours today without finding a basis for ending crippling four-week-old Negro boycott of city buses.

The City Commission called the conference to seek some way of ending the boycott by Sunday, the day Cities Transit Inc., said it will have to shut down because of financial difficulties.

Spokesmen for the Negro Inter Civic Council held firm in insisting that integrated seating arrangements must be provided before the boycott will be called off.

White leaders insisted that the old custom of segregated seating, which is baked by state and city laws, must be continued for the present.

ARMY 'NEEDED'

State Sen. Wilson Carraway of Tallahassee remarked that "Supreme Court decision on integration could not be enforced in Tallahassee without calling out the U.S. Army."

Carraway said the white and Negro races had worked harmoniously side by side in Tallahassee and that great strides had been made in providing better schools, hospitals and recreational facilities for Negroes in the past 10 years.

He said racial disputes, such as the one over buses, would only serve to shift moderates on both sides, into camps of the radicals.

The Rev. K. C. Steele, president of the Inter Civic Council, said there had been reports that certain leaders influenced the Negro community to stay off the buses, but that it was a spontaneous action by the entire community.

"Steele said "we had rather walk with dignity than ride with humiliation."

WRONG APPROACH

One Negro, John Swilley, said it was his opinion the boycott was a mistake and that "a more sensible approach" would have been filing of a federal court suit to knock out segregation laws.

At the windup, Commissioner W. T. Mayo asked the Inter Civic Council to bringf back new proposals for a settlment, but there was no indication from the Negro leaders that anything was in the offing.

No date was set for another session.

The boycott has been almost 100 per cent effective. Before the boycott an estimated 70 per cent of the bus riders were Negroes.

The transit firm said it would not afford to continue operating after July 1 unless some relief was provided.

'Won't sell our rights'

Afro-American Sat. 6-30-56

By Staff Correspondent

TALLAHASSEE, Fla. — "We are willing to negotiate on any terms that are just and fair, but we are not in any mood to barter away our rights.

"As proof we are not out to kill the bus company, we will meet with company officials and members of the city commission anywhere, anytime.

"For a week now, we have been trying to set up a meeting with the ministerial alliance here (white) in an effort to get them to bring our side and the other side together."

This statement was made by one of the leaders of the bus boycott here, which entered its fifth week Monday.

He is Dan Speek, chairman, transportation committee of the Intercity Civic Association, the Rev. C. K. Steele, president.

* * *

ASKED HOW the boycott is progressing, Mr. Speek declared:

"We're doing fine. There are 74 cars in the pool, two station wagons and one 25-passenger bus.

"We hold mass meetings twice weekly and, during the past week, citizens donated $518 to keep the car-pool in operation.

"This is proof," he added, "that the colored people of Tallahassee are in no mood to keep a bus company in business which refuses to treat them as first-class citizens."

* * *

REFERENCE WAS to the three requests the council is asking the city and bus company to grant in order that the boycott may be ended.

These are:

Segregated seating on city buses be abolished.

The employment of colored bus drivers.

Drivers be instructed to treat all passengers courteous, irrespective of race or color.

* * *

OTHER HIGHLIGHTS of the boycott, which began May 28 on the campus of Florida A. and M. University after two coeds were arrested, are:

On two occasions drivers of the bus made available by St. Peters Church of Chares, Fla., a nearby community, have been stopped by police.

The first driver was told not to drive the bus again, but not charged.

The second driver was accused of "obstructing traffic." The case is pending a hearing, with the driver being released on $5 bail.

* * *

THE REV. L. DAYMON, who was apprehended three times in one day during the early stage of the boycott, has been fined $25 for alleged traffic violation.

He paid the fine. He was the second minister fined in connection with the boycott. Earlier the Rev. Mr. Steele was fined $35 on charges of failing to halt at a stop sign. He also paid the fine.

Council headquarters report that a daily average of two car-pool drivers are arrested and charged by police.

* * *

MEANWHILE, A city attorney said last week that he was studying statutes to see whether or not it is legal for boycotters to operate their own buses here without charging fares.

As City Attorney James Messer sought a ruling into the situation, an estimated 500 attended a mass meeting and expressed "sympathy" for Cities Transit Company in its present financial plight. At the same time, they reaffirmed their stand to continue the boycott until they win equal rights with white passengers on the Tallahassee buses.

Mr. Speed said his group had obtained a bus from St. Petersburg for use in providing free rides, but it had been grounded pending investigation of its legality.

Speed said that Levy Thomas, the driver, was arrested last Saturday for "obstructing traffic."

The bus is registered in the name of St. Peter's Missionary Baptist Church at Claires.

Florida Negroes Ask Bus-Segregation End

Afro-American Journal Sat. 6-23-56

St. Petersburg, Fla., June 22 (AP)—City officials today heard Negro requests for equal seating on city-owned buses, but took no immediate action.

Mayor Samuel G. Johnson told the Co-operative Citizens Committee the requests would be given the "earliest possible" consideration.

The Rev. Enoch Davis, spokesman for the Negro committee, said that in the light of a United States Supreme Court decision on bus desegregation and absence of City ordinances on segregated bus seating "Negroes are now ready to sit anywhere they choose."

NAACP Chief Arrested as Speeder

Herald Fri. 6-1-56

Bus Boycott Held

Miami, ~~Fri. 6-1-56~~ P.2-A

75 Pct. Effective

Miami Fla.

TALLAHASSEE—(AP)—A Negro boycott of city bus service spread Thursday and a leader of the movement claimed that it had become 75 per cent effective.

The boycott was called Monday by students at Florida A & M University for Negroes in protest against arrest of two students for violating segregated bus seating regulations.

The Rev. C. K. Steele, president of the local chapter of the National Assn. for the Advancement of Colored People, said effectiveness of the boycott was resulting from expansion of car pools.

Steele, himself, was arrested by a city policeman on a charge of speeding and running a stoplight shortly after he had picked up some passengers in front of the post office.

Policeman Burl Peacock said Steele was traveling 35 miles an hour in a 25 mile an hour zone. Steele denied he was exceeding the speed limit and said he would fight the case. A hearing is scheduled in city police court Monday. Peacock said he didn't know who Steele was until after the arrest.

Newsmen noticed only a handful of Negroes on the buses during the early morning rush, and none at all during the slack mid-morning period.

Steele said 35 cars were in the riding pool picking up passengers at 13 stations. He estimated that 1,200 passengers a day were being picked up.

About 200 Negroes met Tuesday night and voted to boycott the buses until seating of white persons and Negroes on predominantly Negro lines is made on a first come, first served basis. They also want Negro drivers on the predominantly Negro lines and what they termed more courtesy from white drivers.

The meeting followed the arrest of two university students who had taken seats in the front of a Cities Transit Co. bus and refused to move to the rear.

Charges against the two girls, Wilhemina Jakes, 26, and Carrie F. Patterson, 20, were dropped by police. Chief Frank Stoutamire said the cases would be turned over to authorities of the all-Negro institution. The were charged with placing themselves in a position to incite a riot and were released in $25 bond each.

The boycott started before the charges were dropped.

Tallahassee Boycott

Herald P.4-A

Negro Drivers

Wed. 6-30-56

Urged on Buses

Miami, Fla.

TALLAHASSEE —(AP)— More than 200 Tallahassee Negroes voted Tuesday night to boycott city buses until consideration is given a three-point request, including the hiring of Negro drivers "some time in the future."

The Negroes, including civic leaders, teachers, ministers and representatives of the Florida A & M University student body, made the decision at a meeting from which reporters were barred.

However, it was learned they are asking that Negro bus drivers be employed "at some time in the future" on predominately Negro routes, that passengers be seated on a first-come, first-served basis on predominately Negro routes and that white drivers "be more courteous and stop intimidating Negro passengers."

Reporters who stood outside the building in which the meeting was held said it appeared to be orderly.

Plans were made for a car pool to supply transportation to Negroes who ordinarily ride buses.

Earlier Tuesday, Executive Secretary Gilbert Porter of the Florida State Teachers Assn., a Negro organization, said very few Negroes have ridden the buses since the boycott started.

The movement was started by students of A & M University for Negroes after two of the school's coeds refused to move to the rear of a Cities Transit bus and were removed by police.

The girls, Wilhelmina Jakes, 26, and Carrie F. Patterson, 20, were charged with putting themselves in position to incite a riot. They will have a hearing in police court Friday.

The vote Tuesday night followed a conference by a Negro committee with Tallahassee Mayor Fred Winterle, City Manager Arvah Hopkins and bus company Manager Charles L. Carter.

Police Clear Negro Coeds

Advertiser P.5-E

In Tallahassee

Miami, 5-28, 1956

TALLAHASSEE, Fla., May 30 (AP)—Police today dropped charges against two Florida A&M University coeds, whose arrest Saturday precipitated a boycott of city bus service, but apparently Negro leaders planned to maintain the boycott against segregated buses. Miami 5-28-56

Police Chief Frank Stoutamire said the cases of the two girls had been turned over to authorities of the all-Negro university.

Stoutamire said he had dropped the charges following a telephone conference with Municipal Judge John Rudd, who is in Miami. Stoutamire said his procedure in the cases of the Negro girls was the same that is followed in dealing with students of the all-white Florida State University who are arrested for minor law violations.

NO COMMENT

Dr. George Gore, president of A&M, returned to his desk today after an out-of-town absence of several days, but was not available for comment.

A Negro leader, the Rev. J. Metz Rollins, said the boycott would continue even though police had withdrawn the charges against the two girls.

The Negro coeds, Wilhemina Jakes, 26, and Carrie F. Patterson, 20, were arrested on charges of placing themselves in position to incite a riot after they allegedly had taken front seats in a Cities Transit Co. bus and refused to move to the rear when asked to do so by the driver. They were released under $25 bond each.

SPREAD SLOWLY

Monday, fellow students at Florida A&M announced a boycott of the buses. The boycott spread slowly among others of the Negro community, which makes up about one-third of Tallahassee's 40,000 population.

A mass meeting of more than 200 Negroes last night adopted a resolution calling for seating on buses on predominantly Negro lines on a first come, first served basis; employment in the future of Negro drivers on predominantly Negro bus lines, and a halt to discourtesy and intimidation of Negro passengers by white bus drivers.

The meeting voted to maintain the boycott until the demands were met.

LEADERS CONFER

Earlier yesterday, a committee of Negro leaders conferred with City Manager Arvah Hopkins and presumably put their demands before him. Hopkins refused comment today other than to say the committee had agreed to present him a formal resolution to take before the City Commission.

Mayor Fred Winterle said earlier reports the Negro leaders had conferred with him were erroneous. He said he was out of the city yesterday.

Because of the Memorial Day holiday, it was difficult to gauge the effectiveness of the boycott today. Buses still were running empty through the A&M campus, but Negroes were observed riding buses on other lines. Most of the Negro bus passengers are employed as domestics in white homes and many of them rode to work as usual on buses.

Negro leaders, however, estimated the boycott was about 50 per cent effective. They said a 21-car motor pool was providing transportation to regular Negro bus riders and had supplied rides to work this morning for 200 or 300 persons.

Protest Women's Arrest

Herald P.1

A&M Negroes Vote For Buses 'Boycott'

Tues. 5-29-56

Miami, Fla.

TALLAHASSEE—(AP)—Students at Florida A&M University for Negroes appeared Monday to be starting a boycott of city buses in protest against the arrest of two women students.

The women, Wilhelmina Jakes, 26, and Carrie F. Patterson, 20, were arrested Saturday after they refused to move to the rear of a city bus. They were charged with placing themselves in a position to cause a riot and released on $25 bond each pending a hearing in Police Court Friday.

Sunday night a small wooden cross was burned on the lawn of the house in which they were living and their landlady, Mrs. Eloise Kendrick, said they became frightened and moved into the college dormitory.

Students cheered and clapped their hands as an empty city bus was driven through the campus Monday. Earlier, several hundred students staged a mass meeting and voted to stay off city buses for an indefinite period.

Broadus H. Hartley, president of the student body, said Saturday's arrests were the latest "in a series of incidents in which we have been humiliated by bus drivers."

"I would not call it a boycott," Hartley said of the students' actions. "We are just refraining from riding the buses until we can have assurances that we will receive better treatment."

Charles Carter, manager of the Cities Transit Co., denied that the Negro students have been humiliated. "It just has not happened," he said.

Police reported Sunday night's cross burning, but said they had been unable to determine who burned it.

Mrs. Kendrick said a car was driven up in front of her home about 10 p.m., stopped a few minutes, then left at high speed.

She said one of the two women noticed a fire and found a small cross of crude wooden construction burning.

About Saturday's incident, the women maintained that the only two unoccupied seats in the bus were in the front, and that when they sat there the driver ordered them to stand in the rear.

They said they then offered to get off if the driver would return their fares, but he refused.

President George Gore of Florida A. & M. was out of the city. University officials said a formal statement will be made after his return Tuesday.

The university has an enrollment of 2,600 students. Tallahassee, the Florida capital, has a population of 40,000.

A 1909 Florida law requires bus and railroad companies to provide separate accommodations for white and Negro passengers traveling intrastate.

Florida has no antiboycott law like Alabama. Negro leaders of a bus boycott in Montgomery were indicted recently for violating the law in that state.

In Tallahassee, the Rev. C. K. Steel, president of the Tallahassee chapter of the National Assn. for the Advancement of Colored People, said the bus boycott "will be continued beyond the university campus." He declined to elaborate.

Negro students boycott Tallahassee, Fla., buses

Times P.6 Tues. 5-29-56

TALLAHASSEE, Fla., May 29—(AP)—A second Southern capital has been hit by a boycott of Negro bus riders stemming from a dispute over segregated seating arrangements.

B'ham, Ala.

Some students at Florida A&M University for Negroes began walking in preference today.

to riding buses yesterday in protest against the arrest of two Negro girl students for refusing to move to the rear of a Cities Transit Co. bus.

Cities Transit Co. is a Florida owned concern.

Tallahassee has a population of about 40,000, about one-third of it Negro.

The Rev. C. K. Steele, presidwent of the Tallahassee chapter of the National Assn. for the Advancement of Colored People, said without elaborating that the boycott "will be continued beyond the university campus."

Charles L. Carter, manager of the transit firm, said last night, however, his company had experienced no general effects from any boycott.

MONTGOMERY, ALA., has felt the effects of a bus boycott by Negro riders for several months. Most of its 50,000 Negroes have been boycotting buses since Dec. 5, 1955, in a protest against city and state segregation laws.

Florida has an old law requiring bus and railroad companies to provide separate accommodations for white and Negro passengers traveling intra-state.

Florida, however, has no anti-boycott law like Alabama. A Negro leader of the boycott in Montgomery was convicted recently of violating anti-boycott laws.

THE TWO GIRL students here, Wilhelmina Jakes, 26, and Carrie F. Patterson, 20, were arrested Saturday. They were charged with placing themselves in a position to cause a riot and were released in $25 bond each pending a hearing in Police Court Friday.

Steele said the NAACP was looking into the legal angles of the arrests and into a cross burning in front of the students' home last night.

Police reported a cross was burned on the front lawn of the house by unidentified persons.

MRS. ELOISE KENDRICK, who owns the house, said the girls became frightened and went to the university dormitory.

Students at Florida A&M staged a mass meeting at noon and voted to start the boycott.

The university has an enrollment of about 2600. President George Gore, who has been out of the city, was expected back today.

Tallahassee Fails To Halt Bus Boycott

Constitution Atlanta, Ga. Thurs. 5-31-56

Drop Charges Against 2 Negroes

TALLAHASSEE, Fla., May 30 (AP)—Police today dropped charges against two Florida A&M University coeds, whose arrest Saturday precipitated a boycott of city bus service, but Negro leaders plan to maintain the boycott against segregated buses.

Police Chief Frank Stoutamire said the cases of the two girls were turned over to authorities of the all-Negro university.

Stoutamire said he dropped the charges following a telephone conference with Municipal Judge John Rudd, who is in Miami. Stoutamire said his procedure in the cases of the Negro girls was the same followed in dealing with students of all-white Florida State University who are arrested for minor law violations.

Dr. George Gore, president of A&M, returned to his desk today after an out-of-town absence of several days, but was not available for comment.

A Negro leader, the Rev. J. Metz Rollins, said the boycott will continue even though police have withdrawn the charges against the two girls.

The Negro coeds, Wilhelmina Jakes, 26, and Carrie F. Patterson, 20, were arrested on charges of placing themselves in position to incite a riot after they allegedly had taken front seats in a Cities Transit Co. bus and refused to move to the rear when asked to do so by the driver. They were released under $25 bond each.

Student Bus Boycott Spreads Among Tallahassee Negroes

Constitution Wed. 5-30-56 Atlanta, Ga. P.13

TALLAHASSEE, Fla., May 29 (AP)—A bus boycott started by Negro university students spread through the Tallahassee Negro community today.

Executive Secretary Gilbert Porter of the Florida State Teachers Assn., one of a group of Negro leaders who met to discuss the situation, said few Negroes rode buses today and that automobiles were circulating to give free rides to Negroes seen waiting at bus stops.

The boycott movement started after two girl students of Florida A&M University for Negroes refused to move to the rear of a Cities Transit Co., bus.

The bus driver stopped his vehicle and called police. A cross was burned Sunday night outside the house where the girls had rooms.

The students were charged with putting themselves in position to incite a riot.

The boycott has been calm and orderly with the only indication of feeling a crudely lettered sign posted near the A&M campus reading: "We'll walk. Fight segregation."

New Organizer For NAACP Arrested

Times, Kansas City, Mo. Fri. 6-15-56

Youth May File Suit Challenging Segreation

MIAMI. — (INS) — A test case involving segregation on buses developed Tuesday in Miami after the arrest of a 19-year-old organizer for the Youth Council of the National Association for the Advancement of Colored People.

The youth, Rudolph Reid, was arrested Monday when he allegedly refused to step to the rear of bus. He was freed on $500 bond after pleading not guilty to a charge of "attempting to breach the peace."

Reid denied he provoked arrest and indications were that his trial will become a test case.

Neil Adams, president of the Brownsville Improvement association, was one of the men who arranged for the youth's release. He said the case would be fought with every means available.

The president of the Miami NAACP, the Rev. Theodore Gibson, said last week his organization would call for a "bus boycott" only as a last resort in the fight to gain equal seating in city buses.

MIAMI.— (INS) —The president of the Miami chapter of the National Association for the Advancement of Colored People declared Thursday, June 7, that Negroes may call a boycott of city buses if segregation in the vehicles is not abolished.

The Rev. Theo R. Gibson, NAACP local president, said that if the Miami Transit company does not abolish segregation on local buses a boycott may be called.

Gibson said a special committee of the NAACP would be formed Thursday night. Commmittee members will then present the association's demands to the transit company.

The leader said that "if they (the bus company) don't come across we will call a boycott or go to the courts—or both. However, the strategy hasn't been worked out yet."

Gibson predicted a victory for the Negroes if the case reached the courts. He said the court would rule in favor of the NAACP.

Miami thus could become the second major Florida city in two weeks to be struck by a bus boycott. In Tallahassee, Negroes have refused to ride that city's buses for a week and a half.

The Miami chapter plans to circulate petitions throughout the city and its suburbs outlining the NAACP's demands. Gibson said he American freedom, and only incidentally against the NAACP.

"It is common knowledge that Negro citizens in Alabama are denied their constitutional rights and must submit to humiliating and even degrading treatment in their daily lives," the NAACP leader asserted. "The State is saying by this action that it will not permit a Negro civil rights organization to protest and work to erase these inequalities, even though it proceed, as it always has, in an orderly manner through the courts, through peaceful assembly, and according to the United States Constitution.

Mi. 6-13-56

"We have even been forbidden by court order to apply for a chance to satisfy the legal technicality which is being used as an excuse for the suppression of liberty."

Mr. Wilkins revealed that an NAACP representative had applied on May 31 in Montgomery for the necessary forms upon which to register the Association even though, since 1918, no such registration had been demanded by the State. The very next morning, June 1, at 9:20 o'clock, the Attorney General, without previous notice of any kind, applied for and secured a temporary order restraining the NAACP from further operations in the State.

The association has until June 30 to reply and request a hearing on the matter. The legal staff, Mr. Wilkins said, is at work on a reply.

Florida Negroes Ask Meet On Bus Seating

Advertiser P.2-A Thurs. 6-14-56

ST. PETERSBURG, Fla., June 13 (AP)—Negro leaders have requested a meeting with City Council to discuss equal seating of all races on St. Petersburg buses.

Montgomery

The Rev. Enouch D. Davis, leader of Negro Citizens Cooperative Committee, said today the meeeing is being sought to avert possibility of a bus boycott similar to those in Tallahassee, Fla., and Montgomery, Ala.

"We are just trying to ward off any incidents that have been happening other places."

Negroes File Florida Suit

Advertiser Wed. 6-13-56

MIAMI, Fla., June 12 (AP)—Negroes challenged segregation aboard public buses anew today, and filed Florida's first suit for admission of Negro Children to white schools.

Montgomery

Bessie Kelbo, 50, a Negro, posted a $25 bond on a disorderly conduct charge after refusing to move to the rear of a street bus. Her arrest was the second such in two days stemming from incidents on buses in which city ordinances specify separate seating of the races.

The National Assn. for the Advancement of Colored People, which plans a conference tomorrow about the bus arrests, furnished counsel for six Negroes filing suit in Federal court against the Dade County school board to compel admission of their children into white schools.

High Court Action Affects All Public Carriers

Last Bus Segregation Outlawed

New Ruling Voids Laws in 12 States, Including Florida

Herald Tues. 4-24-56 Miami, Fla.

WASHINGTON —(AP)— The Supreme Court Monday unanimously extended its ban on racial segregation to public transportation within the borders of a state.

It did so by dismissing as frivolous an appeal from a U.S. Court of Appeals decision in Richmond, Va., that segregation on intrastate buses violates the federal Constitution.

The court's action means that segregation in any form in public transportation, whether entirely within a state or between states is now unlawful.

Only 10 words were used in the high court's order, including citation of a case decided in 1929.

A search of the court's records showed that the cited case involved dismissal of an appeal as filed "without any authority of law," and which "needlessly consumed our time."

The ban on intrastate segregation came 10 years after the court struck down compulsory separation of the races by state law in buses crossing state lines. In the 1946 decision the court said segregation on buses was an unconstitutional burden on interstate commerce.

Lines Monday night ordered an end to segregated seating on buses Tuesday. The issue here is one of the hottest in the South. The city has been in a turmoil for weeks because of a boycott of buses by Negroes.

Monday's action, coupled with earlier decisions and an Interstate Commerce Commission order in November 1955, directing that segregation be ended on interstate trains and buses and in waiting rooms used by interstate travelers, covers all conceivable angles of public transportation.

The Court of Appeals ruling last July 14 said the Supreme Court's 1896 decision laying down the historic "separate but equal" doctrine "can no longer be regarded as a correct statement of law."

The 1896 decision, in varying degrees, remained the law of the land until the 1954 Supreme Court decisions striking down segregation in public schools.

The Court of Appeals decision, written by Chief Judge John J. Parker, said the Supreme Court's public school decisions "leave no doubt that the separate but equal doctrine approved in 1896 has been repudiated."

Twelve states, including South Carolina, which was directly involved Monday, have laws which require segregation within their borders. Others are Alabama, Georgia, North Carolina, Mississippi, Louisiana, Texas, Arkansas, Florida. Oklahoma, Tennessee and Virginia.

The Richmond Court of Appeals earlier ruled racial segregation in public parks and recreation areas violates the U. S. Constitution. The Supreme Court last Nov. 7 unanimously affirmed this decision.

In addition to these various actions, the Supreme Court also has ruled out segregation on golf courses supported by tax money.

The appeal, which the court said, in effect, was frivolous, was filed by the South Carolina Electric & Gas Co.

The case arose in Columbia, S. C., where the company operates public bus lines. It started through the courts when Sarah Mae Flemming, a Negro, filed suit for $25,000 damages for alleged violation of her civil rights because a bus driver for the company enforced against her a South Carolina law requiring segregation in intrastate buses.

Montgomery Opens Buses

MONTGOMERY, Ala. —(AP) — The Montgomery City Bus

County's Bus Firms Stand Pat

Herald Tues. 4-24-56 Miami, Fla.

Greater Miami transportation firms Monday took a guarded position on the Supreme Court decision banning segregation on intrastate buses.

That means that Florida state law and many municipal ordinances — including those of Miami — are now in direct conflict with the Supreme Court decision in requiring Negroes to ride in the back of buses.

These laws and ordinances will remain in force, however, until they are specifically overthrown by a court decision or repealed.

D. L. Wallace, vice president and general superintendent of the Miami Transit Co. and Miami Beach Railway Co., said:

"It has always been our policy to abide by the law in the state in which we operate. That policy will remain unchanged until we are advised to do otherwise."

Chester Smith, superintendent of transportation for the City of Coral Gables, said:

"We have had no trouble with it here. I don't know if there's a comment I can make. They want all the bars down, and the Supreme Court is the law of the land. What can you say to that?"

James G. Steward, vice president of South Miami Coach Lines Inc.:

"I want to reserve comment until we see what the whole thing's about."

St. Petersburg Group Protests Segregation

Advertiser Tues. 5-8-56

ST. PETERSBURG, Fla., May 7 (AP)—Negro civic groups today protested City Manager Ross Windom's stand that city operated buses will maintain segregation.

Windom announced that city buses would continue on a segregated basis after the U.S. Supreme Court's decision on a South Carolina case banning segregation on buses.

Montgomery, Ala.

The protest came in a letter by the Cooperative Citizens Committee which represents several Negro organizations.

The letter said Windom's position that segregation will continue is "entirely false." It added that Negro citizens will be "satisfied with nothing less than first class citizenship."

Windom, who said he had no comment on this protest, had explained that he believed white and Negro citizens wanted segregation maintained and he saw no reason to change the policy.

Windom said he plans no meeting with the Negro groups.

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'Town sick and tired of Jim crow'

Afro-American Sat. 6-9-56, Baltimore, Md.

BY ARTHUR RANDALL
Assistant Managing Editor

TALLAHASSEE, Fla. — Indications here, early Sunday, led to the impression that this city's 15,000 colored citizens would snub the compromise proposal made by the city commission Saturday night for the ending of the nine-day old bus boycott here.

The inter-civic council, which was formed to spearhead the local protest against jim-crow buses, discourteous drivers and

lack of colored operators, although 75 per cent of the receipts of the company are derived from colored passengers, is planning at its mass meeting, Sunday night, to submit its counter proposals.

These would involve adhering to its original demands which, as in the case of the Montgomery, Ala. bus protest, have three basic issues:

* * *

1. THE RIGHT to be seated on a first come, first serve basis; 2. More courtesy by bus drivers and an end to insults and intimidation; and 3. The employment of colored bus drivers on routes where colored passengers predominate.

About one third of Tallahassee's population of 40,000 is colored.

The Rev. Charles K. Steele, pastor of Bethel Baptist Church and president of the Inter-Civic Council, told this reporter, Sunday, that the council had received no official confirmation of the city commission's recommendations.

"We would advise against action, anyway," he added, "which could not be considered authoritative and binding upon the city bus company."

The committee's reported recommendations, according to an article in the Tallahassee Democrat, Sunday, were that the franchise be interpreted that "no member of either race must give up his seat on a crowded bus to a person of another race."

* * *

IT ALSO RECOMMENDED that the bus company strictly enforce rules requiring drivers to treat all passengers courteously and consider applications from colored men for vacancies in jobs on buses serving colored persons predominantly.

The bus protest movement here, now in its second week, has snowballed so rapidly among the colored citizens that it is almost 100 per cent effective, the AFRO was told Sunday.

The movement was sparked May 25 when two coeds of Florida A. and M. University were arrested for refusing to surrender their seats on a crowded bus to white passengers.

They were charged with failing to obey a local ordinance growing out of state statutes ordering racial jim crow, but were later released of charges and their cases referred to A. and M. authorities for disciplinary action.

Baltimore Md.

NO ANNOUNCEMENT was forthcoming from the university as to what action has been taken, if any, against the coeds, Misses Wilhemina Jakes, 26, and Carrie F. Patterson, 20.

The Rev. Mr. Steele and other officials of the Inter-Civic Council made it clear to the AFRO that the bus protest is not a college matter but involves every single colored person in Tallahassee.

"The mistreatment and arrest of the coeds was like a match setting aflame an incendiarous mass," he said.

During the first two days, only a few townspeople and university students boycotted the buses, it was pointed out. On the third day, the number of boycotters reached the thousands, he said, and on Saturday, eight car pool checkers said they only saw one person, a small girl, on the local buses.

* * *

"THE PROTEST SPRANG from the people like the urge to rid themselves of some malignant disease," the Rev. Mr. Steele said, adding that it "arose from the hurt and indignation of the people and their passionate desire for justice and decency."

Other officers in the Inter-Civic Council are the Rev. K. S. DuPont, vice president, Fountain Chapel AME Church, who was a recent delegate to the AME Quadrennial in Miami, chairman, Ministerial Committee; Fr. David H. Brooks, rector, St. Michael's Episcopal Church of Angels;

Dr. M. C. Williams, secretary; Mrs. Eddie Barrington, assistant; the Rev. J. Metz Rollins Jr., treasurer, pastor, Trinity Presbyterian Church; Dr. James Hudson, of A. and M. University, chaplain; Dan Speed, grocer, chairman of the car pool committee, and E. A. Jones, undertaker, assistant.

* * *

MR. SPEED CONDUCTS the supervisory operations of the car pool from his grocery store on Floral St. He says he has four checking operations of the pool and furnished gas coupons for 42 drivers in one day.

Other car operators who are not officially in the pool have been picking up riders en route to work and back and some employers are furnishing transportation to their own workers.

"The boycott has not hurt us nearly as much as it has hurt the bus company," one source pointed out, "because the company is a small one and its loss of 75 per cent of its revenue is crippling."

It was maintained on the A. and M. campus that the departure of the students following commencement Monday would not seriously affect the protest.

* * *

"THE WHOLE town's in it now," one campus aide said, "because they are sick of this degenerative segregation."

"Not inspired, just tired," Jesse Jones, former bus driver for A. and M. and now operator of a private business, told the AFRO.

He was answering a question as to whether the Montgomery bus boycott had "inspired" similar action in Tallahassee.

"We're tired of being treated like dogs on the buses," Mr. Jones, a native born Floridian, went on, adding, "and we're going to stay off those buses until we're treated like men."

He is a volunteer car pool driver who does not even ask for gasoline for his expenses in transporting people.

* * *

TREVIS LANDIS, legal advisor of the council, interviewed on the A. and M. campus, said he was uncertain as to how the group would react to recommendations for a halt to the protest.

He stated that he would not hazard a guess as to how the situation would be ended. All persons interviewed, however, said they hoped for a peaceful solution to the boycott.

Ministers in the protest met at 10 p.m. Saturday in a prayer meeting, where prayers were said for city officials, bus firm operators, as well as the protestors against jim crow.

Just as in the Montgomery situation, nonviolence and peaceful protest was the theme of the 10 ministers of all denominations who prayed together.

Tallahassee, Florida's capital, is a rigidly jim crow city, with all of its facilities operated on a segregated basis, including its airport.

* * *

MANY OF ITS COLORED citizens are employed in state owned buildings in menial capacities, in A. and M. University and at the white University of Florida, also located here.

There are three colored policemen in the city, four years' tenure each.

They are Officers Freddie Golden, Frederick Douglass Lee, and Clarence Williams.

Two taxicab companies, Quick Service and Economy, are operated by colored drivers who favor the strike's objectives.

* * *

C. L. CARTER, manager of the City Transit Lines, reports that 60 to 65 per cent of the bus patrons are colored.

Mayor Fred Winterle, however, estimated that 90 per cent of the riders are colored.

"If the boycott become general," he warned, "the bus company will become ruined."

Broadus Hartley, president of the Student Council at Florida A. and M. College, explained to the AFRO how it began.

"Two of our students boarded a crowded bus.

* * *

"THE ONLY SEATS available were next to a white woman. They took them. The driver stopped the bus and ordered them to get up or get off the bus.

"They decided to get off the bus, but before getting off they asked for their money back. The driver refused to return their money. So they went back and sat down.

"The driver then pulled his bus into a gas station and called for a policeman, who put them under arrest."

On Wednesday, Police Chief Frank Stoutamire revealed that the charges against the students would be dropped. On Thursday they were dropped.

* * *

ALL LAST WEEK the buses running to the Florida A. and M. campus were empty.

* * *

MEANWHILE, on Tuesday night 1,500 residents of Tallahassee jammed Bethel Baptist Church, pastored by the Rev. Mr. Steele.

"The turnout was amazing," the minister told the AFRO. "We didn't announced the meeting until 2 p.m. and by 6 p.m. the church was jammed.

"At that meeting, it was agreed that we would seek a bus on a first-come-first-seating arrangement on the served basis; the employment of colored bus drivers; and insist on more courtesy.

"A total of $264 was collected to carry on a car pool.

"We had a meeting with the management of the bus company and City Manager Orvah Hopkins outlining those demands.

"Mr. Hopkins told us that he would have to present them to the board of commissioners that meets Monday.

On Friday, the Rev. Mr. Steele was arrested and charged with speeding and not stopping at a stop sign.

* * *

INSTEAD OF giving me a ticket, the officer took me down to the police station. Since there were about seven, whom I had picked up, in my car, the arrest was apparently an attempt to harrass the operation of the pool.

"My hearing is scheduled Monday.

"A number of other drivers in the pool have been arrested and forced to go to the police station.

"Such tactics, however, make our people more determined," the minister said.

* * *

THE REV. MR. STEELE, like the leader of the Montgomery, Ala. boycott, the Rev. M. L. King, is a graduate of Morehouse College, Atlanta.

Strangely, the Tallahassee leader was in the pulpit of the Hall Street Baptist Church in Montgomery nine years before assuming his present post.

He is a native of Blufield, W. Va., and married to the former Miss Lewis M. Brock of Montgomery. They have five children.

* * *

IN ANSWER to the citizens demands, Mr. Carter, the bus company manager, insists that his drivers are courteous.

"That is not true," says student leader Hartley. "There have been series of incidents in which the bus drivers have humiliated students of Florida A. and M. University.

"Although the arrests of the students were the first, in the past drivers have often called for police to make a student stand up rather than sit in the white section."

Hartley is a native of Jacksonville, and graduated Monday. He was a premedical student.

Fla. Resort Votes Race Ban At Beach

Sat. 6-2-56
Chicago, Ill.

DELRAY BEACH, Fla. — (INS) — The Delray Beach city commission has banned Negroes from the city-owned swimming pool and beach areas in an "emergency ordinance to prevent interracial riots within the city."

The law was adopted Wednesday in a public session eight days after a federal court at Miami dismissed a suit in which nine Negroes sought use of facilities at Delray Beach.

The suit was dropped after a member of the city commission testified there was no ordinance barring Negroes.

The ordinance stemmed from an incident last Sunday which reportedly could have developed into a riot.

A group of about 70 Negroes went to the beach and met a white group, of about equal size. An argument flared but police dispersed the crowd before there was any serious trouble

The commission set the penalty for violating the law at $500 fine and up to 90 days in jail.

It said the ordinance was enacted because Delray Beach had no law preventing racial mingling and "large numbers of Negroes from other communities have come upon the municipal beach."

The commission said the influx by nonresident Negroes has caused "near-riots" and racial tension has increased to a point where one commissioner has been threatened. He was identified as W. J. Snow.

The ordinance said, in part, that "no member of the Negro race shall go upon the beach or the municipal pool . . . during the interim of this emergency."

Delray Beach is located a few miles south of swank West Palm Beach, society center of Florida's gold coast.

Negroes Renew Bus Demands At Tallahassee

Advertiser
Montgomery, Ala.
Wed. 6-6-56

TALLAHASSEE, Fla., June 5 (AP) —The Negro Inter Civic Council today renewed its demand for integration on Tallahassee city buses.

The request has been denied by the Cities Transit Bus Co., and the Tallahassee City Commission. The company eliminated service through Negro districts yesterday because of the eight-day-old bus boycott by Negro passeners.

The council issued a statement saying it is hoped "a partial agreement in principle by the city and bus company" on request for employment of Negro drivers and more courtesous treatment will lead to "an equitable agreement" on the integration demand.

The bus company's reply to the request for employment of Negro drivers on predominately Negro routes was: "Denied. Applications always will be received from any persons desiring to make them but Cities Transit, Inc., must exercise its own discretion as to the qualifications of the applicant."

The council said it wants "m clarification and a more definite statement of policy" on employment of Negro drivers.

38b 1956

FLORIDA

Jamaicans Victims Of Florida 'Hospitality'

Call Kansas City, Mo.
Fm. 8-24-56

By LENA RIVERS SMITH

A Jamaican clergyman and his wife, visiting the United States for the first time, were given a taste of the special "hospitality" that the South reserves for its dark-skinned visitors last week, when he was brutally assaulted by a white man while riding a bus through Florida.

The British subject, unfamiliar with the "traditions of the fair South," was knocked down, cut on the face and forced to put up a "bond" of $25 for "creating a disturbance," because he refused to leave the seat he shared with his wife and move to the rear of the bus.

The clergyman's wife was also "boxed' severely when she protested the treatment given her husband.

Attacked Near Tallahassee

Victims of the strange "welcome" to the U. S. were the Rev. Grover C. Bullock and his wife, Mrs. Helen Bullock. Rev. Bullock, a priest in the Church of England is rector of six churches in Westmoreland, Jamaica, B. W. I., and is manager of several schools there. The Church of England is the equivalent of the Episcopal church in the U. S.

The couple is visiting the Rev. and Mrs. George S. Boyd, 3237 E. 27th St., the brother-in-law and sister of Rev. Bullock. Rev. Boyd is the pastor of the Church of God in Christ in South Park, Kas.

The incident, which the Bullocks related to THE CALL a few days after arriving in Kansas City, occurred in Perry, Fla., a small town about 52 miles southeast of Tallahassee.

Upon learning of the bitter racial feeling that has developed in Tallahassee since the Negroes of that town began a boycott of the segregated public bus system, the Bullocks expressed relief that they were not treated even more viciously.

Call P. 4

Wanted To See Country

The couple flew from Kingston, Jamaica to Miami on a three-month holiday last Wednesday. They stayed overnight without incident at the Leamington hotel, a hostelry for white persons. Thursday afternoon they left by Trailways Bus line for Kansas City.

The Bullocks said they chose to travel by bus in order to see more of the country.

Fm. 8-24-56

On the first stop after leaving Miami, the couple related, the bus driver approached them and told Rev. Bullock he would have to move to the rear of the bus. The clergyman replied that he did not understand the necessity for the request and produced his British passport.

The driver then turned to Mrs. Bullock and asked her if she wanted "this man to move."

Mrs. Bullock said she replied, "Why of course not; he's my husband."

After examining both passports, the driver left the bus, explaining that he had to make a telephone call.

When he returned, the Bullocks continued, he announced to the other passengers, "Well, you see what we have here. This colored guy is married to a white woman and we can't bother him. He'll have to sit there until he gets off."

Threats From Georgian

At this, a white woman passenger muttered, "Wait until we get to Georgia; they'll fix him."

In recalling the incident later, the Bullocks noted wryly that a sign above the driver's seat bore the driver's name, A. B. Terry, and the notation, "Safe, reliable, courteous."

Somewhere along the route a new driver took over the bus. This driver did not post a nameplate, the Bullocks said.

The couple said the trip progressed without further incident, although they were the victims of many hostile glances and muttered comment, until about 3 o clock the next morning, when the bus stopped at a roadside restaurant in Perry, Fla.

Bullock remained on the bus although his wife and several other passengers got off and went to the rest rooms. When Mrs. Bullock returned, the couple said, they noticed a group of about six men standing on the dark roadside. Two of the men wore what appeared to be police uniforms; a third man was dressed in the uniform of a soldier. The other three wore civilian clothes.

One of the men detached himself from the group and entered the bus He strode up to the clergyman and said roughly, "I want that seat; move to the back."

Assailant "A Brute"

Before the minister had a chance to reply, the man seized him by the lapels and struck him several times on the face, knocking him to the floor of the bus.

Mrs. Bullock said she screamed and the assailant struck her brutally in the face, causing an eventual discoloration and contusion of the left eye.

Mrs. Bullock described their assailant as "a big brute of a man, with mean, beady eyes." "He was much bigger than my husband: he made my husband look like a midget," she recalled.

The couple said the man continued striking Rev. Bullock until a man who identified himself as the chief of police boarded the bus and "invited" them outside.

Once on the outside, the couple related, the man told them Rev. Bullock would have to go to jail for disturbing the peace, or else "pay a $25 bond". Mrs. Bullock said he protested at this and the "police chief" told her that if she didn't shut up, she, too, would have to pay $25.

The couple said they paid the money and received a printed receipt signed simply "Barnes."

The receipt was on a printed form labeled, "Police Daily Report." It contained a printed line at the bottom for the signature of the Chief of Police. Barnes' signature was put under this line

Although Rev. Bullock was bleeding profusely from four lacerations on his face, no one offered them medical assistance or offered to help her check the bleeding. The terrified woman said she was permitted to wet a handkerchief at a water fountain and she used this to wipe her husband's face.

No Treatment From "Medic"

After paying the $25 "bond" the couple was permitted to board the bus and the trip was resumed. When they reached Tallahassee, a man who purported to be a doctor got on the bus and took a statement of what had occurred from the Bullocks. The man carried no medical bag and made no effort to treat the injured minister. When the Bullocks asked about medical treatment, the "doctor" told them he would have to take them to a hospital.

Although in pain from their beatings, the Bullock were fearful of further violence and declined to leave the bus. Later, they said, the bus operator treated Rev. Bullock from a first-aid kit, but he received no real medical attention until after they arrived in Kansas City late Saturday night.

The couple showed this reporter a bloodied shirt which they said the Rev. Bullock was wearing when he was assaulted. They also exhibited two stained handkerchiefs which they had used as bandages during the long and fearful ride.

Rev. Bullock sustained four round cuts on the face which appeared to have been caused by a ring. He also suffered a sprained finger and multiple contusions of the right leg and hip. He said his eyeglasses were knocked off by his assailant's first blow and were never found His wrist watch was smashed to smithereens, he said.

Couldn't Recognize Brother

Mrs. Bullock, who had spent three sleepless nights on the road was wan and exhausted from the long vigil. Her eyes were red-rimmed with fatigue.

Recounting the brutal assault she said, "I have never seen anything so unprovoked, so undeserved. Everywhere we stopped, the people just looked at him and glared. It was awful."

Mrs. Boyd, who is a nurse employed in a private nursing home, said that when she saw her brother Saturday night she didn't recognize him. "His eye was so contused, his face was so swollen, he didn't look like my brother," she said.

"We don't have this sort of thing in Jamaica," she said fiercely. "Everyone there is treated equally. It is a terrible thing that this could happen to people who belong to nations that are supposed to be friendly."

The Bullocks Tuesday filed with the British consul here, John H. Legg, a formal letter of protest. Legg explaining that the incident occurred outside his three-state jurisdiction, said he would forward the letter to the embassy in Washington.

A final ironic note was added to the situation when the Bullocks recalled the friendly welcome which was given them when they arrived in this country last week.

A Touch of Irony

Clearing through immigration in Miami, they were given a printed pamphlet issued by the Attorney General of the United States. The pamphlet, containing regulations for visiting aliens, is addressed "To All Visitors To The United States." A part of it reads:

"We are glad to welcome you to the United States of America We hope while in our midst you have a most pleasant time. During your stay here you are given the rights to the freedom and privileges enjoyed by citizens of the United States and aliens residing here permanently."

The "right" to an unprovoked assault is one the Bullocks had not anticipated.

Prior to entering the ministry, Rev. Bullock was headmaster of various public schools in Jamaica. He said he received his teacher training at the Mico Training College for Teachers in Jamaica. He trained for the ministry, which he entered 20 years ago, at St. Peters college in Kingston and passed the licentiate of theology of Durham university.

In contrast to their visit here, the Bullocks recalled that when they visited in England in 1952 they stayed at Lambeth palace and were the guests of the Archbishop of Canterbury, head of the Church of England.

Rev. and Mrs. Boyd came to the United States seven years ago as missionaries from the Church of God.

VICTIMS OF FLORIDA 'HOSPITALITY'.— The Rev. Grover C. Bullock (left) and Mrs. Bullock, visitors to the United States for the first time this week, were given a rough initiation into the way the South sometimes treats—or mistreats—its darker-skinned brothers. The Bullocks, en route to Kansas City from Miami, were assaulted in Perry, Fla., by an unidentified white man after the Church of England clergyman refused to move to the rear of the bus. The Bullocks are shown with the Rev. George S. Boyd, Rev. Bullock's brother-in-law, whom they are visiting here.

Tallahassee car pool arrests grow

TALLAHASSEE, Fla., Aug. 27 —(AP)—Two Negro leaders in Tallahassee's 3-month-old bus boycott were arrested by police today in a crackdown on car pool cars operating without "for hire" tags.

One of the men, the Rev. C. K. Steele, president of the Negro Inter-Civic Council, announced that his group was preparing a court test of legality of the arrests.

The two cases made today were set for hearings in city court for Sept. 4. The arrests increased to nine the number made since the crackdown was started last week.

BUS BOYCOTT CHIEF IS ARRESTED AGAIN

TALLAHASSEE, Fla., Aug. 28 (AP)—The leader of Tallahassee's Negro boycott against segregated city buses was arrested today for the second straight day for driving a car-pool automobile without a "For Hire" sign.

The Rev. C. K. Steele was taken to the police station and was released on $100 bond, pending a hearing. Mr. Steele, president of the Negro Inter-Civic Council, which has sponsored the three-month-old boycott, registered a strong protest against his arrest.

He was picked up at about the same place as yesterday. The sedan he was driving was filled with car-pool passengers.

The presiding bishop of the African Methodist Episcopal Church in Florida yesterday called the arrest of Tallahassee bus boycott leaders "a heinous offense against the principles of democracy."

Bishop D. Ward Nichols, who is also resident bishop of his church in New York, made this statement here on his return from a meeting of the World Council of Churches in Matrahaza near Budapest, Hungary.

He said he had called a meeting of the entire clergy under his jurisdiction in Florida—the pastors of close to 400 churches—at the Edward Waters College in Jacksonville tomorrow.

Bus goes round and round 7 miles, but no one rides

Afro-American Sat. 9-29-56 P.13

Baltimore Md.

By ELIZABETH MURPHY OLIVER

TALLAHASSEE, Fla. — On Saturday night down South everybody goes to town to shop, to talk, to get the news, or just to stand around. It was this way in Tallahassee Saturday.

All afternoon people poured in from the rural sections. The ladies crowded the dusty red dirt and sandy unpaved roads, holding their parasols high against the sun, their little ones running along in front, the men walking behind duck-fashion. Students from Florida A-M University were in the parade too.

But no one was riding the bus.

The buses go around and around their routes, rattling from side to side, cruising slowly, but no one is riding.

DARKNESS CAME SOON, a little after 7:30. The moon rose, big and red. You could almost touch it. The temperature had been 90 degrees all day but now soft breezes from the gulf made Tallahassee a tropical paradise.

"This is the time of year when usually everyone is out, coming to town, having fun, enjoying a traditional Saturday night," Lewis Stokes told the AFRO.

"But it's been like this all summer. Practically no one is out at night. Oh, you'll find a few, but Tallahassee has 15,000 of us.

"This bunch is nothing to the many folks who used to be in town on Saturday. They just aren't riding the buses. The country people have gone home by now."

* * *

THIS REPORTER followed the main bus line just to see. It is the A and M Frenchtown line. We started in the center of the city at Monroe and Park, a terminal where domestics and other workers must transfer to go to "their section" of town.

The benches beneath the trees, usually crowded, were empty.

SOON THE BUS came rattling along, its seats empty, its interior hollow. The driver stopped awhile, laid his head on his arms and appeared to go to sleep. Pretty soon he awoke, put the vehicle in gear, struggled off down the street.

Adams and Park is another transfer terminal. No one was there, no one wanted to catch the bus. It is a certainty that if anyone needed a ride he would get this bus here.

This is the heart of town where they must change and get this A. and M. Frenchtown bus to go home.

At Jefferson and Adams, at Pensacola and Adams in "Capitol Center" which is the square upon which are the white supreme court building, the important state buildings, there was not one sound except the crickets in the great live oak trees. No one, white or colored, was on the street.

* * *

"IN NORMAL TIMES this Frenchtown A. and M. bus line would pay for all the 15 other lines in operation in the city. They could always depend on the students to ride when they return in the fall.

The morning domestics going to work and returning in the evening and the Saturday crowd always filled the buses on this line.

But now they have only one bus operating. It just goes around and around. "The driver rests anywhere because he will be ahead of schedule since he has had to make no stops," explained Mr. Stokes, a life long Tallahassee citizen.

"The bus company can not survive without the students. Now the driver tries to encourage children to ride free, to pretend to the public that somebody is riding the bus. But you see, not even the children are riding."

* * *

THE AFRO followed the bus down into the bond subdivision where it was reported one or two people would board the bus.

One woman did. She was about 55 and she had a 25 pound sack of potatoes, a great bundle of what appeared to be soiled clothes to be washed. She dragged heavily on the bus, sat up front near the driver.

Shortly, the bus stopped again after about eight country blocks ride. Another lady got on. About a mile further on the route, a man got on. He was white.

"Let's see why these ladies decided to ride the bus," I said.

"No need to ask," Mr. Stokes said. "You can see when one of them gets off why she is riding."

* * *

SURE ENOUGH, when she did get off the bus about two miles later, she heaved the 25 pound sack of spuds over her shoulder, dragged the heavy bundle in her other hand and shuffled down a dark country road. No one could walk and carry that load she had.

"No need to ask the other lady either," Mr. Stokes said. "She couldn't tell you. She doesn't know the why of anything, doesn't know about the boycott. She can't read or write. She can not understand what you say and I don't think she can talk at all. She has been that way since she was a child."

I took it that she had the IQ of a child about five years old.

* * *

"WE KNOW everybody who gets on this bus," Mr. Stokes said. "Sometimes the driver brings along his kids hoping to make somebody think the buses are full. There are one or two people who get on whom we do not worry about. They can't influence anyone. There are some people who if they get on, that's a good reason for her friends and relatives not to ride."

"If anyone is seen on the buses, in a few hours all his neighbors will know it."

"When the bus goes through the campus, if anyone is on there, the students sometimes jeer and hoot."

We continued on the route until we passed through a busy section where the Royal Palace dance hall is located.

A minister stood preaching to ten or twelve people. Young folks were crowded outside the dance hall, a private bus with the orchestra was waiting outside. It was after 8 p.m. when the dance should have started.

"They're waiting for some more folks to come before they start," Mr. Stokes said. "But this boycott is good for the Tallahassee people. They've gone home, have taken their baths, and are saving their money instead of crowding the dance floor and drinking moonshine. We are a dry county, you know, and there's plenty of moonshine to be had on Saturday night. But now practically everybody is in bed."

No one boarded the bus. It rattled on.

"Let's go around the route one more time," I said. "This is not fun but it is a joy to see how people step back and let the bus go on by. Then they get in the road and walk behind it."

We went around the seven-mile course again. No riders at all this time. The town was getting more quiet. Everything was silent; just the bus kept going around and around.

This bus was the only one on duty in the entire city of 75,000 people. Soon it stopped and the driver went home to bed.

The police chief said that most came voluntarily after being requested to report.

He said some came in their own cars but some were transported in police cars.

In the meantime, the Inter-Civic Council has been required to turn over its records after a subpaena called upon them to be used as evidence in the trial set for Oct. 4.

Atty. Francisco Rodriquez of Tampa will serve as a counsel for the defendants in the trial.

Civil Rights Violated

Investigate Cops In Tallahassee, Governor Asked

Courier P.5 Pittsburgh Pa.

TALLAHASSEE, Fla.—Gov. LeRoy Collins has been asked to investigate action of local police as a number of Negro citizens are being questioned in connection with the current bus protest.

The Rev. C. K. Steele, president of the Inter-Civic Council, in a wire to the Governor charged that city police are violating the civil rights of citizens.

The Rev. Mr. Steele claimed that during the past few days, as the date for the trial of 11 persons arrested for driving in the car pool nears, "a number of Negro citizens have been taken from their homes to the police department for questioning in connection with the bus situation."

Sat. 10-6-56

Police Chief Stoutamire said Negroes are being questioned, most of them witnesses to arrests of protest car pool drivers.

Afro-American Baltimore, Md. Sat. 8-4-56 p. 3

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READY TO ROLL—Vehicles used in Tallahassee by bus boycotters are shown parked during a Civil Defense drill in the Florida city last week. Dan Speed, chairman of transportation committee of the Inter-Civic Council, keeps these cars rolling.

ICC Diary

Afro-American Baltimore Md. Sat. 8-4-56

TALLAHASSEE, Fla — Here is a complete chronological report ("ICC Diary") of major events that have transpired since the bus boycott began here May 26 of this year, issued last week by the Inter-Civic Council:

May 26—Arrest of girls.

May 27—Cross burned in front of girls' residence.

May 28—Florida A. and M. University students originate bus resistance movement.

May 29—Members of Tallahassee Civic League and interdenominational Ministerial Alliance (nine men) visited offices of City Manager Arvah Hopkins and Bus Manager Carter seeking relief. Carter told the group he ded not care if colored people ever rode the buses.

May 29 — 8:30 p.m. — Inter-Civic Council of Tallahassee organized simultaneously voted to refrain from riding buses.

JUNE 3 — THE GROUP WAS CAUTIONED very forcefully against all violence and in consequence everyone pledged to approach all adversaries with tolerance and love. Citizens encouraged to add cars to pool and contribute as liberal amounts as possible to fund.

June 6—Reference to recently rendered decision at Montgomery relative to desegregation on intrastate buses reinforced enthusiasm of council members. Report of the reaction of the city commission to the ICC's proposals was read.

The fact that city commission was bold enough to claim that "courtesy" towards all colored people is already in effect amazed audience in that practically every colored bus rider can relate some humiliating, embarrassing, degrading experience on a bus.

* * *

JUNE 10 — SIXTY-THREE cars and two station wagons registered with pool. Riders advised by all means not to pay drivers. All contributions should be made directly to the ICC. Encouraging remarks made by a representative of Congress of Racial Equality (CORE).

June 13—The number of cars in the pool has increased to 73. It seems as if drivers in pool are being unnecessarily agitated by police department.

Arrests have been made for extremely small violations that would certainly have been ignored during the period prior to the protest.

Proof that city commission can change conditions of the bus company's franchise evidenced through increase of bus company's payment required by city reduced from regular rate of 3 per cent to ½ of 1 per cent.

Various speakers from floor praised ministers and educators who are fulfilling duties and living up to their moral obligations to guide their people both spiritually and intellectually in the direction of righteousness and justice.

* * *

THE PEOPLE VOTED unanimously again to continue in the protest against unfair practices as have been dealt out on the buses.

June 17—Fines were paid for car pool drivers intimidated by police. Drivers urged repeatedly to observe as carefully as possible all traffic regulations so as to avoid this expense on the part of the council.

City commission is still practically refusing to recognize the elected leaders of ICC and continues to attempt to negotiate with a few "chosen" colored people who, it is rumored, have received some personal favors from certain whites and are therefore protecting their own selfish interests.

Due to this, various articles in white papers have implied that the colored people are divided. However, from all with a reading of the Bill of Rights and excerpts from the Declaration of Independence. Many papers were criticized for the nonobjective coverage of situation here.

Some editorials stated that colored people are being "unreasonable" in their demand for integration. A speaker from the floor brought attention to the fact that segregation on public conveyances is in effect in only about ¼ of the country and asked if ¾ of the country is being "unreasonable."

Other criticisms were expressed about Governor Collins' assertion that the entire movement had been spearheaded by outsiders and the NAACP.

* * *

JULY 8—MORE PROPOSALS were submitted to the council by the city commission. Most felt that these were in essence the same as those that had been considered before. However the proposals were voted on separately.

The proposals on courtesy and bus drivers were accepted, while those on the seating of passengers and the interracial committee were rejected. A committee was to be formed consisting of six white members and six colored members.

Ten colored people were to be elected by the ICC, six of whom would be appointed to the interracial committee. The group believed this technique was especially designed to exclude the Rev. Messrs. Steele, Rollins, Dupont and the like from the committee.

* * *

JULY 11—TOWARD THE END of this evening's program the Rev. Mr. Steele, who had been absent from the two preceding meetings because of business engagements out of town, entered and the audience stood cheering for approximately seven minutes. Someone said:

38b

'COME AND WALK in Tallahassee,' prays the Rev. Ulysses Smith at the regular Sunday night mass meeting in the Bethel A. M. E. Church.

"Every coward in the world should have been there to see how much the people love a man who stands up fearlessly for what he believes is right and speaks his real sentiments irrespective of the cost."

In general, the people here are very proud of their ministers, most of whom have proved that their religion is more than form, ceremony and empty talk.

* * *

JULY 12—FOR SOME UNKNOWN reason city officials expected the proposals to be reconsidered again July 11, although they had not contacted the executive board of the ICC. Consequently they angrily announced that they had "slammed doors on further negotiations."

At this point the papers also described efforts on the part of the mayor to encourage the board of control to exert its influence by curbing the participation of Florida A. and M. University professors and their wives in the "boycott."

Many think that this is just another threat in an attempt to intimidate the colored people.

One man said:

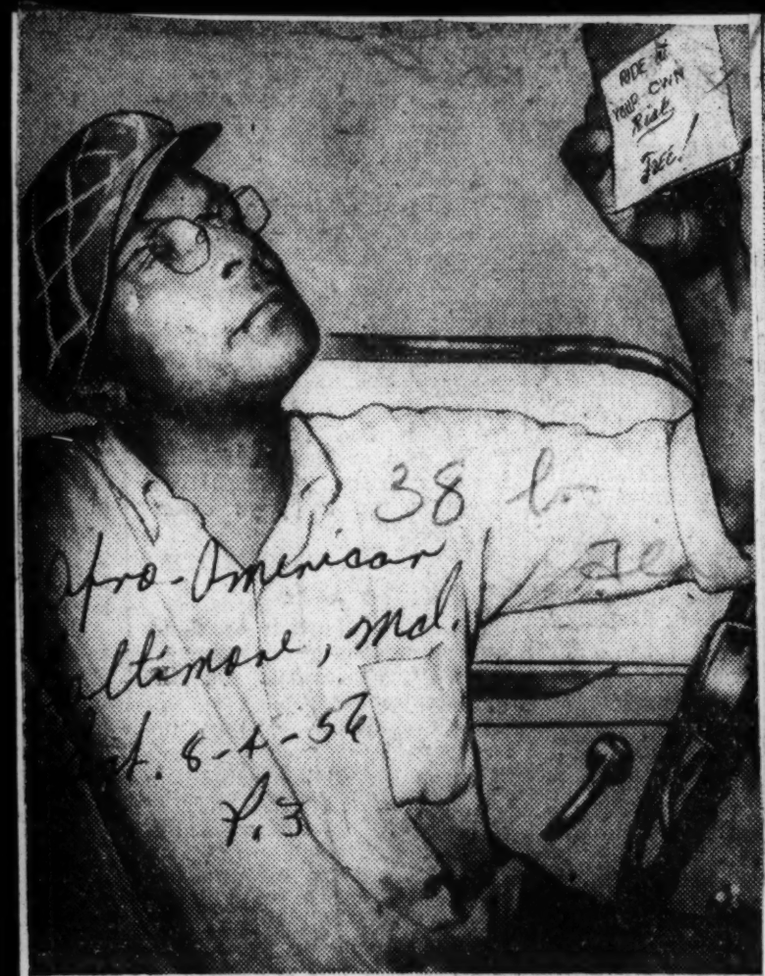
"Instead of becoming intimidated, I am becoming disgusted. Not only am I now fighting for a fair deal on a bus, but I am also helping to ward off fascism. In a democratic country one should not be told where not to go, what not to say and what to ride."

July 13—There has been much talk here of a "ride-the-bus" campaign among the whites, so as to insure some patronage for the company when it resumes operation Aug. 2.

* * *

COLORED PEOPLE SUSPECT that the campaign organizers have not found as much interest as expected. Otherwise such enticements as free rides on the first day, free refreshments and coffee on buses would probably not be necessary.

July 19—Legal moves made by the city commission were made to cripple the car pool operation: Rev. Mr. Steele stated that if there is a law to arrest us for driving our own cars, buying our own gas and picking up our own friends, then we'll test the law. He promised drivers the best legal talent the nation has to offer.



KEEPS GOING—Johnny Cook, car-pool driver, who has been arrested three times, vows to keep his car in operation getting bus boycotters to and from work.

LEADERS IN TALLAHASSEE BUS PROTEST — Rev. C. K. Steele (L) and Dan Speed caught in conversation Monday on Auburn Ave. prior to their conference with the Atlanta Baptist Ministers Union — (Perry's Photo).

Bus Protest Is Still Strong, Leaders Say

By WILLIAM GORDON
Managing Editor, Atlanta Daily World

Two top leaders in the Tallahassee bus protest were in Atlanta Tuesday on special business and indicated that the feeling against segregation in their city "is just as strong as ever if not even stronger."

Rev. C. J. Steele and Dan Speed of the Inter-Civic Council of Tallahassee are content that the drive against segregation by Negroes in Tallahassee and in many other part of the South will continue.

"There has been no let up on our part in Tallahassee, even though police officials have arrested and fined many of our people," Rev Steele said. He said Negroes are still staying off the buses in Tallahassee, and that the feeling is they will continue to do so, as long as there is segregation.

"Many people don't know we didn't take a compromise," he said. "We felt that as long as there is a vacant seat on a bus, no one should be forced to stand, whether Negro or white."

The protest grew out of an incident last spring involving two women students at Florida A. and M. University. The young women boarded the bus near the campus and found that the only seat vacant was one designated for white people.

WOMEN ARRESTED

The two women attempted to take the seat, but the driver of the bus asked them to move. They did so, but asked for a drefund of their money. The driver refused and later called the police charging they had been disturbing the peace.

The incident set off a city-wide protest by Negro citizens segregated seating on buses in Tallahassee.

Rev. Steele said that eleven of their members in the Inter-Civic Council had been subpoened on charges they were operating "for hire" vehicles in the city without a license.

Trials for the eleven have been set for Thursday morning in Tallahassee.

The Inter-Civic Council has been operating a motor pool from which cars have been dispatched to transport people to and from their work during the protest.

ASKED FOR RECORDS

City officials in Tallahassee have been using various means to break the protest, Rev. Steele and Mr. Speed said. The latest move has been to ask protest leaders to surrender their books and records.

"Whatever the outcome, we will continue to stay off the buses, and if necessary we will walk rather than ride, "Rev. Steele stated.

Since city officials have hit at the car pool, Inter-Civic Council leaders said many Negroes have brought their own automobiles, rather than go back on the buses.

Recent reports indicate that the bus company is operating at a "tremendous" loss. Others sources reveal that unless more than sixty percent of the Negroes go back to riding the buses, it will be impossible for the company to stay in business.

NO EFFECT

A drive had been spearheaded make possible free passes for servants and other workers. They were out to housewives and others employing Negroes, making it possible for many to ride the buses with charge. The move failed to take effect.

Many white people, Rev. Steele said, are giving free transportation to their maids and other help. They usually pick them up in their automobilies, take them and return them at the end of the day.

The Inter-Civic Council is still in need of funds to continue to operate, Rev. Steele said. Headquarters for the Inter-Civic Council are located at 803 Floral St., Tallahassee, Fla.

While in Atlanta Tuesday, the leader met with the Baptist Union, a group of ministers representing most of the churches in this area. The Union gave them $100.

They Are Fed Up!

Courier 8/4

In Tallahasee, Fla., where the Negro boycott of the city buses is entering its sixth week, the City Commission has voted to restore service on a segregated basis and provide police protection "for any Negroes who want to ride."

Mayor Fred Winterle agreed with the commission that they were "sick and tired" of further negotiations with the Negro Inter-civic Council, adding: "We're fed up."

Pittsburgh Pa.

The extent to which the Tallahassee City Commission and the Mayor are "sick and tired" and "fed up" is nothing compared to the feeling of the erstwhile Negro passengers.

The latter have been "sick and tired" and "fed up" for years with discourtesy, rudeness, insult and violence on the buses in their home town.

Sat. 8-4-56

They are asking merely that Negro passengers (paying the same fare) be accorded the same consideration and treatment as others, no more and no less.

If Tallahassee's city fathers cannot do that, then let them support the bus company themselves.

Florida Boycotters Blast Gore

Afro-American

By Elizabeth Murphy Oliver

TALLAHASSEE, Fla. — "We are certain of victory."

"The opposition doesn't have a legal leg to stand on."

This was a statement made by Francisco Rodriquez, NAACP attorney from Tampa, Fla., addressing a capacity audience at a mass meeting at Bethel Baptist Church here, Wednesday night.

trials scheduled for Thursday, had been postponed until Oct.

Baltimore Md.

The rally is considered the citizens' answer to an ultimatum issued by President George M. Gore Jr. of Florida A. and M. University to faculty members who are supporting the bus boycott.

Sat. 9-29-56

Faculty members present at the annual meeting of FAMU staff told the AFRO Mr. Gore threatened to fire any teacher or university employee who supports the boycott movement.

An officer of the Inter-Civic Council quoted Dr. Gore as telling the teachers:

"Either you are loyal to the university or loyal to something out there.

"Cast your lot with this ship or get off. You can't be loyal to both."

He is further quoted as saying participation by faculty members in the boycott is embarrassing the university.

* * *

ON THURSDAY, the Rev. Charles Kinzie Steele met with the university president. Later he issued a statement to the local press and made a statement over a local radio station, WTAL.

"As president of the Inter-civic Council," he said, "I cannot go along with any effort by anyone toward making a political football out of our local university."

The minister said he is of the opinion President Gore has wisely kept the university officially out of the boycott.

He added, however, "The boycott movement continues."

* * *

EARLIER DR. GORE told the AFRO:

"No faculty or staff member who works with the Inter-Civic Council will be fired or molested by the administration or the Board of Control.

"I have never heard the Board discuss the matter of the bus boycott at all.

"They have never discussed race in any respect. They are not that kind of people.

"It is the legislature that bothers me," he said. "I am interested in getting money for the school. Since this has come up, I am worried.

He further said he is not asking the students to resume patronizing the bus.

"It is the hope of the better-thinking people of both racial groups that the matter may be brought to a conclusion for the best interest of and respectiw, best interests and respect for the human dignity of all.

"It is to everyone's advantage. Many are suffering; many are going bankrupt."

The tiral delay was granted by Judge John A. Rudd on request of City Solicitor Edward J. Hill.

Dr. M. C. Williams, executive secretary of the Inter-Civic Council, stated:

"I don't think they have a legal leg to stand on. I think we may lose in the Municipal Court, but upon appeal we are certain of victory. We plan to to carry it to the highest court in the land if necessary."

Rodriquez said, at the mass meeting held by the council:

"You know you are right. The state looks upon you. The world looks upon you. It is my hope that every vestige of segregation is removed from the city of Tallahassee."

"I HOPE that the germ you have incubated here in Tallahassee will affect and spread from Pensacola to Key West.

"We must learn to fight with the weapons of the period: Don't talk too much at the wrong time; feed your brother, he will learn to feed you; desire your freedom now, we can not wait.

"The formula is legislation, litigation. The time of compromise with those of us who are against us is over. Those leaders who work against the right and us will be exposed," he concluded.

* * *

THE PROTEST movement was started last May by the students of A and M after the arrest of two A and M coeds who sat beside a white woman on a city bus when there were no other seats available.

This occurred on the A and M-Frenchtown route, which is predominately colored

The students voted to refrain from riding the buses after the arrest of the girls and a subsequent cross burning on the lawn of the residence where the girls were living.

The protest quickly spread to the community and was organized by the Ministerial Alliance.

* * *

SINCE THE inception of the protest, many University personnel have participated actively in the support of the movement.

Some five weeks ago, 15 or 20 active university professors, mostly key personnel, were called in separately by the president.

When asked by reporters as what went on at those meetings, these professors gave a terse "no comment." However, it is generally held that they were were given essentially the same ultimatum that was given the general body.

* * *

THE INTERCIVIC Council named certain faculty members as unsympathetic toward the boycott.

Dean of Women Edna Calhoun; J. Luther Thomas, librarian; H. M. Efferson, dean of the college; G. W. Conoly, alumni secretary; A. S. Parks, history and economics instructor; and M. S. Thomas, dean of the school of engineering.

Dean Efferson made six statements for the press, but requested they be struck out, after stating that whatever he said the press would be twisted.

He finally said he could be quoted as saying: "I have no comment."

* * *

EFFERSON HAS been accused by the council as saying riding in the back of the bus didn't make him feel he was a second-class citizen. He is also said to have declared that he was not going to the mass meetings, that he did not approve of them and that the "sensible people" should handle the situation.

He is reported to have said the groups should settle the dispute without boycott, sit at the table and solve the problem in a more reasonable way."

* * *

Dean of Women Calhoun stated:

"I devote myself to my job entirely. I have been out of it (the boycott). They have done well in carrying the thing along. I was not in it to begin with and I am not in it now. I don't know why they would list me.

"I have not been interested in it. I nor anyone has tried to keep the girls (coeds) away from the press.

"Wilhelmina Jakes (one of the girls originally involved) has a room reservation, normally we would expect her to return. I do not think she is back yet. The other girl is not due to come back."

SOME 700 freshmen enrolled in A and M University Wednesday. More than 2,700 students are expected.

The campus is quiet, but no students are riding the buses, and the boycott cotninues.

In a special interview, Dr. Gore said:

"I'm tired of it all. If I have to listen to any more talk I'll crack up." Dr. Gore made this heply when asked what was his comment now following the radio broadcasts.

He declared "I have made no statement to anyone."

"Does your statement to the AFRO, that no one will be fired still stand?" he was asked.

"Yes, it has not changed. Please don't ask any more, don't you have any heart?"

Mrs. Goe said, "Somebody has to save him. They have twisted his words for some ulterior motive.

"Why would anyone want to crucify him. I feel sorry for those people who are fighting for whatever they are fighting for."

only to keep up the car pool, but to defray legal costs of 11 members of the bus protest council who have been convicted of violating state laws in their activities.

* * *

(3). THE SITUATION arising at Florida Agricultural and Mechanical University growing out of the bus protest, which reportedly last week saw the school president, Dr. George Gore Jr., threatening dismissal of any faculty members who actively participated in the boycott.

(4). The apparent schism in the Inter-Civic Council, spearhead of the bus protest, over the support of Dr. Gore's position by the Rev. C. K. Steele, president of ICC, and members who do not agree with the university president.

(5). The postponement until Oct. 4 of the appeals hearing of the 11 members of the ICC who were convicted of a state law against operating common carriers without being licensed to do so.

(6). The return to FAMU of some 2,000 students, none of whom are riding the buses, and most of whom will be in need

Crisis near in bus boycott in Fla., Ala

Afro-American Sat. 9-29-56

TALLAHASSEE

By ELIZABETH MURPHY OLIVER

(Earlier Story on Page 6)

TALLAHASSEE, Fla.—There are six late developments in the nearly four-month old bus protest movement carried out by the colored residents of this city.

Baltimore Md.

(1). The dire need for three station wagons to keep the harassed car pool, operated on a volunteer basis by individual citizens and church groups, functioning

(2). The need for funds not

of transportation in getting from their hilltop campus to various places throughout the city.

* * *

"IF WE COULD overcome our transportation problems caused by lack of funds, we could win this thing with ease, Dr. M. C. Williams, executive secretary of ICC, said at a special mass meeting Thursday night.

Afro American

"The students have returned," he pointed out: "We need to furnish transportation for the townspeople. The specific need is for at least three more station wagons and funds for future litigation in the higher courts if it becomes necessa-

Fla. bus boycott leader plans suit

Afro-American P. 1

Sat. 9-8-56

(Special to the AFRO

TALLAHASSEE, Fla. — "If they pass new laws in an effort to stop us, we will test their laws."

This was the promise made by the Rev. K. Steele, boycott leader, prior to the special session of the legislature here last July.

In keeping with this pledge, a test of the car-for-hire law now looms as a certainty.

* * *

EIGHT PERSONS, including the Rev. Mr. Steele, will be tried on Thursday (Sept. 6) on charges of violating the car-for-hire law in connection with car pool activities.

It is understood that the constitutionality of the law, as interpreted by police and city officials, will be challenged.

Further, it is understood that NAACP lawyers will collaborate with Theries Lindsay, boycott attorney, in laying the legal basis for carrying the fight all the way to the U.S. Supreme Court, if necessary.

* * *

THE REV. MR. STEELE, president, and other offices of the Inter-Civic Council, met last weekend to map details of a civil suit to be filed in connection with the arrests.

Both the police department and the city commission will be listed as defendants, it is understood.

Afro-American

Despite the arrest of 11 drivers, including himself, the Rev. Mr. Steele declared Wednesday: "I've always picked people up since way before the boycott started and I'm not going to stop now."

The minister said he hadn't noticed any diminishing of activity among the drivers in the car pool since the police crackdown began last week. He added:

"Actually, the police are helping us every time they make an arrest as it makes our people more and more determined."

It was also announced that a plan for carrying auxiliary, or "spare," drivers in car pool vehicles beginning Monday to avoid delays which have been caused when drivers are arrested and taken in for questioning.

HE DOESN'T actually own the car he was arrested for driving in the car paal, the Rev. Mr. Steele said. "It's God's car and I'm just the chauffeur," he declared.

Having posted $200 bond after his arrest, the Rev. Mr. Steels, pointed out that he receives no payment for the upkeep of the car, added: "I burned just as much gas in my car before the boycott started as I have since."

In addition to the Rev. Mr. Steele, others accused of violating the car-for-hire law are the Rev. King S. DuPont, Dan Speed, director of the car pool; Horace Parker, Eddie Ironns, an accountant at Florida A. and M. University, and his wife, Mrs. Bessie Ironns; Ralph Coleman and Ossie Burns.

* * *

THE REV. MR. STEELE defined the arrests as an all-out effort by police to break the boycott before school begins this month.

When bus services was resumed last Aug. 1, after being suspended for a month, the Rev. Mr. Steele and other ICC officers urged colored people to refrain from riding.

Although two colored men were hired as bus drivers, the boycott leaders declared: "We will not be herded to the rear of buses like cattle, although they are manned by colored drivers."

* * *

THE ARRESTS followed an opinion by Attorney General Richard Erwin that car pool drivers were violating the car-for-hire statue, although they rode assengers free of charge.

To date, however, the law has been applied only against colored persons. Many state and city white employees transport their friends and krslb-o i,c ua eat dnp ycor ow. coworkers daily, but no action has been taken against them.

Police Chief Frank Stoutamire announced that the arrests will continue until the police are convinced the car pool activities have been curtailed.

On Saturday, the colored ministers of the city—under sponsorship of ICC—held a citywide Day of Prayer. City officials were invited.

The previous night the Ku Klux Klan held a big meeting about six miles outside the city.

Tallahassee, Fla.
Inter-Civic Council

Aug. 29—The city commissioners, because of public disfavor, shelved their plan to pass an ordinance that would make voluntary car pools illegal.

However, they were able to get the state attorney general to interpret a state law involving "vehicles for hire" to cover the colored car pool. With this in mind, the police have arrested 11 persons to date with the charge of improper driver's license and improper tag.

It is the concensus that they do not expect to win these cases but they hope to accomplish three things;

(1) To break the treasury of the Inter-Civic Council;

(2) To intimidate enough drivers to render the pool ineffective;

(3) To cause a stoppage of service for a week or more, which they hope will tire the persons out of walking with the result that they will go back to the buses.

* * *

MR. AND MRS. HENRY SMITH and their twin daughters of 821 Liberty St. were driving their own car.

The father on the way to work, the mother and a neighbor on their way to the dentist in a neighboring city, when the police rolled up besides them and barked, "consider yourself under arrest; follow me to the police station."

Upon arrival at the station, the police lieutenant placed a blank charge form in front of him ordering him to sign it. Mr. Smith told him that he couldn't sign that statement, that he would have to see his charges.

His refusal provoked the officer, whereupon, he took Mr. Smith to a small cagelike cell and shut him in.

* * *

SEEING THE futility of their intimidation attempt, the chief of police ordered the lieutenant to let him out, by which time they had the charge of improper license and tag prepard for him to sign.

He was released with a $100 appearance bond.

August 27, the attorney for the Inter-Civic Council handed City Judge Joan Rudd a memorandum to the effect that, in view of the fact that the charge of violating the "vehicle for hire" law is a state law, the city has no jurisdiction in the cases of the persons whom the city police have arrested.

Monday, of course was plea day for those that were arrested. Upon glancing at the memorandum, the judge told the attorney:

* *

"I'VE BEEN running this court for three years and this is the first time I've ever had an attorney try to tell me how to run it; either enter a plea for the persons you're representing or I'll forfeit their bonds ($150 each) and order their rearrest," whereupon the attorney entered a plea of not guilty.

Ku Klux Klan membership applications were found scattered in the downtown store fronts early Monday morning. The application appealed to all white Americans who believed in segregation. The joining fee, $10, the renewal fee, $3.

* *

IT WAS reliably learned that the KKK planned a cross burning meeting just outside city limits of Tallahassee Saturday, September 1. The Inter-Civic Council planned a prayer meeting at the exact time the Klan meeting was to convene.

Our slogan for the night, "Although we walk through the valley of the shadow of death, we will fear NO evil for Thou art with us."

Instead of getting the result of intimidating the colored people into riding the bus, the police, through their harassment, have made them more determined to stay off the buses.

Since the harassment began, fewer people have showed up at the car pool stations, but they're either riding with a friend, their bosses are picking them up, or they are WALKING, because they're NOT riding the buses, much to the dismay of the bus company officials and the city officials.

* * *

RUMORS STILL persist that the bus company officials have told the city officials that unless the colored people begin riding the buses within the next month, they will have to go out of business, this time for good.

The Leon County Chapter of the Florida Voters' League has divided Leon County into 13 communities, each of which is being worked systematically by teams in an attempt to get every eligible colored citizen registered.

Sat 9-29-56

THE REV. MR. STEELE, when questioned Friday about seemingly having cooled toward the bus boycott and gone over to the side of President Gore, emphatically denied this.

"I am still with you 100 per cent," the worn-looking pastor of Bethel Baptist Church told the mass meeting participants. "If he (Gore) fires anyone, I will fight him and fight harder than ever.

"I don't think, however, he is out to hurt anyone. He is interested in the university. He has worked hard there to build a first-class school and raise teachers' salaries.

"I said what I felt all the time was right. This is not a battle of hate but one of love," he concluded.

* * *

THE APPEAL for funds sent out by ICC Friday follows:

"Here in Tallahassee, Fla., the only unconquered state capitol of the confederacy, we (the Inter-Civic Council) have found the fight for freedom to be a very expensive affair.

"It has been remarkable however the way the people have kept the head of our organization above the waters of insolvency. We have received a few contributions from out of the state and city; for this we are indeed thankful.

"Now that our protest has brought 11 of us under arrest and arraignment in City Court and since we are positive that all these cases will have to be appealed at least to one and maybe more of the higher courts of the land, it is now imperative that we make a special appeal to our friends over the country for help.

* * *

WE ARE further obligated to help our churches with the transportation crisis that arose from our walking campaign against segregation.

"At present we have been able to help only one of our churches with the purchase of a station wagon. We are now in need of at least three additional vehicles.

"Therefore we are here and now appealing to those who are opposed to segregation and who are in sympathy with our cause to send us whatever help possible. This is indeed a SOS call.

"Within the last six weeks there have been times when our treasury has been as low as $37.

"Send all contributions addressed to the Inter-Civic Council, Inc., 803 Floral St., Tallahassee, Fla."

BOYCOTT HEADS SCORED

Times 8-4-56

Tallahassee Mayor Says Some Seek Self Glorification

New York

TALLAHASSEE, Fla., Sept. 1 (AP)—Mayor John Humphress said today that some of Tallahassee's Negro leaders were using the boycott of the city buses as a means "for their own self glorification."

Mr. Humphress said in a statement that everything Negro leaders had complained about in the bus dispute had been rectified except segregation in the buses.

Sun 9-2-56

"Negro drivers have been employed by the bus company and every reasonable assurance given as to prompt and courteous service to passengers," he said.

"But the extremists in the Negro group are not satisfied," he added. "They apparently thrive on agitation and must have an issue."

The boycott was started three months ago in a dispute over segregation seating, which is required by state law.

Mr. Humphress charged that Negro leaders were making "reckless statements" that were "absolutely untrue and unfounded."

Florida Group Delays Action On Car Pools

Advertiser Montgomery, Ala. Wed. 8-15-56

TALLAHASSEE, Fla., Aug. 1 (AP) — The Tallahassee City Commission postponed action indefinitely today on a proposed ordinance which would have regulated operation of car pools.

The action was taken without discussion.

P. 2-A

City commissioners had said previously the ordinance was unnecessary in view of a ruling earlier this month by State Atty. Gen. Richard Ervin that car pool drivers transporting Negro bus boycotters must get "for hire" tags for their automobiles.

The proposed city ordinance would have required cars transporting passengers "regulary and continuously" in the city limits to buy special tags.

The attorney general's ruling was given to Mrs. Ina Thompson, state motor vehicle commissioner. She said she had asked for it at the request of several groups, including Tallahassee city officials.

For the average car, a "for-hire" tag would cost $10.

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withdrew before the presidential sweepstakes.

Boycott Goes On, And On, And On

Defender
Chicago, Ill.
Sat. 8-11-56
P. 8

BOARD OF STRATEGY — Here are the masterminds of the boycott movement. Left to right: Eddie Barrington, Jr., assistant secretary; Dr. M. C. Williams, secretary; Rev. J. Metz Rollins, Jr., treasurer; Rev. K. S. Dupont, vice; Daniel B. Speed, transportation chairman; Rev. H. McNeal Harris, council member; Elbert W. Jones, co-chairman of transportation. Not seen are Rev. C. K. Steele, president; Father David H. Brooks, member. and Dr. James Hudson. chaplain.

Tallahassee Gets Its Buses Again

Defender Chicago, Ill.
Sat. 8-11-56

The Tallahassee bus boycott is facing a critical hurdle as once crowded buses begin to roll again here after being forced from the streets by the effective campaign pursued by Negroes fighting for recent treatment and a representative share of jobs.

Various techniques are being utilized by the local Lions Club and other civic organizations along with city officials in the "ride-a-bus" campaign which is accompanying the resumption of bus service here on Aug. 2.

Although the bus lines are rerouted away from the Negro communities, much of the campaign is directed toward breaking the bus boycott which caused the local transit company to discontinue its services July 1.

Check of the records revealed that some $100,000 of the gross income of $170,000 has been poured into the coffers of the company by Negroes riders during the past year.

Among the techniques being used in the campaign are issuance of cut-rate passbooks particularly to white women who employ Negro domestics.

Previously, it was the custom to give domestics 20 cents carfare daily.

Now the workers are given bus passes in lieu of daily carfare.

Free tea, coffee and orange juice is also being offered bus riders and both newspapers and radio are giving time to encourage persons to ride buses.

Intimidation of Negro automobile riders and drivers is also a part of the campaign to force Negroes to ride the bus.

It has been reported that two Negro bus drivers will be imported from St. Petersburg to drive buses which will still service primarily Negro areas.

There is also a report that a "ride-a-bus" petition is being circulated through the Negro communities by "selected Negro leaders."

The local newspaper editor announced that "a leading Negro citizen" visited his office and stated that a number of Negroes wanted to ride the bus, but were afraid of "reprisals."

Police protection is being given those Negroes who desire to ride the bus.

Critics now include — in addition to local officials, bus company executives and some newspapers — Gov. Leroy Collins, who termed the bus boycott "a miscarriage of ambition."

Admitting the boycotters "had some just grievances," Gov. Collins said that the NAACP, which he credits with leading the protest, "should concern itself with other conditions of far more importance than where people sit on buses."

The Inter Civic Council supported boycott started some 10 weeks ago when two coeds from Florida AM and N university were arrested for taking a seat next to whites. Their cases were later dismissed.

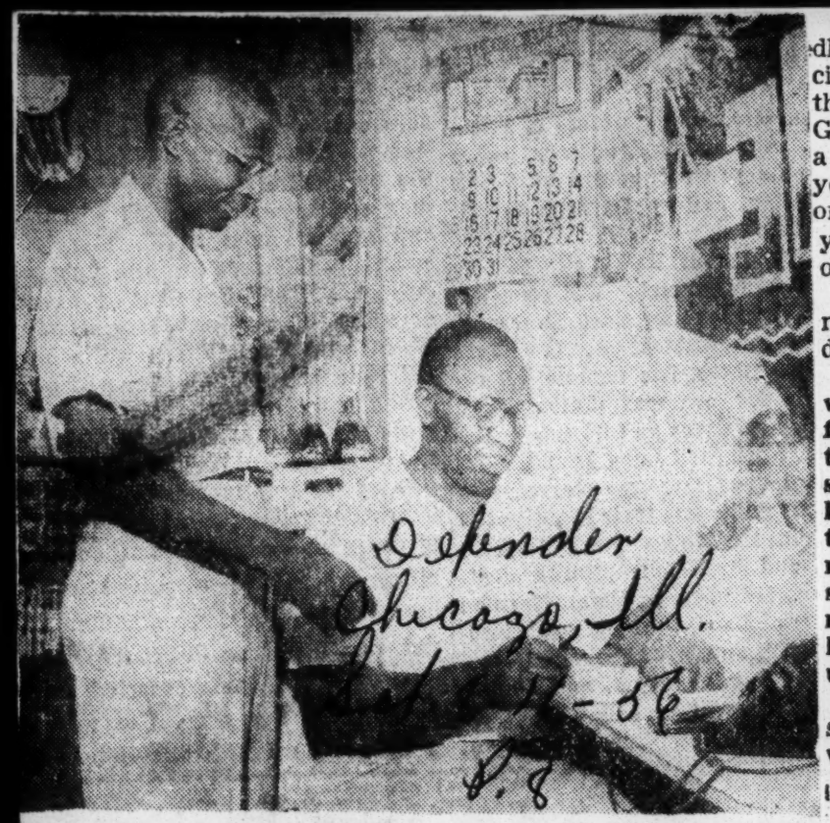
Cities Transit company halted service Saturday night, July 1 and Stetson Coleman, company president, announced it a temporary move pending a decision as to whether "the white people or the Negroes are going to run" the city.

Of Tallahassee's 40,000 people, about 70 percent of the daily bus traffic of around 1,500 had come from among the city's 14,000 Negroes.

Big kink in the negotiations has been the refusal of the city and bus company to meet requests of the council for non-segregated seating on buses.

The city had agreed to a plan of reserving one 3-passenger seat on the front of buses "for potential white passengers" in Negro areas until all other seats were filled, then first come, first serve (except on Fla. AM and N and Frenchtown routes).

Council members in their last offer asked a 24-man interracial committee, with the 12 Negro



AT BUSY CAR POOL HEADQUARTERS a driver, Leroy Howard, checks in to Daniel Speed, dispatcher. Car and sta-

tion wagons operated by the pool are not self supporting and meet with continual harassment from city police.

members to be appointed by the council, to work out the seating arrangement.

Daniel B. Speed, grocerymar and transportation chairman, has plans for an improved pool service.

There are 74 cars, three station wagons and a bus available. Speed's busy store is central headquarters for calls for rides and cars are dispatched from there and four other locations.

A full-time secretary has been hired.

Critics have lambasted leaders of the boycott and questioned their motive. The boycotters also refuted statements that most of the outspoken fronters are "newcomers."

On the matter of the boycott aims being called unreasonable, one woman said "those who say that it's unreasonable for Negroes and whites to sit together are saying that three-fourths of America is unreasonable."

"If seating is the minor thing they say it is," she challenged, "why do they worry about it?"

Claims that racial relations have been greatly impaired by the boycott were denied by a number of people who said they see no or little difference in the average person of the other race.

A NEWS RELEASE, purportdly from the Inter-Civic Council which has been sponsoring the bus protest, charged Dr. Gore with having stated during a faculty meeting that "either you are loyal to the university or to something out there; cast your lot with this ship or get out. You can't be loyal to both."

Dr. Gore charged that statements attributed to him were distorted.

"I thought it my duty to advise members of the college family to evaluate their positions in the community in respect to current existing problems. I made no reference to the bus boycott nor did I dwell more than three minutes on the subject during a discussion on many matters affecting the college that lasted some 45 minutes.

"I have been advised by persons not officially connected with the college of personal sit-

DR. GORE SAID that no official action had been taken in regard to any member of his faculty and no member of the board of control or any legislative representative has said anything in regard to the participation of mem'ers of the faculty in any community movement.

"I must admit, however, that when matters affecting the personal lives of some of my faculty members were called to my attention, I did call them in and discuss the matter with them," Dr. Gore said.

The Rev. C. K. Steele, president of the ICC, also said that the release of statements attributed to Dr. Gore were "unfortunate and untimely."

Steel said that as far as he was concerned, there was little if any deterioration in race relations in Tallahassee since the boycott. "In fact, merchants downtown seem to show an even greater respect for Negro patrons than previously," the Rev. Mr. Steele said.

■

DAN SPEED, another key

LITTLE REMINDER

■

• A person who is not big

Bus Protest Records Are Surrendered

Courier p. 1

TALLAHASSEE, Fla. (INS) — The Tallahassee Negro inter-civic council Thursday turned over its records to city court after receiving a subpoena issued by Municipal Judge John A. Rudd.

A hearing was held earlier Thursday and council Attorney Theries Lindsey objected to the subpoenas on grounds that he did not have time to consult with council members of the significance of the order.

However, Judge Rudd ordered the records turned over to the court by 2:30 P. M. and shortly afterward they were delivered without comment.

The subpoena was issued in the case of Dan Speed, one of 10 Negroes charged with operating a for-hire vehicle without a proper license during the boycott of Tallahassee buses by Negroes.

FAMU President's Statements 'Distorted'

Bus Boycott Upsets Fla. Campus

By AL DUNMORE

Courier Tallahassee, Fla. p. 3 Sat. 9-29-56

TALLAHASSEE, Fla.—Dr. George W. Gore, president of Florida A and M University, denied statements attributed to him inferring that he had advised faculty and staff members at the state-supported institution against participating in the three-month-old bus protest.

"Published statements completely distorted remarks made by me as president of the university during a confidential chat with members of the college family. I feel first that the published statements resulted from a breach of confidence on the part of someone and certainly those published statements were out of context," the president told the Courier.

Dr. Gore

enough for criticism is usually too small for praise. uations that affected member of the faculty. In some instances where creditors were lenient, they are now demanding that obligations be met. Since these persons were contacting my office with threats of garnisheeing wages, I thought it best to advise my faculty that this situation existed. I would have been remiss if I had not explained this to them. What I said was not in the light of attempting to influence any local, state or national problem. It was not a personal matter that needed airing," said the university president.

member of the ICC, and operator of the Speed Grocery store, one of the largest Negro-owned and operated grocery stores in Florida, said he had felt no economic squeeze as a result of his participation in the protest. "In fact," Speed said, "I can now buy more stock than I need."

Dr. Gore, in his interview with the Courier, stated that as the president of Florida A&M University, his major concern was the welfare of the institution. "I cannot place myself in a position to dictate to any of the members of my faculty how they must think or act in regards to problems outside the university—but I do know that what affects their lives personally, must affect their usefulness to the institution."

The Negroes will come to trial October 4. Rev. C. K. Steele, president of the Inter-Civic Council and a leader of the boycott, has two charges pending against him. All arrests were the outgrowth of car pools being set up during the boycott, which has lost some of its effectiveness recently.

NEW DRIVERS, NO PASSENGERS—Tallahassee buses were rolling again with a new look. David Moore, one of the first two colored drivers hired by the Cities Tranist Co., sits at wheel while William C. Wilson, driver-trainee, sits behind Moore. They were still the only riders as boycotters continued to walk.

Collins Hits Bus Action by NAACP

By JOHN L. BOYLES
Herald Bureau Chief

TALLAHASSEE — Gov. LeRoy Collins Monday charged the National Assn. for the Advancement of Colored People in the Tallahassee bus boycott with a "miscarriage of ambition."

The Cities Transit Bus Co. here pulled its buses out of service Saturday night after a month-long Negro boycott.

Collins said, "I frankly think grievances about the operation that the Negroes had some just of the bus service. But it is clear to me that the city authorities indicated in good faith a willingness to adjust these grievances.

"I think it was terribly short-sighted and unreasonable for the leaders of the boycott movement not to accept these adjustments, relieve the tension and reestablish the general attitude which has long prevailed here for the steady and proper improvement of the Negro and his opportunities," the governor said.

Collins asserted that "as a citizen of Tallahassee" he will be glad to help in accomplishing a satisfactory settlement of the boycott.

He said he hoped that "when the full impact of what has been done here is understood" a new effort will be made to settle the issue.

The governor said the NAACP should "concern itself with other conditions of far more importance than where people sit on buses. There are many areas for real and substantial improvement such as health, moral and educational standards."

Efforts in those fields would be of greater benefit to the Negroes, the governor said.

"The tragedy of the bus situation is that it has gained nothing for the Negroes, and much has been lost in the tensions and antagonisms which have been developed. The Negroes who have been furnishing the leadership in the agitation of bus integration, have turned their backs on the agencies and the citizens of the community who have been helping them the most," the governor declared.

Collins said the Tallahassee City Commission has provided funds to assist in the building of one of the "finest Negro hospitals in the country" and the city has developed a recreation program for Negro youth, "including playgrounds and a community swimming pool just as adequate in every respect as that provided for white citizens.

"Our Negroes have been provided with modern school buildings and well trained teachers. We have been fighting a winning battle to eliminate midwifery and to clear out slums," the governor said.

The Rev. C. F. Steele, president of the Negro Inter-Civic Council, was out of town and could not be reached for comment on Collins' statement.

Buses roll, folk walk

By SAMUEL HOSKINS
Afro Staff Correspondent

TALLAHASSEE, Fla., — "We will not be herded to the rear of a bus driven by colored drivers.

"Our request for the time being is for democracy, fairness, and decency in bus accommodations for our people.

"This we have not been promised. Consequently our protest of love, prayer and faith continues."

That was the uncompromising answer the Rev. C. K. Steele, president of the Inter-Civic Council, gave Thursday to the Cities Transit Co., which had made a bid to regain the thousands of colored passengers lost since the boycott began.

THE EMPLOYMENT of the colored drivers, one of the original demands made by the boycotters, came as a surprise when the buses resumed operation after a month's suspension.

At the same time, led by the Chamber of Commerce, and all-out effort was made to split leadership of the Inter - Civic Council, in an effort to break the boycott.

Two men were hired to solicit signatures of colored citizens to a petition urging resumption of bus service. The Chamber had announced that 900 had signed the petition.

* * *

BUT WHEN bus service was resumed Thursday only three persons were counted on the line running past the Florida A. and M. University campus in the morning.

Four more passengers, three of them aged persons and one a child, rode the bus in the afternoon period.

David Moore, one of the two colored drivers, however, insisted he had carried a total of 40 passengers during his eight-hour run.

The other colored driver is Edgar Richardson. Both men had been employed by the transit company for a number of years as maintenance men.

* * *

EXPLAINING WHY a scattered few of the colored passengers had gone back to the buses, the Rev. Mr. Steele and Dan Speed, chairman of the council's transportation committee, agreed that they had probably been misled.

"Most of them probably thought the boycott had ended because the company had hired those colored drivers."

Concurring in this explanation, the Rev. Mr. Steele added, "I really don't think there were too many on there. Nothing like the number that used to ride.

"If they can't get more than that when the rides are free I doubt they'll get many when

they have to pay."

* * *

MEANWHILE, the city commissioners have thus far failed to carry out their threat to "crack down" on the car pool drivers.

Other than continued police harrassment of both drivers and passengers, the operation, directed by Mr. Speed, continues unabated.

Two bills introduced at the special session of the legislature died in committee Wednesday when Gov. Leroy Collins, in an unprecedented action, declared the session at an end.

* * *

ONE OF the measures would have made it against the law for any motorist to carry any passengers in his car other than persons related to him by either blood or marriage.

The second, aimed at supporters of the boycott on the Florida A. and M. campus, would have prohibited any state employee from participating in any boycott.

During the regular Sunday night mass meeting, the Rev. Mr. Steele, redefined in two words the only way the city and transit company could get colored passengers back on the buses.

* * * *

"ABOLISH SEGREGATION," he shouted in a booming voice to a packed congregation, which cheered his declaration until the rafters rang.

2 Are Seized In Car-Pool Crackdown

Herald P.3

Tues. 8-28-56

TALLAHASSEE, Fla., Aug. 27 (AP)—Two Negro leaders in Tallahassee's 3-month-old bus boycott were arrested by police today in a crackdown on car-pool autos operating without "for hire" tags.

One of the men, the Rev. C. K. Steele, president of the Negro Inter Civic Council, announced that his group was preparing a court test of legality of the arrests.

The two cases made today were set for hearings in City Court Sept. 4. The arrests increased to nine the number made since the crackdown was started last week.

The Inter Civic Council is sponsoring the boycott of Tallahassee buses by Negro riders in protest against segregated seating. Attorney General Richard Ervin recently ruled that the boycotters' car-pool vehicles must carry "for hire" tags which cost an average of $15 more than private license plates.

Steele, who is also president of the Tallahassee chapter of the National Association for the Advanceement of Colored People, was releeased after posting a $100 bond.

Dan Speed, chairman of the transportation committee of the Inter Civic Council, also was arrested for failing to have a "for hire" tag on the car-pool vehicle. He too was released under $100 band.

Two Florida Bus Protest Folk Jailed

Wired P.1

Atlanta Ga.

TALLAHASSEE, Fla.—(INS)—Two leaders in the Tallahassee bus boycott were arrested Monday for operating Negro car pool vehicles without "for hire" tags.

Taken into custody and later freed on $100 bond each were the Rev. C. K. Steele, president of the Inter Civic Council and Dan Speed, Chairman of the Council's Transportation Committee.

The council is sponsoring the boycott in an attempt to enforce its demands for an end to segregated bus seating.

Tallahassee police began cracking down on car pool operators last week after the attorney general ruled that cars being used in the pool fell into the classification of "for hire" vehicles and, therefore required special tags.

Tampa NAACP Drops Bus Integration Move

Post + Times Herald P.3

Tues. 8-28-56

TAMPA, Fla., Aug. 3 (AP) Tampa Negroes will not try to integrate buses and have withdrawn petitions asking for a ban on segregated seating, the State President of the National Association for the Advancement of Colored People said today.

The petitions have been withdrawn and no move will be made by the NAACP in Tampa to have integration take place,' said William Fordham, a Tampa attorney.

"We are very much satisfied with conditions on Tampa's bus lines and in no way will we seek integration."

Negroes at Tallahassee Ignore New Bus Service

Evening Star P.10-C

Washington, D.C.

TALLAHASSEE, Fla., July 12 (AP).—Tallahassee Negroes last night publicly ignored an announcement that bus service will be resumed here and reaffirmed their determination to hold out for fully integrated seating.

Thurs. 7-12-56

No mention was made at a mass meeting of the Negro Inter-civic Council of plans announced by the Cities Transit Co. to reinstate the service, which was suspended July 1. The company halted operations in the wake of financial losses caused by the Negro boycott. The boycott is a protest against segregated seating.

Instead, council members said they would continue to provide their own transportation by means of car pools. They took up a collection toward purchase of station wagons to serve the Negro community.

The transit company announced yesterday it would resume service over routes to be determined by a survey of potential riders. If Negroes are not willing to ride, the routes will serve white neighborhoods only, Cities Transit Manager Charles L. Carter, said.

The bus company acted in response to a request from the Tallahassee Chamber of Commerce, which plans to sponsor a ride-the-bus campaign. This city of 40,000 has been without public transportation except for taxicabs for nearly two weeks.

On Sunday Negroes rejected a City Commission compromise under which one three-passenger seat would be set aside for white persons but any other seat would be available to Negroes.

There was no suggestion last night that Sunday's action would be reconsidered.

Boycott is 'justified,' Lee asserts

Afro-American P.8

Baltimore, Md.

By ELIZABETH M. OLIVER

TALLAHASSEE, Fla.— "The bus boycott is justifiable," J. R. E. Lee Jr., business manager of Florida A. and M. University told the AFRO Monday.

The boycott has been carried on by the colored and white citizens here since May.

"Without any question," Mr. Lee added, "it has served a wonderful purpose. It is an expression of resentment against riding the buses and it is justifiably so."

Sat. 10-6-56

MR. LEE DENIED that the governor's committee on race relations is for the purpose of maintaining segregation.

He seemed puzzled when a reporter showed him the governor's statement that the purpose of the committee is to continue jim crow in the schools "without force or bad feelings."

MR. LEE EXPLAINED that the committee was appointed Aug. 30 and that there are two other members, both white. They are Judge L. L. Fabinsiki of Pensacola and Dr. Doak Campbell of Florida State University.

Asked what the group had done about the boycott, Mr. Lee said:

"Nothing has been done. On Sept. 5, at our first meeting, there was a suggestion that a group of colored and white citizens get together and confer on a solution to the boycott."

President Of NAACP Arrested

Herald

Miami, Fla

Tues. 8-28-56

TALLAHASSEE — (UP) — Two Negro leaders, including the local NAACP president were arrested Monday in a police crackdown on a Negro car pool used to boycott the city's segregated bus system.

Seven others arrested last week on identical charges — driving private vehicles in the car pool as commercial carriers without "for hire" licenses — pleaded not guilty to the charges. City Judge John A. Rudd set Sept. 6 as a tentative date for trial.

The Rev. C. K. Steele and car pool chairman Dan Speed were arrested while driving their cars to ferry Negro passengers to work. It was the second arrest in the three-month-old boycott for Steele who was picked up before on charges of running a stop sign. Both were released under $100 bond.

Steele, local NAACP president and head of the Negro Inter-Civic Council which is spearheading the boycott, charged when the arrests began last week that they were an effort to force Negroes to ride the buses "and the more of that type of thing they do the fewer people will ride the bus."

The arrests were ordered by City Manager Arvah Hopkins after a ruling by Atty. Gen. Richard W. Ervin that the car pool operations financed by the Inter-Civic Council violated the state "for hire" laws. Ervin said the drivers are required to hold special licenses costing $1 per 100 pounds of vehicle weight.

Hopkins said use of unlicensed, uninspected and uninsured vehicles as commercial carriers constituted a "public hazard."

The Rev. K. S. DuPont, council vice chairman, and six other drivers entered pleas of innocent to the charges before Judge Rudd Monday. Council Attorney Theries Lindsey filed a memorandum with the court charging that the city has no authority to enforce the state "for hire" law and that City Court is without jurisdiction in the cases.

Meanwhile, bus company manager Charles Carter said Cities Transit, Inc. buses continue to carry "between 400 and 500 Negroes a day" on the old basis of segregated seating.

The boycott, which began May 28 on the campus of Florida A&M University for Negroes, forced the bus company out of business during July because of a 60 per cent revenue loss. Service was resumed under chamber of commerce sponsorship Aug. 2 on new routes designed to appeal largely to white passengers, and Carter put Negro drivers on two predominantly Negro runs.

Carter said bus patronage is "pretty slow" despite a chamber of commerce campaign, but is expected to pick up swiftly when the public schools open Sept. 4 and the two universities here reopen later in September for the fall semester.

Tallahassee Bus Boycott Still Effective

Post + Times Herald

Kansas City, Mo.

Fri. 8-24-56

TALLAHASSEE, Fla. — (INS) — The manager of the Tallahassee bus company declared Wednesday that business is "picking up" but added the boycott of the city buses by local Negroes is still "very effective."

Charles Carter declared that business "is still 40 per cent lower than at this time last year." The buses were boycotted May 29 in protest over the arrest of two co-eds from all-Negro Florida A. and M. college who refused to move to the rear of a segregated vehicle.

The company was forced out of business July 1 but returned its coaches to the streets Aug. 1 after a "ride-the-bus" campaign by the Chamber of Commerce gained additional white patrons.

Carter said the average daily passenger load is around 2,500. He said some 400 to 600 Negroes are included, "much less" than before the boycott.

Meanwhile, 10 Negro leaders of the movement will go on trial in Tallahassee next week on charges of operating car pools without proper licenses.

Fla. Officials Get Boycott Challenge

TALLAHASSEE, Fla.—"Here, tonight, we must call upon our police chief, our city commission, our state chief executive to put a stop to these injustices.

"If they fail us—and I hope they won't—there remains but one alternative.

"Of necessity and in self defense, we will have to ask the U. S. Department of Justice to step in and preserve our constitutional rights."

This plea was voiced, Sunday night, by the Rev. Charles Kinzie Steele, leader of the bus boycott movement here.

Reference was to the stopping and questioning on Friday and Saturday of six car owners and 22 passengers.

Each person was taken to police headquarters and held for from 15 minutes to two hours. Most of them were required to sign statements.

* * *

THE REV. MR. STEELE defined these as "arrestless arrests."

He added: "The police department is participating in a wild goose chase in the wild hope of obtaining "evidence" as an excuse to really arrest peace-loving and lawabiding citizens.

"Is this democracy? Is this justice? Is this Christianity?" He asked.

"There is nothing Christlike about such tactics. They are void of anything akin to justice and certainly foreign to democracy as Americans like to think of it." The clergyman declared.

He further defined the police action as "tactics employed by police states."

"They shouldn't happen in the United States. . . They must not be permitted to continue in Tallahassee."

* * *

THE REV. MICHAEL HARRIS, pastor of Bethel AME Church where the meeting was held, suggested that the clergymen, under the leadership of the Rev. Mr. Steele, meet and pray on the front steps of the Capitol for members of the Legislature which convened on Monday.

One of the major items the special session was called to handle is the racial segregation issue.

Gov. Leroy Collins has officially approved a program submitted by a "committee of legal experts," headed by former Circuit Judge L. L. Fabisinski to block integration in schools.

At least three representatives have announced they will sponsor other racial segregation bills.

Rep. Kenneth Ballinger (Leon County) is sponsoring a bill aimed at breaking the bus boycott.

IN THIS CONNECTION, the Rev. King Solomon Dupont, vice president of the inter-civic council, declared:

"We are not worried about the Ku Klux Klan, evilminded police or revengeful legislators. Our eyes are on the guideposts of human dignity and, if necessary, we will walk forever."

Theries Lindsay, ICC counsel, intimated the boycott soon will enter the court suit stage.

"If our plans materialize, there will be major developments soon," he told the meeting.

It was revealed at Sunday night's meeting that a women's auxiliary to the boycott movement has been organized. It is composed of ministers' wives, school teachers, sorority and social clubs members.

The group is contacting similar organizations throughout the country it was revealed.

TALLAHASSEE'S BUSES HALT IN NEGRO BOYCOTT

It's Either Walk or Call a Taxicab

Tallahassee, Fla. July 1 (AP)—It was call a cab or walk today for those among Tallahassee's 26,000 white residents who depend upon public transit facilities.

Cities Transit company suspended service on its bus routes last midnight as a result of a month long boycott by Negro patrons. The Negroes normally supplied 70 per cent of the bus company's revenue.

Cities Transit had operated in Florida's capital city since 1940.

Stetson Coleman, president of the company, announced 10 days ago bus service would end July 1 unless some solution was found to get the city's 14,000 Negroes back on the buses.

Contract Change Approved

The last hope for a compromise ended Friday night when the Negro inter civic council refused to retreat on its demands for an end to segregated seating on the buses and immediate employment of Negro drivers.

The city had agreed to amend the bus franchise to permit open seating on the predominantly Negro lines except for one three-passenger lateral seat at the front which would have been reserved for whites and to allow employment of Negro drivers at the discretion of the company.

The city apparently has no plan for any kind of emergency service. Commissioner W. T. Mayo, who has been the city's spokesman during the boycott, was not available for comment, but there has been nothing from the city to indicate any emergency measures are contemplated to provide public transportation.

The inter civic council scheduled a mass meeting for tonight to discuss its plan to set up its own transportation system. Some Negro leaders have suggested establishment of profit making jitney lines. This would require a franchise from the city.

Life Made Hard For Boycotters

Say Drivers of Protest Cars Not Licensed Chauffeurs

TALLAHASSEE, Fla. — (ANP) — City officials are bending over backwards here to do as much as they can to make life as hard as possible for Tallahassee's Negroes who stopped riding Jim Crow buses more than six weeks ago.

Last week the City commission ordered Police Chief Friend Stoutmire to begin arresting drivers of the cars which have been providing transportation for Negroes since May 28, when Negroes began boycotting city buses in protest of biased seating.

The order came after City Attorney James Messer alleged that investigation had shown that most of the drivers in the pool were not licensed as chauffeurs and the cars were not bearing the proper license tags.

Passenger riding in the car pool are not charged fares, but Messer said that is his opinion that the cars are operating in the public carrier field since the pool is supported by contributions from passengers.

Messer said that the police have been investigating for the past two weeks and have compiled lists of cars, drivers, pick-up points, destinations and passengers.

This information was turned over to the city prosecutor as background information, apparently to be used when police begin arresting the drivers.

The Rev. K. S. DuPont, vice-president of the Inter-Civic council, meanwhile urged all drivers in the car pool "to be as thoughtful and careful as they can and to offer no resistance at all if questioned by police."

"We are asking all persons wherever they are," he said, "to join us in prayer, morning, midday, and afternoon, for a better Tallahassee."

Rev. DuPont said his organization would call a business meeting at which the police crackdown will be discussed.

"It's kind of shocking," he said, "but I guess we'll have to pass through it."

Bus Service Suspended In Florida Negro Boycott

Tallahassee, Fla., July 1 (AP)—It was call a cab or walk today for those among Tallahassee's 26,000 white residents who depend on public transit facilities.

Cities Transit Company suspended service on its bus routes last midnight as a result of a month-long boycott by Negro patrons.

The Negroes normally supplied about 70 per cent of the bus company's revenue.

Cities Transit had served Florida's capital city since 1940.

Stetson Coleman, company president, said 10 days ago bus service would end July 1 unless some solution was found to get the city's 14,000 Negroes back on the buses.

The last hope for a compromise ended Friday night when the Negro intercivic council refused to retreat on its demands for an end to segregated seating on the buses and immediate employment of Negro drivers.

The City had agreed to amend the bus franchise to permit open seating on the predominantly Negro lines except for one three-passenger lateral seat at the the front, which would have been reserved for whites, and to allow employment of Negro drivers at the discretion of the company.

The City apparently has no plans for any kind of emergency service.

The intercivic council is going to discuss a plan to set up its own transportation system. Some Negro leaders have suggested establishment of profit-making jitney lines. This would require a franchise from the City.

Coleman said Cities Transit would oppose any new bus or jitney franchise. He indicated the suspension of bus service is not permanent. He said the service has been halted until it has been determined "whether the Negroes or whites were running the town."

The boycott was touched off by the arrest of two Florida A. & M. coeds for refusal to move to the rear of a bus after they had taken seats in the front.

Fellow students at the Negro university started the boycott May 28. It had spread to the entire Negro community.

Coleman said a week ago the bus line normally collected about 1,500 fares daily, about 1,000 from Negroes and 500 from whites.

'We'll Keep Walking!'

Courier p. 2 Pittsburgh, Pa. Sat. 8-11-56

'We're in This to the Finish,' Declare Tallahassee (Fla.) Bus Boycotters; Over 100 Negroes Quizzed by City Cops

By ALBERT J. DUNMORE

TALLAHASSEE, Fla.—Undismayed by continued police intimidations and threats of preventive legislation, the Inter-City Council, leaders of the bus boycott which stymied this city's public transportation, has announced that "we are in it to the finish . . . . we'll keep walking."

At a mass meeting in Flipper AME Church, Rev. C. K. Steele, president of the council and pastor of Bethel Baptist Church, was roundly applauded by an overflow audience when he announced: "We will not be frightened. We are in it to the finish. We supported the bus company for the convenience of others and until we get a fair 10-cent ride, no more . . . no less . . . the same that is given other citizens who are not Negroes . . . we will keep on walking."

This was the group's answer to the City Commission and other lawmakers who have announced that laws will be passed both on the city and state levels to check the bus boycott.

Already, a city ordinance which will forbid persons to "regularly or continuously" transport persons "not related by blood or marriage" has gone through its first reading before the City Commission.

If the ordinance passes it will go into effect on Aug. 14. The ordinance carries a $500 fine or 60-day jail sentence.

■

THE INTER-CIVIC Council, through its attorney, Therias Lindsey, has announced that they will contest this measure if it is passed.

One city commissioner asked if this anti-car pool ordinance would affect those state workers who use the car pool system to go to work. The questioner was informed that this was not applicable to them.

In the meantime, Representative Kenneth Ballinger of Leon County has announced that he will introduce an anti-car pool and anti-boycott measure in the State Legislature.

Observers feel that such a measure would have little opportunity to pass.

■

IN THE MEANTIME, the city police department has begun to clamp down on the car-pool operators and have taken into custody more than 100 persons.

Although the city claims that no arrests have been made, the Inter-Civic Council reports several instances that could be traced directly to the boycott.

Police Chief Frank Stoutemire said that the persons taken into custody were being investigated as the department attempts to determine what action should be taken.

City Attorney James Messer claims that the car pool is being operated in violation of state laws governing "for hire" vehicles. The Inter-Civic Council points out that the cars are not for hire since no charge is made the riders.

These cars are offering rides to friends who don't choose to ride the buses.

■

PERSONS TAKEN into custody are questioned at length of their participation in the bus boycott, whether they attend meetings of the Inter-Civic Council, whether they contribute to the council's fund, whether they receive gas from the car-pool funds, and whether they would ride the bus when the services are resumed.

It is believed that these questions are being asked to establish the fact that cars operating in the car pool are actually "for hire" and that the funds contributed to the council is "payment received for services rendered."

The Council has instructed its members that when taken into custody to refuse to answer any questions other than to give their names and addresses and to produce their driving licenses if so asked when driving cars.

■

SOME $245 was contributed to the council fund at the meeting.

The Rev. Metz Rollins, treasurer of the council and pastor of the local Presbyterian church, announced prior to the collection that there was $2659.28 in the treasury.

Prominent in the audience were a number of members of the Florida A. and M. University faculty . . . many holders of top positions including several Ph. Ds and department heads.

the time being is for democracy, fairness and decency in bus accommodations for our people. This we have not been promised. Consequently, our protest by love, prayer and faith continues."

Mr. Steele made the announcement after the local bus lines hired a pair of veteran local bus company employes as drivers and put them to work on routes through predominately Negro areas, but maintained its policy of segregating riders.

■

THE DRIVERS, who formerly worked as maintenance men, are Edgar Richardson and David Moore.

The resumption of bus service was on a "free" basis the first day. Newspapermen reported counting five Negro riders on one of the lines. The bus company's general manager, Charles L. Carter, said that nearly 1,500 white passengers took advantage of the free offer and noted that one of the Negro drivers had told him that a total of 40 Negro patrons had ridden for "free." The drivers were hired without advance publicity.

However, the Rev. Mr. Steele countered, "I really don't think there were too many on there, nothing like the number that used to ride. If they can't get more than that when the rides are free, I doubt they wi

walking to work in defiance of the old theory that "rubber wheels beat rubber heels."

Tallahassee Council Drops Effort To End Bus Boycott

Courier-Journal p. 19 Fri. July 13 56 Louisville, Ky.

Tallahassee, Fla., July 12 (AP) —All efforts to settle the Negro bus boycott were dropped by the Tallahassee City Commission today.

"It's been proved to me that all they want is integration and they'll never get it as long as I'm on the City Commission," said H. C. Summitt in a statement endorsed by a Commission majority.

Negro Council Meets

All five commissioners joined in a declaration that there will be no more boycott negotiations with the Negroes "under any circumstances."

Mayor Fred Winterle indicated there is a possibility that the City will make a formal protest to the State Board of Control about the boycott leadership assumed by some members of the faculty of Florida A. & M. University for Negroes.

The State Board of Control determines policies of A. & M. and other State universities.

The Rev. M. G. Miles, director of student activities at A. & M., presided last night at a mass meeting of the Negro Inter-civic Council, which has spearheaded the boycott. At the meeting the Negroes took up a collection to finance the car pools that have provided them with transportation.

They also reaffirmed their determination to hold out for fully integrated seating on buses. Their refusal to ride the buses led to the suspension of service July 1, but the Cities Transit Company has since announced plans to resume operations over routes serving white neighborhoods.

BUS FINE SUSPENDED

MIAMI, Fla.—Charged with "breach of peace" because he refused to move to the rear of a Miami bus, Rudolph Reid, 19, was fined $50 and costs or 24 days in jail, but the sentence was suspended. "I hope this is the last I'll hear of bus segregation," said Judge Francis Sobieski. "We're going to file suit in Federal Court to do away with it," said Reid.

Vehicles Rolling . . . Boycott Continues

Two Negro Bus Drivers Fail to Attract Negro Riders in Tallahassee

Courier p. 2 Pittsburgh, Pa. Sat. 8-11-56

TALLAHASSEE, Fla.—Tallahasse's bus boycotters aren't satisfied with a slice of bread. They want the whole loaf and have indicated that they will continue to spurn rides on city buses until segregated seating is done away with, despite the hiring of two Negro drivers.

The Rev. C. K. Steele, who heads up the Inter-Civic Council, which is behind the bus boycott, declared: "We will not be herded like cattle to the rear of a bus, though driven by Negro drivers. Our request for

get many when they have t pay."

■

"FREE" RIDERS were give free morning papers and copie of revised bus schedules. The "free" campaign was under the sponsorship of the local Chamber of Commerce.

Mr. Steele pledged that the boycott would continue without letup. It was noted that Negro "car pools" were still in operation despite a threatened "crack down" and that many other ex-bus riders were still

Fla. Bus Boycott Remains Strong

Defender Sat. 9-22-56

Chicago, Ill. p.1

TALLAHASSEE, Fla. — (INS) — The Manager of the Tallahassee bus company declared last week business is "picking up" but added the boycott of city buses by local Negroes is still "very effective."

Charles Carter declared that business "is stlil 40 per cent lower than at this time last year." The buses were boycotted May 29 in protest over the arrest of two co-eds from all Negro Florida A. and M. college who refused to move to the rear of a segregated vehicle.

The company was forced out of business July 1 but returned its coaches to the streets Aug. 1 after a "ride-the-bus campaign by the Chamber of Commerce gained additional white patrons.

Carter said the average daily passenger load is around 2,500. He said some 400 to 600 Negroes are included, 'much less" than before the boycott.

Meanwhile, 10 Negro leaders of the movement will go on trial in Tallahassee next week on charges of operating car pools without proper licenses. Among them is Rev. C. K. Steele, president of the Negro Inter-Civic council and the leader of the boycott.

22 Negro Leaders Arrested

Herald Miami, Fla. p.12c

Boycott Case Scope Widens

Sat. 10-5-56

By Herald Wire Services

TALLAHASSEE — The city Thursday arrested the entire executive committee of the Negro Inter-Civic Council on charges of illegally operating a transportation system for Negroes boycotting local buses.

The charges were placed against 22 Negroes and the council as a whole. Trial of the cases was set for Oct. 17.

Earlier, the city had arrested 10 individuals, including Council President C. K. Steele who also is local head of the NAACP, on individual charges of operating motor vehicles for hire without obtaining a state license.

These cases had been scheduled for trial Thursday morning after two earlier postponements. The city unexpectedly dropped these charges, though, and filed the broader charges against the council and 22 members.

The broader charges incorporate various transportation ordinances of the city of Tallahassee rather than the state "for hire" law. The council had contended the city had no jurisdiction over state "for hire" laws.

City Judge John Rudd Thursday subpoenaed the records of six service stations, all operated by Negroes.

Ralph Hadley, operator of one of the service stations whose records were subpoenaed, told authorities he did not keep records. Hadley went through the list of defendants and said he had sold gasoline to five of them. He was asked when the car pool drivers stopped paying by cash and started making their payments with checks.

Two new attorneys entered the case Thursday. The city hired Mark Hawes of Jacksonville, former assistant state attorney general to assist City Prosecutor Edward Hill. The council brought in NAACP attorney Francisco Rodriguez, Tampa, to assist local Negro attorney Therese Lindsey.

The arrests arose out of a boycott of city buses in a dispute over segregated seating which began May 28. Cities Transit Co. was forced out of business during July by the boycott but resumed operations Aug. 2 on new routes.

The original charges were filed after Atty. Gen. Richard Ervin ruled that car pool operations financed by the council violated the state "for hire" laws requiring operators of public transportation vehicles to have special licenses.

Steele, however, has charged the arrests were part of an effort to force Negroes to ride the buses.

NEGROES DROP CAR POOL AFTER COURT RULING

Daily Tribune Miami 10-23-56

Tallahassee, Fla., Oct. 23 (AP) —The Negro Inter Civic council said today it had abandoned the car pool it has sponsored to provide transportation for Negroes boycotting buses in protest against segregated seating.

The Rev. C. M. Steele, president of the National Association for the Advancement of Colored People, said "the war is not over. We are still walking."

Chicago, Ill.

The council voted to drop the car pool at a mass meeting of the boycotters last night. The action followed Saturday's conviction in City court of the council and 21 of its officers and members on charges of operating an illegal transportation system. The council has indicated the verdict will be appealed. City Judge Rudd sentenced each of the defendants to pay a fine of $500 or serve 60 days in jail. The jail terms were suspended.

11 Negroes Face Car Pool Counts In Tallahassee

TALLAHASSEE, Fla., Oct. 3 (AP) —The City Commission voted today to pay a special prosecutor a $4,000 fee for prosecuting Tallahassee's bus boycott car pool cases. The special prosecutor is Mark Hawes of Tampa.

Eleven Negroes, among them the Rev. C. K. Steele, president of the Intercivic Council which is sponsoring the Negro boycott of buses in protest against segregated seating, will go on trial in City Court tomorrow. They are cars which did not have "for hire" licenses.

Steele also is president of the Tallahassee Chapter of the National Assn. for the Advancement of Colored People.

The car pool was set up by the Intercivic Council to provide transportation for the bus boycotters who have refused to ride buses since May 28. State Atty. Gen. Richard Ervin ruled the car pool vehicles must carry "for hire" licenses because they are engaged primarily in public transportation.

New Attack On Miami Bus Bias

Defender Sat. 10-27-56 p.1

MIAMI — (INS) — Four Negro women have filed a suit in Miami federal court seeking to have city and state bus segregation laws declared unconstitutional.

Atty. G. E. Graves, jr., representing the four petitioners, asked Saturday that the court render its decision on the merits of the case, rather than by actual trial.

He said any remedy other than a directed verdict would "involve a multiplicity of suits and would cause further injury, damage and inconvenience to the plaintiffs. . ."

The suit was filed in behalf of Eleanor M. Fair, Maggie Garmon, Gloria Matthews and Alice Jackson.

Chicago

Miss Fair said she was arrested July 8 for refusing to move to the rear of a bus and the other three stated they had been forced to take seats in the rear of public transportation vehicles.

Named as defendants in the action were the Miami Transit co., the city of Miami and individual city commissioners.

Graves asked that the case be given early consideration and charged local bus segregation is based solely on the racial origin of the rider.

Protestors of Fla. bus segregation urgently need funds

Afro-American Sat. 11-10-56 Baltimore, Md.

TALLAHASSEE, Fla. — The Inter-Civic Council, 803 Flora St., this city, sends an urgent plea for financial assistance to all groups and individuals throughout the nation who support the stand they are taking against segregation in Florida's capital city.

Recently 21 members or supporters of the ICC were fined $500 apiece for operating a car pool in connection with the bus segregation protest movement they have led since the first of June.

They are desperately in need of funds to appeal the cases of the 21 defendants and to continue to carry out the protest movement which had united the people of Tallahassee in the struggle for civil rights as nothing in history has done.

Address all letters to the Executive Secretary, Inter-Civic Council, 803 Floral St., Tallahassee, Fla.

Judge Scolds Bus Boycotter For Attitude

Advertiser Sat. 10-20-56 Montgomery, Ala.

TALLAHASSEE, Fla., Oct. 19 (AP) —A Negro witness was ordered by City Judge John Rudd today to be more respectful as the prosecution attempted to show that the Negro Inter Civic Council financed transportation for bus boycotters.

P. 8-a

The council and 21 of its members are on trial on charges of operating an illegal transportation system to provide rides for Negroes boycotting city buses as a protest against segregated seating.

John Payne, a filling station operator, was questioned by special prosecutor Mark Hawes as to who had paid him for gasoline put in cars allegedly operated as part of the council's car pool.

Payne nodded frequently in response to questions in spite of being instructed by Rudd to "sit up straight" and answer audibly. Rudd finally called a halt to Hawes' questioning and said to the witness:

"John, you're not trying to be disrespectful are you? When I ask you a question, answer 'Yes, Sir, or No, Sir'."

TEO RECESSES

Two recesses were called while Payne was taken aside by the Negro defense attorneys. The service station operator then returned to the stand and withdrew an earlier denial that he had put gas in a car owned by one of the defendants and charged the cost to the Inter Civic Council.

Payne said he had been confused because the car had been driven into his station by the defendant's wife on one occasion.

Earlier, several operators of automobile service establishments testified they were paid by council officials for services and merchandise.

The city contends the car pool competes illegally with city buses and taxicab companies.

The car pool has operated for nearly five months—almost since start of the boycott which was

touched off when two Negro women students of Florida A. & M. University were arrested for sitting toward the front of a bus. Charges against the women were later dropped.

Leaders Of Bus Protest Group Fined In Fla.

World P. 1 Wed. 10-24-56 B'ham, Ala.

TALLAHASSEE, Fla. — (INS) — The Tallahassee Inter-Civic Council and 21 individual defendants were found guilty Saturday of illegally operating a car pool for Nearoes boycotting city buses.

The boycott which forced suspension of bus service in Florida's capital city for several weeks last spring, was called in protest over segregation seating.

City Judge Rudd sentenced each defendant to a $500 fine or 60 days in jail. He also handed each a mandatory 60 day term, but suspended this judgement and ordered a year's probation for each instead.

Execution of the sentences was delayed pending a motion for a new trial, which defense attorneys said will be filed.

The jurist, handling the case without a jury, delayed only 15 minutes after testimony was completed before announcing the verdict. He said he asked for "divine guidance" in arriving at a fair pronouncement.

The 21 car pool drivers including the entire nine-man executive committee of the inter civic council, were arrested for operating their vehicles without "for hire" tags.

The trial opened last Wednesday and dragged over three and a half days with the prosecution calling some 30 witnesses to the stand to prove that the car pool was a commericial operation functioning without a franchise.

The defense did not put any witnesses on the stand but attempted to prove through cross examination that no money actually changed hands.

Florida Negro Group Abandons Car Pool

Journal Mon. 10-22-56 Montgomery, Ala.

TALLAHASSEE, Fla. (AP) — The Negro Inter Civic Council said today it had abandoned the car pool it has sponsored to provide transportation for Negroes boycotting buses in protest against segregated seating.

However, the Rev. C. M. Steele, president of the council and head of the Tallahassee chapter of the National Assn. for the Advancement of Colored People, said "The war is not over. We are still walking."

Dan Speed, chairman of the council's transportation committee, said, "We not only are not offering transportation, but we are not even offering advice."

The council voted to drop its sponsorship of the car pool at a mass' meeting of the boycotters last night. The action followed Saturday's conviction in city court of the council and 21 of its officers and members on charges of operating an illegal transportation system. The council has indicated the verdict will be appealed.

City Judge John Rudd sentenced each defendant ot pay a fine of $500 or serve 60 days in jail. He sentenced each to 60 days in jail, but suspended the jail term and put each on probation for one year.

Francisco A. Rodriguez, Tampa attorney who directed the defense, advised ending sponsorship of the car pool.

"Each person is free to ride whom he pleases in his car, but he must act without the assistance of a motor pool by the Inter Civic Council," Rodriguez said.

Steele said that although the council no longer will direct car pool operations "We must each and all of us pick up each and all the folks we see walking in protest of segregation on city buses."

Bus-Boycott Leaders Drop Car-Pool System

Courier-Journal P. 3 Tues. 10-23-56 Louisville, Ky.

Tallahassee, Fla., Oct. 22 (AP)—The Negro Inter Civic Council announced today it has abandoned its car-pool system, but that it is continuing its boycott of city buses until its fight for integrated seating has been won.

The Rev. C. K. Steele, council president, declared: "The war is not over. We are still walking."

The council decided to drop sponsorship of the car pool after conviction of the council and 21 of its officers and members in City Court Saturday.

The defendants were fined a total of $11,000 by City Judge John Rudd on charges of operating an illegal transportation system. Rudd also sentenced each of the defendants to 60 days in jail, but suspended the jail term and put each on probation for a year.

Steele urged the boycotters to "fight on and on." He said that while the council no longer will direct car-pool operations, "we must each and all of us pick up each and all the folks we see walking in protest of segregation on city buses."

Francisco A. Rodriguez, Tampa attorney who directed the defense at the four-day car-pool trial, advised ending sponsorship of the car pool and urged the boycotters to accept Rudd's decision "without rancor and without bitterness."

"Each person is free to ride whom he pleases in his car, but he must act without the assistance of a motor pool by the Inter Civic Council," he said.

Florida Negroes Fined For Forming Car Pool

Herald Tribune Mon. 10-21-56 New York, N.Y. P. 2

TALLAHASSEE, Fla., Oct. 20 (AP).—City Judge John Rudd today found twenty-one members of the Negro Inter Civic Council and the council itself guilty of operating an illegal transportation system.

He fined each $500 and sentenced them to sixty days in jail but suspended the jail sentence and placed them on probation for a year. The sentence was stayed pending a defense motion for a new trial which is expected by Oct. 24.

The judge's decision was not accompanied by an opinion.

"Based on the law and the facts the court finds the defendants guilty as charged," he said.

The charges against the defendants arose from operation of a car pool to provide transportation for Negroes boycotting the city buses in protest against segregated seating.

Special City Prosecutor Mark Hawes told the court that if the council members were acquitted, licensed transportation systems would be in "serious jeopardy."

Defense attorney Francisco Rodriguez told the court the Inter Civic Council car pool does not fall within the definition of transportation "for hire." Part of the trial testimony revolved around the fact the car-pool automobiles carry no "for hire" tags.

Immediate appeal to be filed

Afro-American Baltimore, Md. Sat. 12-27-56

By ELIZABETH M. OLIVER
(Earlier trial stories inside)

TALLAHASSEE, Fla.—Each of the 21 defendants was found guilty of violating the municipal for-hire ordinance, Saturday, at 11 a.m. by Judge John Rudd. He fined each one of them $500, gave each one a suspended sentence of 60 days in jail, and one year on probation.

Through their attorneys, Theries Lindsay and Francisco A. Rodriques, all of the defendants announced that they would immediately appeal the case to a higher court.

Spectators, leaving the courtroom in a driving rain, walked toward their homes in sodden clothes, unless they had umbrellas, paying no attention to the empty buses rolling by.

All continued to vow they would not ride the bus until the segregated seating plan was abandoned.

* * *

JUDGE RUDD stated: "No case has ever absorbed me more than this one. None has ever taxed my capacity more. I have called upon Divine guidance for aid many times."

He stressed the fact that his verdict would be the law until overruled by a higher court and asked that the people abide by the law as citizens and Christians.

He also stated that when and if a higher court should reverse his decision, he would expect others to abide by that court's decision.

* * *

THE FOUR-DAY trial ended Saturday as 75 spectators braved the drenching downpour of chilling rain to hear the verdict, which each one knew would come.

The city rested its case Friday at 4:30 p.m. after offering as evidence portions of the injunction petition filed by the Inter-Civic Council's attorneys Monday.

Mr. Lindsay, one of the attorneys for the defense, had drawn up the petition and had gone into the United States district court for the north district of Florida to enjoin the prosecution.

In this case, the petition was filed on the ground of right of free speech as protected by the 1st Amendment and charging that the U.S. Constitution was being violated.

THE FEDERAL District Court ruled through Judge Dozier Devance that it did not have jurisdiction over the case in question, indicating that should the defendants be convicted, it probably could assume jurisdiction and would be ready to hear the case.

The petition to the Federal court was offered in evidence Friday to show that the defense had admitted that they had established a car pool and that gas has been furnished as alleged.

This was one of the issues which the prosecution was seeking to establish in its proceedings in the Municipal Court of the City of Tallahassee.

* * *

ACTUALLY, the alleged admission was not as damaging as Prosecutor Mark Hawes claimed, but was admittedly of some propaganda value but of no legal value, since it was incumbent upon the city to show that payments had been received by the defendants.

On Saturday Mr. Rodriques, the second defense counsel, argued to establish the invalidity of the charges. He accused the prosecution of twisting the law, likening the situation to putting a square peg in a round hole.

Saying that a misdemeanor had been stretched to the proportions of a major crime, he accused the city of creating a monstrosity.

He cautioned the court to weigh the matter heavily in considering a verdict, saying that it would be a dark day for justice if it should allow the law to be twisted or turned to say that citizens could not transport family, friends, or anyone in their cars as they saw fit.

* * *

STATING THAT no one had violated any law, since not one of the car pool drivers had received any money for services, he charged that the prosecution's case was bereft of logic.

He said that the prosecution's claims, if found valid, would represent a peculiar and strange interpretation of the law, would deprive citizens of the right to use that which is his.

He further stated that if the court were permitted to construe the law so loosely that the practice would engulf eventually the lives of the city's children and their children's children and would sound the death knell to all of their rights.

Saying that he did not believe the court so unwise as to engage in verbal or mental magic, he preferred to think the court realized that to deprive the defendants of their rights would be to deprive all Tallahassee defendants of their rights.

* * *

HE DEFINED a business, such as the car pool had been accused of conducting, as an enterprize which was organized, received compensation from the one served and that the server received money for his service.

"How then in the name of common sense can you call the car pool a business? How in the name of consistency, he asked, "can you claim they were operating for hire, when not one witness testified that he paid any driver here any money?"

Judge Rudd hung his head as he delivered the verdict.

THE SECOND day of the trial was consumed by Prosecutor Hawes attempting to establish through police witnesses the fact that there had been indirect payments to car pool operators for services rendered persons who otherwise would have to walk.

The prostcution was trying to prove that while the riders may not have made direct payments to the drivers, they have made indirect donation by contributing to the collections at mass mettings which have been held under the auspices of the ICC.

The defense, on the other hand, set forth to show that no direct payments of any kind havt been made to any of the defendants and therefore the prosecution could not prove that the defendants are engaged in a business.

THREE OF the prosecution's many witnesses, Officer John Layman, Sergeant Kelley and Patrolman Burl Peacock, nonplused Mr. Hawts by being unable to offer specific evidence on the operation of the car pool.

Typical of the exchanges between prosecutor and witness is the following portion of the testimony between Hawes and Kelley:

Hawes: "On Aug. 23 did you have an occasion to see Defendent C. K. Steele?"

Kelley: "I don't know if it it was that date or not."

Hawes: "Was it on Aug. 28?"

Kelley: "I don't know."

Hawes: "Was it anytime in August that you had oicasion to observe Defendent Steele?"

Kelley: "I don't know?"

Hawes: "Do you have any notes on your observations which might tell you when in Ausgust you observed Steele?

Kelley: "It was in September about the 29 and 31."

Hawes: "Where do you see Defendent Steele whenever he was arrested, whatever date it was?"

Kelley: "It was on a certain corner. . . ."

(Here exasperated Hawes cut the witness off.)

"Hawes: "What was Steele doing."

* * *

KELLEY: "He was loading some people in front of Speed's grocery.

Hawes: "How many people were in the car?"

Kelley: "I don't know."

Hawes: "What was the license number?"

Kelley: "I don't know."

Hawes: "About and around Speed's grocery describe the activity."

Kelley: "The majority of time I was out there, there'd be various people around there, getting seats and waiting."

Hawes: "What was the activitiy about and around the automobiles?"

Kelley: "Well, it's my idea that. . . ."

He pointed his finger at the

He pointed his finger at the witness.

Hawes: "Don't give me any of your ideas or your opinions I don't want your ideas. If you saw anything, say so. If you didn't see anything, don't say anything."

* * *

HAWES promised the court that on the following day of the trial, he would reduce the number of witnesses called by the prosecution to five or six.

Defense Attorney Rodriques expressed himself as being amenable to the idea.

Bishop Ward D. Nichols again attended the trial and his appearanie was received with enthusiasm by the 125 or so colored persons who attended. Only 12 white spectators showed up.

The bishop attended the afternoon session accompanied by the Rev. A. L. Bennett, presiding elder of the Quincy District; the Rev. Walter S. White, presiding elder, Tallahassee District: the Rev. H. McNeal Harris, pastor of Bethel AME Church; John H. Cobb and Lewis T. Stokes.

TALLAHASSEE, Fla. — An additional blindfold was tied over Justice Goddess Minerva's eyes Wenesday as the boycott car pool trial opened here Thursday.

All seats were filled on the "colored" side of the courtroom. Colored spectators lined the walls, sat in window sills, many students were turned away at the door.

Yet on the "white" side were but a handful of spectators, plenty of empty seats.

Marc R. Hawes, special city assistant prosecutor, said, "Tell all the witnesses to come inside, please, suh" (to the policeman at the door).

This reply echoed among the empty seats lining the aisle immediately beside him:

"We ain't going to have enough room for them in here."

THUS BEGAN the trial for 22 of the leaders of the four-month-old bus boycott on charges of violating a city for hire car ordinance by transporting walkers to various destinations.

Ten of those facing trial are members of the executive board of the Inter-Civic Council, which has spearheaded this movement to wipe out segregation on the city bus line.

Seats on the right side of the main aisle were reserved for colored spectators, on the left for white. During the day not more than 25 white spectators were present. More than 100 colored persons were turned away.

* * *

CITY JUDGE JOHN RUDD again tossed out a motion for quashing the charges against the 22.

"The defense moves to dismiss on three grounds," stated Francisco A. Rodriques, Tampa lawyer who was assigned to the case by the NAACP.

Mr. Rodriques was the first to speak as the trials got under way. Judge Rudd immediately denied the motion, which Mr. Rodriques indicated had three points:

1. That we are actually not engaged in a business enterprize but rather in a protest movement in which we are voicing our objections to the segregation practices of the Tallahassee transit lines.

* * *

(a.) **THE USE OF CARS** and other vehicles is done on a voluntary basis and does not involve remuneratoin directly or indirectly.

(b.) To thwart this movement in any form would be tantamount to depriving the defendants of their Constitutional right of freedom of speech.

2. That the prosecution has nailed to furnish us with a complete list of witnesses to be used by the city of Tallahassee.

3. The warrants are vague, indefinite and lacking in specifity.

Belligerent from the beginning, City Prosecutor Hawes snapped: "I object to the filing of the motion. It does not comply with the court's order. The offense is a continuing offense. The defense should have sought a bill of particulars.

Judge Rudd added: "The motion is denied without explanation. I can not see where the case has been prejudiced in any way."

* * *

COURT OFFICIALS said about 75 witnesses have been called to testify. The morning session, interrupted by many "5-minute" recesses, was spent largely in swearing in these witnesses.

Ironically, Judge Rudd after bringing witnesses "under the rule", and indicating they were not to talk with anyone about the trial, said:

"It is the duty of a good American citizen not to listen, hear or talk about the trial outside the court. Witnesses are to remain outside the hearing room of the court," he said.

* * *

MR. RODRIQUES objected to all of the city testimony and exhibits. Judge Rudd quickly overruled all his protests except two.

Det. Sgt. R. J. Strickland, who testified during most of the afternoon session, said that a driver he arrested during a crackdown admitted he'd haule up to 40 passengers a day in a private station wagon, on orders of the ICC.

Mr. Hawes brought forth checks drawn on the ICC account at the Capital City bank. From these and the deposit slips and signature cards handed over by Godfrey Smith, executive vice president of the bank, he brought out that the ICC had been doing a "tremendous business" since May.

* * *

THE VOLUMNIOUS batch of checks each bore two of three signatures of ICC officials, the Rev. C. K. Steele, the Rev. J. Metz Rollings, Dr. M. C. Williams. The majority of the checks were made out to filling stations where the car pool operators charged gas.

Sergeant Strickland testified that Matthew Adams, one of the defendants, admitted that he was asked to drive a station wagon in the pool by ICC President C. K. Steele.

The officer said he observed over a period of time that the car pool began its operation around Dan Speed's grocery early in the morning, "about going-to-work time," picked up passengers, took them away and returned to get more.

* * *

HE SAID he also observed that at the early morning hour people sat in chairs which were lined up on the sidewalk, waited there until they could be placed in cars to be driven to their destinations.

Reading the ICC diary which was confiscated by the city from executive secretary (Dr.) M. C. Williams, Mr. Hawes informed the court that the pool had 63 cars and 2 station wagons in June, that there were plans for purchasing a new station wagon, that fines for car pool operators were paid from ICC bank funds.

Judge Rudd overruled Mr. Rodriques' objection to the reading of the diary but permitted only such information that indicated that the ICC was operating a car pool.

High point in the trial came when Rodriques objected to Patrick Whittaker, Tampa law partner of the Hawes firm, being present and too "buddy-buddy" with Hawes outside the court.

Claimed Rodriques, "I understood Pat Whittaker was supposed to be in the role of "Amicus Curiae," a friend of the court.

"It seems he is a 'friend of the prosecution.'

"I would like the court to clarify his status at this time."

* * *

MR. WHITTAKER, an elderly, gray haired man, is the legendary and dramatic criminal lawyer, well known in the State of Florida for removing his false teeth in court, winning cases by roaring and charging about the floor, entertaining spectators.

"I am a member of the law firm employing Mr. Hawes and I have been hired, too," he explained.

"I knew nothing about the case until this morning, however," added Whittaker.

Saying that he had to go assist his brother elsewhere, Thursday, he said: "I ain't going to be able to participate."

* * *

"WE REGRET that, Mr. Whittaker," said Rodriques, bowing graciously. "I was looking forward to a pleasant association here."

Judge Rudd indicated to Rodriques that this was not a social engagement; it was a court of justice. Social graces would be allowed outside on social occasion," said the judge.

Spectators laughed aloud. The Tallahassee radio repeated the performance throughout the day.

The first witness, Charles L. Carter, manager of the City Transit Bus Company and its vice president for eight years, testified that from 1954 to 1955 the company averaged $15,500 per month.

* * *

DAILY REPORTS showed, Carter said, that the A and M Frenchtown Route, which is almost 100 per cent colored, had an intake of $180 per day prior to June, 1956. Since then it has averaged but $18 a day.

Carter's testimony began with Hawes laying the legal groundwork for the city's claim that the car pool operated by the ICC amounted to a public transportation system financed by the council and operated over regular routes.

The ICC maintains that the car pool is incidental to the boycott, that its operation is without organization. That no money is taken in fares.

* * *

FINAL NOTE of the trial indicated that it would last three or four days.

21 IN NEGRO BUS BOYCOTT FINED FOR CAR POOL

Tribune
Jun. 10-21-56
Chicago, Ill.

Tallahassee, Fla., Oct. 20 (AP) — City Judge John Rudd today found 21 members of the Negro Inter Civic council and the council itself guilty of operating an illegal transportation system.

He fined each $500 and sentenced them to 60 days in jail but suspended the jail sentence and placed them on probation for a year. The sentence was stayed pending a defense motion for a new trial which is expected by Oct. 24.

The Judge's decision was not accompanied by an opinion.

Segregation Protest

"Based on the law and the facts the court finds the defendants guilty as charged," he said.

The charges against the defendants arose from operation of a car-pool to provide transportation for Negroes boycotting the city buses in protest against segregated seating.

Special City Prosecutor Mark Hawes told the court that if the council members were acquitted, licensed transportation systems would be in "serious jeopardy."

No "Fire Hire" Signs

Defense Atty. Francisco Rodriguez told the court the Inter Civic council car pool does not fall within the definition of transportation "for hire." Part of the trial testimony revovled around the fact the car pool automobiles carry no "for hire" tags.

Florida NAACP Probe 'Beginning To Roll'

Advertiser
Mon. 11-14-56

TALLAHASSEE, Fla., Nov. 13 (AP)—A legislative committee was told today that an investigation of the National Assn. for the Advancement of Colored People was "beginning to roll" and that some concrete facts would be submitted at a Dec 11 meeting.

P. 2d

The progress report was made by Mark Hawes, chief attorney for the interim committee which was set up to investigate the NAACP and other organizations.

Montgomery

"We have made some specific efforts which I would not bring into the open at this time for fear that they might hamper fruitful results, but the foundation has been laid and when we meet again we will have a concrete report to bring to you," Hawes said.

The committee heard preliminary reports from Hawes and Chief investigator John Ceasty on progress of their work, then went into a closed session.

At conclusion of the closed meeting, Chairman Henry Land announced that the committee had hired Tllahassee Detective Sgt. R. J. Strickland as an assistant investigator.

Strickland directed the investigation of the Tallahassee car pool cases which resulted in conviction of the Negro Inter Civic Council and 21 of its members recently on a charge of operating an illegal transportation system during the Tallahassee bus boycott by Negro riders.

21 NEGROES FIGHT FINES IN FLORIDA

Times 12-8-56
New York

Defendants in Car Pool Case Post $22,000 in Bonds—Council Files an Appeal

Sun. 12-9-56

Special to The New York Times.

TALLAHASSEE, Fla., Dec. 8 —The Negro Inter-Civic Council and twenty-one of its car pool operators posted bonds today totaling $22,000. They filed appeals in Circuit Court from their convictions in city court on charges of operating an illegal transportation system.

The twenty-one Negroes included most of the officers of the council. The council itself was also found guilty. The council and each defendant were given the same sentence of $500 fine or sixty days in jail. A mandatory jail sentence of sixty days additional was suspended and each defendant was put on a year's probation.

The Negroes made bond shortly before 11 A. M., the deadline set by Municipal Judge John Rudd. Judge Rudd had extended the bond deadline twice but yesterday he said, "I have been as lenient as possible, but by setting the exact hour I am putting a final deadline in the matter."

One defendant posted a $1,000 cash bond. The others were backed by property owners.

Bonds Double Fine Total

All bonds were double the amount of the fines each received. Posting of the bonds and filing of the appeal stays the sentences until the higher courts rule on whether the pool operation was illegal under city ordinances.

The Negroes started the car pool after beginning a bus boycott in protest of segregated seating on May 28. The bus company suspended operation for a month after the boycott began. But it resumed service on Aug. 1 after a "ride-the-bus" campaign by local white residents.

The boycott is still on but is not totally effective. Many Negroes are riding the buses, but the bus company says business is still below par.

The city charged the Negroes with operating a public transportation system without a franchise. The Negroes replied that the car pool operation was incidental to a protest against segregated seating and was not a for-hire venture.

Peace Reigns in Clinton

Special to The New York Times.

KNOXVILLE, Tenn., Dec. 8—Clinton people went about their Christmas shopping today much as those in any other small American town on a Saturday.

This was in contrast to the recent tenseness following the beating of the Rev. Paul Turner, pastor of Clinton's First Baptist Church. He was attacked when he escorted six Negro children back to the integrated Clinton High School Tuesday.

The police will cruise the Clinton High School area when the school reopens Monday. It was shut down following the violence Tuesday.

Nine Negro children are expected to return to classes then. One Negro girl is still in a hospital because of illness. There were twelve Negro students enrolled when integration started, but two withdrew several weeks ago. Nearly 700 white boys and girls are enrolled.

D. J. Brittain Jr., the principal, said the wearing of pro-segregation buttons "by a minority" of students was a serious problem. He said opinion would be sought as to its legality in view of the Federal court injunction against interference with segregation.

The buttons are lettered: "Keep our white schools white."

Mr. Brittain and some teachers believe that "flaunting" such buttons has contributed to keeping Negro students away from school.

Negroes Appeal Pool Conviction

Journal + Constitution
Atlanta, Ga.

TALLAHASSEE, Fla., Dec. 8 (AP)—The Negro Intercivic Council and 21 of its car pool operators Saturday posted bond of $22,000 and filed appeals in Leon County Circuit Court from their city court conviction for operating a transportation system without a franchise.

Sun. 12-19-56

They made bond shortly before the 11 a.m. (EST) deadline set by Municipal Judge John A. Rudd, who had originally called for their bonds by last Tuesday but granted an extension.

One of the $1,000 bonds was posted in cash; others were signed by property owners. The bonds were double the $500 fines imposed on each defendant.

Jail sentences of 60 days were provided as alternatives to payment of the fines.

Posting of bonds and filing of the appeals stays the sentences until higher courts rule on legality of the car pool operation.

The car pool was set up as part of a bus boycott movement by the council.

Suit Is Filed Against Segregation on Buses

Herald Sat. 10-13-56 P.1 Miami Fla.

U.S. Court Here Gets Petition

4 Negro Women Seek Integration

By RONALD T. YORK
Herald Staff Writer

A federal court suit seeking integration of riders on Miami Transit buses was filed Friday.

The action would enjoin the bus company from complying with city and state segregation laws.

It also would have state and city segregation laws declared unconstitutional.

Named defendants are Miami Transit Co., City of Miami, and individual city commissioners.

The petitioners — four Negro women — contend bus segregation laws deny them their rights under the United States laws and 14th Amendment to the U.S. Constitution.

The suit, filed by Negro attorney G. E. Graves Jr., seeks a decision by the court on the merits of the case, rather than by actual trial.

It also asks that it be advanced on the court calendar for early consideration.

Local bus segregation is based solely on the racial origin of the rider, the suit asserts, and is a denial of "the equal protection of the law guaranteed everyone."

Any remedy other than federal court determination would, "involve a multiplicity of suits and would cause further injury, damage and inconvenience to the plaintiffs and those similarly situated," the suit asserts.

Graves specified that it is a class action, intended to benefit all Negro bus passengers.

The suit notes that white passengers must seat from the front. Negroes are required to fill rear seats first on penalty of being arrested and jailed.

Miami Transit Co. officials have frequently been quoted as saying they are operating under Florida state laws and will not alter their operation until the laws are changed.

One of the plaintiffs, Eleanor M. Fair, charged she was sent to city jail July 8 after refusing orders of a bus driver and a policeman that she move to a rear seat.

Maggie Garmon, another plaintiff, charged she was forced to take a rear bus seat Oct. 3 after a policeman threatened her with jail.

The other two, Gloria Matthews and Alice Jackson, asserted they were ordered by a bus driver Thursday from seats at the front to the rear.

The Ground On Which Grandfather Prayed

Afro. Magazine Baltimore Md. Sat. 10-13-56

Here is the story of King Solomon DuPont, militant pastor and leader of Florida's bus boycott movement.

"My father's father was a slave who resented the whole idea of slavery, and I dislike discrimination in any form," the Rev. King Solomon DuPont told the AFRO recently after he was released from the Tallahassee city police station.

The militant bus boycott leader, a successful businessman for 21 years an AME minister, and now pastor of Fountain Chapel Church here, was requested to report to the police station Monday, where he was required to give information concerning the activities of the boycotters' Inter Civic Council.

Dan Speed, another member of the council, was also interrogated by the police, whose tactics were termed "Gestapo methods."

* * *

BORN IN Midway, Florida, 12 miles from Tallahassee, he said, "my grandfather set the pattern of resentment against discrimination which has been inherited by all of his descendants.

"He escaped from his master, and he and his brother stayed in the swamp for many months.

"His brother became tired and hungry and cold and he returned to the big house, but my grandfather stayed on."

He also decided to return but only after he had contrived a plan to obtain his freedom.

For many days he split fence rails for the slave master at night and did his regular work in the day. At that time 100 rails brought only 25 cents.

* * *

"WHEN MY grandfather had split enough rails to make the total sum earned $37.50 he asked his owner to check the rails.

" 'What is the value? he asked.

" 'Archie, I've had a lot of trouble with you,' the slave master said. 'And I have just got $25 for you.'

"My grandfather had his master's name, Archie Skulls.

" 'I will let you go free for these rails as you request," the owner said, "but you can not wear my name. I'll give you 24 hours to get a name.' "

The Rev. DuPont said his father went back to the swamp. He fell upon the ground near a spring. He prayed and the name DuPont came to him.

"Archie returned to his master and said: 'My name will be DuPont, King Solomon DuPont.'

"FROM THEN on that name has come down through the family and now it is my name. We still own the ground upon which grandfather DuPont prayed, because he went to work and earned it.

"Now, every 20th of May we give a banquet there on that very spot."

Commenting on the persistence of the police department in intimidating bus boycotters, the Rev. Mr. DuPont said, "We will just have to continue to be determined to win our rights regardless of what they do.

"It is unfair, we know, but when you are right, victory will surely be yours."

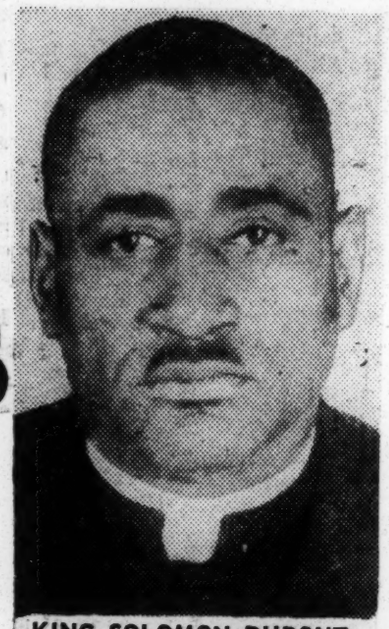
Rev. DuPont has constantly been an inspiration to the thousands of boycotters who walk to work, and who are the backbone of what he calls "passive resistance" to racial "oppression."

As they trudge as far as six miles to and from their homes they often recall his words:

"If they stop the motor pool, I wouldn't ride the bus. If they put all the whites on top and tell us to take the inside seats, I wouldn't ride."

"When you get tired of walking, stop and pray awhile," he has told them many times, and the Lord will renew your strength."

One of the boycotters who remembers what Rev. DuPont has advised said: "Am I tired? Why, a long time ago my soul was tired of this thing. Now that my feet and legs are tired, my soul is resting."



KING SOLOMON DUPONT

Inside This Issue

•$500 PRESIDENTIAL CONTEST—You can win $200 in cash for simply stating who you think will be the next Pesident of the United States. Complete details are on page eight.

100,000 NEW VOTERS—If you live in North Carolina, here's how you can register to vote. The same rules apply in most southern states.

THE RABBIT BROTHERS—A simply story of a grey rabbit and a whie one, with a great message for everybody.

22 Face Trial in Boycott

TALLAHASSEE, Fla., Oct. 4 (UP)—The City arrested the executive committee of the Negro Inter-Civic Council today on charges of illegally operating a transportation system for Negroes boycotting local buses.

The charges were placed against twenty-two Negroes and the council as a whole. Trial was set for Oct. 17.

Earlier, the City had arrested ten individuals, including C. K. Steele, president, on charges of operating motor vehicles for hire without a state license.

The City dropped the earlier charges today and filed the broader charges against the executive board.

The broader charges involve Tallahassee ordinances. The counil had contended the City had no jurisdiction over state "for hire" laws.

The arrests arose out of a bus boycott over segregated seating that began May 28.

Tallahassee Seeks Bus Boycott Probe

Herald Miami, Fla.
Thurs. 10-11-56

By JOHN L. BOYLES
Herald Staff Writer

TALLAHASSEE — A $50,000 search by a legislative commitee into the activities of the National Assn. for the Advancement of Colored People in Florida probably will be launched in the capital city.

Y.120-C

The NAACP investigation committee was asked by the Tallahassee City Commission Wednesday to probe "organizations which advocate courses of conduct violating laws of the state of Florida."

Rep. Henry Land, chairman of the legislative committee, said no action would be taken on the request until the committee has appointed an attorney and its chief investigator.

Sen. Dewey M. Johnson, of Quincy, said he thought the Tallahassee City Commission ought to "pinpoint just what organizations it has in mind."

However, there was no doubt the City Commission's letter asking for the probe was aimed at the Tallahassee Inter-Civic Council which has directed a four-months bus boycott by most of the city's Negro population in protest against segregated seating on buses.

The Rev. C. K. Steele, president of the council and president of the Tallahassee chapter of the NAACP is identified at the leader of the bus boycott.

Steele and several other Negroes appeared briefly when the probe committee coonvened but left before the letter from the City Commission was read.

In a closed session, the committee tentatively selected a chief counsel and chief investigator but refused to disclose their names until they have been interviewed by the entire committee.

Speculation is that Mark Hawes, Tampa lawyer, may be hired by the committee as its chief counsel. Hawes was recommended by Atty. Gen. Richard Ervin who told the committee "he would be excellent on cross-examination."

Hawes is now serving as a special prosecutor for the City of Tallahassee in cases involving Negro car pool drivers charged with illegally operating a transportation service in competition with city buses.

Chairman Land said it is possible the entire $50,000 appropriation may not be needed and he hoped "we can hold expenditures to between $30,000 and $40,000."

Land said the Tallahassee request is the only one received to date from any municipality for action from the committee but Rep. Cliff Herrell of Dade County told other members of the committee "I have received a basketful of anonymous letters."

Land said the committee expects to have to pay some informants for evidence and aid in conducting investigations of the NAACP or "any other organizatons."

Assistant Atty. Gen. George Owen advised the committee it could hold secret meetings to hear testimony from witnesses who desired ot avoid publicity and that it could ask the Circuit courts to order before the committee witnesses who ignored its subpoenas.

TRIAL WITNESS WARNED

Times P.-C

He Changes Early Testimony in Florida Bus Boycott Case

Sat. 10-20-56

TALLAHASSEE, Fla., Oct. 19 (AP)—A Negro witness was ordered by City Judge John Rudd today to be more respectful as the prosecution attempted to show that the Negro Inter-Civic Council financed transportation for bus boycoters.

Times York

The council and twenty-one of its members are on trial on charges of operating an illegal transportation system to provide rides for Negroes boycotting city buses as a protest against segregated seating.

John Payne, a filling station operator, was questioned by Special Prosecutor Mark Hawes as to who had paid him for gasoline put in cars alleged to be operated as part of the council's car pool. He withdrew an earlier denial that he had put gas in a car owner by one of the defendants and charged the cost to the council.

Earlier, several operators of automobile service establishments testified they were paid by council officials for service and merchandise.

Hearing Oct. 17

Jail 22 Protest Leaders

Courier P.A.
Sat. 10-13-56
Pittsburgh, Pa.

TALLAHASSEE, Fla.—The city of Tallahassee has turned up its hole card and arrested 22 members of the executive board of the Inter-Civic Council which has been the main support of this city's four-month-long protest against jim-crow seating in city buses.

Whether or not bringing the protest leaders to trial on Oct. 17 will serve its purpose is a moot question at th's time.

However, the city has left no stone unturned and has not only placed charges against the 22 "leaders" but also against the council as a whole.

■

THE CITY had first moved in on ten people, including the Rev. C. K. Steele, considered locally as being the "brains" behind the entire affair.

After thinking over its move, the city dropped these charges and then "went for broke" by preferring charges against the Council's entire board.

The Council has long contended that the city has no jurisdiction over the state of Florida's "for hire" laws. The city, on the other hand, has accused the organization of operating vehicles for hire without benefit of a state license.

The Council has been running a car pool in conjunction with the protest against Tallahassee's segregated city buses.

38b 1956

Tension high in courtroom as bus boycotters convicted

Afro-American Baltimore, Md.

Sat. 11-3-56

By ELIZABETH M. OLIVER

TALLAHASSEE, Fla.—"Laura, I'm going to tell you about court manners so if you ever go into another court it won't go hard with you."

That is the manner in which Judge John Rudd spoke to Mrs. Laura Flucas, after halting court proceedings when she insisted upon referring to defendants in the bus boycott trial as "Mr." or "Mrs."

* * *

JUDGE RUDD ORDERED both Mrs. Flucas and John Payne, witnesses on Friday, to say "yes, sir" and "no, sir," although there is no Florida law requiring witnesses to do so.

And the prosecutors repeatedly referred to the defendants by name without the the use of the common courties of "Mr.," "Mrs.," or "Miss."

Mrs. Flucas, an employee of the Board of Health Laboratory at W. T. Edwards Tuberculosis Hospital on the Old Miccicucci Rd., was the first to take the stand.

(The witness' place of employment is approximately eight miles from her home on Stern St.)

She was questioned by Mark Hawes, special prosecutor for the city. She was expected to tell how she was driven to work regularly by certain car pool drivers.

* * *

IN ANSWER TO questions by Mr. Hawes, Mrs. Flucas told the court that she was a passenger in the car of Edward Irons, a Florida A. and M. University employee, on Aug. 1 when they were arrested.

She also testified that she had rode with Mrs. Irons, also a Florida A. and M. employee, but did not know either before they offered her a ride, explaining:

"I just ride with anybody who picks me up."

The prosecutor asked Mrs. Flucas if she knew "Bessie Irons" and also whether she knew "Ralph Coleman."

In reply, the witness testified that she knew "Mrs. Irons," but she didn't know "any 'Bessie Irons.'" In addition, she said she knew "Mr. Coleman" but didn't know "whether his name is 'Ralph Coleman' or not."

* * *

DURING THE questioning, Mrs. Flucas appeared to show signs of belligerence and was instructed by Judge Rudd to say "yes" and "no," and not to nod her head.

"Lauro," he said, "this is a microphone (referring to the microphone to the tape recorder) not a television. You have to speak and not nod your head."

Later, when the witness repeatedly referred to the defendants as "Mrs." or "Mr.," Judge Rudd stopped the court proceedings, stating:

* * *

"LAURA, I'm going to tell you about court manners so if you ever go into another court it won't go hard with you.

"The court stands for justice. When you address the court, you say 'yes sir' and 'no sir.' Now let me hear you answer the question."

For a full three minutes Mrs. Flucas sat with a bowed head and refused to answer a question directed at her by Mr. Hawes until the prosecutor and judge demanded an answer.

Finally, after much insistence, she uttered a faint "yes sir."

Upon dismissal from the stand, Judge Rudd ordered that Mrs. Flucas wait outside the courtroom until the session was over.

* * *

THE SECOND witness for the city, John Payne, is service station operator of Bainbridge Rd.

He was asked "if he had not received orders from car pool transportation chief Dan Speed that checks from the Inter-Civic Commission paid for his gas, and if he placed gas in the ICC cars.

Mr. Payne denied any such claims.

Hawes then said he would "refresh" Payne's memory by referring to a statement allegedly made by the witness at a previous hearing.

The witness said he didn't know what the questions were at the time.

* * *

THE JUDGE also accused Mr. Payne of "dragging his feet" when everyone was attempting to get through with the trial, making it clear that the witness should answer "yes sir" or "no sir."

Mr. Hawes repeatedly asked the witness: "Do you know what perjury is, John?"

After the judge and prosecutor failed to receive the desired response, a recess was declared. Upon returning to court, the red faced judge nearly cited the witness for contempt.

* * *

AS THE TRIAL came to a close near the end of the day, Judge Rudd told Mrs. Flucas and Mr. Payne:

"Your are looking at an estimate of government—not me as a man. I don't care if you never say 'sir' to me. It's the duty of all citizens to show respect to the court."

He then asked them to apologize to the court.

There were whispers of respect and sympathy throughout the courtroom for the two embarrassed, harassed witnesses.

One spectator was overheard saying: "Bless them. They are trying to be loyal."

* * *

LATER, MRS. FLUCAS told the AFRO that when she was called as a witness for the city, she felt put in an embarrassing position — having to testify against her people.

In addition, she said she did not quite understand the case at all.

Talking to Mr. Payne at his service station, he explained that he most regretted to have had to testify to information which may hurt his people.

"I was hurt to my heart to have had to be on the other side and not helping my friends. I did not know how the court works, but I did know I should be loyal to my friends, no matter what."

FLORIDA

Driver on Trial in Car Pool Carried Only His Own Family

Heard Fri. 10-19-56 P. 2B Miami Fla.

TALLAHASSEE — (UP) — At least one driver in a car pool established by Negroes to boycott the city's segregated bus system was carrying his own family to town when arrested in a police crackdown, Detective Sgt. R. J. Strickland testified Thursday.

Strickland, under cross-examination by NAACP attorney Francisco Rodriguez, said officers watched Negro Henry T. Smith pick up passengers in the car pool for three days before arresting him. But when he was brought to the police station, it was found his four passengers were his wife, two daughters and a cousin.

Special city prosecutor Mark Hawes, Tampa, objected vigorously to the testimony which he said he "knew was coming next" when Rodriguez began questioning Strickland. The city is trying 21 Negro leaders, including Smith, and the Negro Inter Civic Council on charges of operating an illegal car pool to boycott the bus company because of its policy requiring Negroes to take seats in the rear of the buses.

Maximum penalty on the charges is a $500 fine or 60 days in jail or both.

Hawes called police officials and newspaper reporters to the stand to establish the city's claim the council operated its car pool on established routes, had regular pickup points and was financed through contributions made at the council's twice weekly mass meetings.

Police Chief Frank Stoutamire testified he warned grocer Dan Speed, the council's transportation chairman, that arrests would follow unless the car pool vehicles had city permits and "for hire" licenses.

"Speed told me we could go ahead and make the arrests and they would appeal all of them," Stoutamire said.

Rodriguez, of Tampa, brought out on cross examination that none of the passengers riding the pool cars admitted paying the drivers. He contended the car pool was not a business venture but was merely incidental to the boycott which began five months ago on the campus of the state Negro university when two coeds were arrested for sitting next to a white woman on a bus.

'Walk together, children,' sings Mrs. M. King

Afro-American Baltimore, Md.

Sat. 11-3-56

CHICAGO (ANP)—Mrs. Coretta King, of Montgomery, Ala., wife of Dr. Martin Luther King, proved to Chicago last week that her lovely soprano singing voice in music is equal to her husband's brilliant leadership in race relations.

The promising young soprano gave a concert in Olivet Baptist Church auditorium here. She was accompanied by Mrs. Minnie K. Scott, instructor of piano at Alabama State College.

Mrs. King delivered a brief speech telling of the "magnificent courage of the colored people of Montgomery."

"We are still walking and are in no way weary because we feel what we are doing is symbolic of the fight for the freedom of 16 million black Americans," she said.

Then she moved the entire audience with her presentation of "Walk Together Children."

A graduate of the New England Conservatory of Music in Boston, Mrs. King has studied under many outstanding music teachers and has sung with the Boston Symphony Orchestra.

Her husband is president of the Montgomery Improvement Association and a leading figure in the long and effective Montgomery bus boycott against segregated seating.

Judge Scolds Bus Boycotter For Attitude

Advertiser Sat. 10-20-56 Montgomery, Ala.

TALLAHASSEE, Fla., Oct. 19 (AP) —A Negro witness was ordered by City Judge John Rudd today to be more respectful as the prosecution attempted to show that the Negro Inter Civic Council financed transportation for bus boycotters.

The council and 21 of its members are on trial on charges of operating an illegal transportation system to provide rides for Negroes boycotting city buses as a protest against segregated seating.

John Payne, a filling station operator, was questioned by special prosecutor Mark Hawes as to who had paid him for gasoline put in cars allegedly operated as part of the council's car pool.

Payne nodded frequently in response to questions in spite of being instructed by Rudd to "sit up straight" and answer audibly. Rudd finally called a halt to Hawes' questioning and said to the witness:

"John, you're not trying to be disrespectful are you? When I ask you a question, answer 'Yes, Sir, or No, Sir'."

TEO RECESSES

Two recesses were called while Payne was taken aside by the Negro defense attorneys. The service station operator then returned to the stand and withdrew an earlier denial that he had put gas in a car owned by one of the defendants and charged the cost to the Inter Civic Council.

Payne said he had been confused because the car had been driven into his station by the defendant's wife on one occasion.

Earlier, several operators of automobile service establishments testified they were paid by council officials for services and merchan-

dise.

The city contends the car pool competes illegally with city buses and taxicab companies.

The car pool has operated for nearly five months—almost since start of the boycott which was touched off when two Negro women students of Florida A. & M. University were arrested for sitting toward the front of a bus. Charges against the women were later dropped.

Leaders Of Bus Protest Group Fined In Fla.

Daily World Sun. 10-21-56

TALLAHASSEE, Fla. — (INS) — The Tallahassee Inter-Civic Council and 21 individual defendants were found guilty Saturday of illegally operating a car pool for Negroes boycotting city buses.

The boycott which forced suspension of bus service in Florida's capital city for several weeks last spring, was called in protest over segregation seating.

City Judge Rudd sentenced each defendant to a $500 fine or 60 days in jail. He also handed each a mandatory 60 day term, but suspended this judgement and ordered a year's probation for each instead.

Execution of the sentences was delayed pending a motion for a new trial, which defense attorneys said will be filed.

The jurist, handling the case without a jury, delayed only 15 minutes after testimony was completed before announcing the verdict. He said he asked for "divine guidance" in arriving at a fair pronouncement.

The 21 car pool drivers including the entire nine-man executive committee of the inter civic council were arrested for operating their vehicles without "for hire" tags.

The trial opened last Wednesday and dragged over three and a half days with the prosecution calling some 30 witnesses to the stand to prove that the car pool was a commericial operation functioning without a franchise.

The defense did not put any witnesses on the stand but attempted to prove through cross examination that no money actually changed hands.

Negroes Halt Motor Pools In Tallahassee

Advertiser Oklahoma City Oklahoma

TALLAHASSEE, Fla., Oct. 22 (AP) —The Negro Inter-Civic Council announced today it has abandoned its car pool system but that it is continuing its boycott of city buses until its fight for integrated seating has been won.

The Rev. C. K. Steele, council president, declared "the war is not over. We are still walking."

The council decided to drop sponsorship of the car pool following conviction of the council and 21 of its officers and members in city court Saturday.

The defendants were fined a total of $11,000 by City Judge John Rudd in charges of operating an illegal transportation system. Rudd also sentenced each of the defendants to 60 days in jail, but suspended the jail term and put each on probation for one year.

Dan Speed, chairman of the council's transportation committee, said, 'We not only are not offering transportation, but we are not even offering advice."

Steele urged the boycotters to "fight on and on." He said that while the council no longer will direct car pool operations "we must each and all of us pick up each other and all the folks we see walking in protest of segragation on city buses."

Francisco A. Rodriguez, Tampa attorney who drected the defense at the four-day car pool trial, advised ending sponsorship of the car pool, and urged the boycotters to accept Rudd's decision "without rancor and without bitterness."

THE REV. C. K. STEELE
'Demonstration will continue.'

Irked Tallahassee police intensify intimidation

Afro-American p. 13 Baltimore, Md.

TALLAHASSEE, Fla. — The local police department has speeded up its intimidation again, mainly because they are furious that colored citizens have stood steadfast and firm in not returning to the segregated buses. 11-17-56

This is what Dr. M. C. Williams, executive secretary of the Inter-Civic Council reported in Chapter 10 of the ICC Diary, released recently.

He also pointed out that not only has the ICC given impetus to the colored community to resist race classification on buses here and has spearheaded the five-month old bus protest, but also it has stimulated interest and membership in other colored civic organizations.

* * *

ORGANIZATIONS WHICH formerly complained that none came to the meetings but the president and the secretary can now boast of six and seven hundred participants at their civic meetings.

The city of Tallahassee is planning to build a civic center which will include an auditorium and other recreational facilities. To finance this project the city proposed to increase the utility bill with a 10 percent tax.

Naturally since colored citizens' rates will increase along with all other citizens, the Civic League of Tallahassee (a colored civic organization) held a panel session with representatives of the Junior and Senior Chambers of Commerce and Advisory Board of the Civic Center to discuss participation in the center.

Through the encouragement of the ICC at its mass meetings there were colored citizens at this forum. (approximately 700.)

* * *

THE DIRECTOR of the southeastern section of the NAACP, Mrs. Ruby Hurley, gave the inspirational speech at the Nov. 4 Sunday mass meeting of the ICC.

She stated that the southern states could try to outlaw organizations such as the NAACP and ICC, but colored people in America will fight to the end by peaceful and legal means for their rights.

* * *

AS GUEST speaker at the Oct. 27 Sunday mass meeting, the Rev. Glenn Smiley, representative of the Fellowship of Reconciliation, presented a film, "Walking to Freedom," in which areas using nonviolent resistance to racial conflicts were featured.

This film emphasized that man has the desire for freedom and to live in dignity from the continents of India and Africa to the small southern towns of Montgomery, Ala., and Tallahassee, Fla.

Besides this moving film, the Rev. Mr. Smiley gave the inspirational speech for the evening, complimenting the group on the Christian, non-violent manner in which it was rejecting second class citizenship.

* * *

THE CITY Commission, Oct. 24, ordered Riley Hayward, taxicab operator to show why his franchise should not be revoked.

One of the grounds for such a recommendation on the city's part is the fact that Mr. Hayward was secretary to the transportation committee of the Inter-Civic Council.

Several colored maids have lost their jobs for refusing to ride the buses. But in spite of these economic pressures colored citizens still refuse to be coerced into riding city buses.

* * *

THE REV. C. K. Steele, president of the ICC, made trips to Pittsburgh, Cleveland and Newark for public relations talks on behalf of the Tallahassee bus protest.

He was also guest speaker at a NAACP Conference in Baltimore, Md., and the state NAACP Conference in Tampa, Florida.

In spite of the fact that a week has passed since the car pool of the ICC has been outlawed, colored citizens of Tallhaassee have persistently avoided riding the buses.

The ICC had to advise the people to make their own arrangements for getting to and from work. It seems as if all have taken the advice, because very few persons are seen walking and only a scattered few are seen on the busses.

TROUBLE IN TAMPA

Alabama Journal

Negro Ministers Protest Jailing of NAACP Official

Fri. 10-5-56 Montgomery, Ala.

TAMPA, Fla. (AP)—Negro ministers, protesting the forcible arrest of an official of the National Assn. for the Advancement of Colored People, called a public meeting tonight "to tell the truth about certain events in Tampa."

The Tampa Interdenominational Ministerial Alliance said it considered the events in question "illegal and against good morals."

A five-man delegation of the Alliance told Sheriff Ed Blackburn that Tampa's Negro citizens were "upset, up-stirred and organizing" because of reported circumstances of the arrest Monday of William A. Fordham, 36, president of the Florida branch of the NAACP.

Fordham was placed in handcuffs in a patrol car when arrested on charges of double parking and resisting arrest. He said he was kicked and beaten when he objected to driving his own car from the scene. Arresting officers said they used only enough force to get handcuffs on Fordham and put him in the patrol car.

Blackburn told the delegation he had investigated the incident and believed the officers were fully justified.

Boycott Leaders Still Targets Of Intimidation

Kansas City Mo.

Fri. 10-12-56

TALLAHASSEE, Fla. — A warrant for the arrest of Dr. M. C. Wiliams, executive secretary of the Intercivic Council was issued October 3 by Magistrate John A. Rudd, municipal court judge. Rev. C. K. Steele, Council president, was arrested at the Bethel AME church, the same day.

Both Dr. Williams and Rev. Steele were charged with "unlawfully carrying on the business of operating motor vehicles for the transportation of passengers for hire without first obtaining a license from the city to do so."

In an earlier action, September 26, Dr. Williams was summoned to appear before Judge Rudd and to bring with him the minutes of meetings of the executive committee of the Council, minutes of the meetings of the Transportation committee, together with any and all books, records and papers in relation to furnishing transportation to persons in Tallahassee.

Twenty-one members of the Intercivic council were named as participants in the five-month old car pool used to transport Negroes in protest of segregated buses. Besides Rev. Steele and Dr. Williams the council members are K. D. Duport, J. Metz Rollins Jr., Dan D. Speed, Elbert W. Jones, James Hudson, Eddie Barrington Jr. David H. Brooks, Ralph Gilmore Coleman, Bessie L. Irons, Edward Daryl Irons, Office Burns, Isiah Platt, Henry T. Smith, Riley Hayward, Mathew Adams, John Cook Elizos F. Jones Jr., Robert Paul McGhee and Parker Hollis.

Miami Women Attack Bus Segregation

Call P. 1 Fri. 10-19-56

MIAMI.— (INS) — Four Negro women have filed suit in Miami federal court seeking to have city and state bus segregation laws declared unconstitutional.

Attorney G. E. Graves Jr., representing the four petitioners, asked Saturday that the court render its decision on the merits of the case, rather than by actual trial.

He said any remedy other than a directed verdict would "involve a multiplicity of suits and would cause further injury, damage and inconvenience to the plaintiffs . . ."

The suit was filed in behalf of Eleanor M. Fair, Maggie Garmon, Gloria Matthews and Alice Jackson. Miss Fair said she was arrested July 8 for refusing to move to the rear of a bus and the other three stated they had been forced to take seats in the rear of public transportation vehicles.

Named as defendants in the action were the Miami Transit Co., the city of Miami and individual city commissioners.

Probe Of Bus Protest Group, NAACP Sought

Atlanta Ga. Thurs. 10-11-56

TALLAHASSEE, Fla. (INS) — The Tallahassee City Commission in effect, asked a legislative committee Wednesday to investigate the National Association for the Advancement of Colored People and also the Negro Inter-Civic Council.

The commissioners sent a letter to the special investigative committee — set up by the legislature for the apparent purpose of investigating NAACP and the Ku Klux Klan — asking that the group look into all organizations in Tallahassee "which constitute violation of the laws of Florida."

The city commission has been engaged in a running battle with the NAACP and the Inter-Civic Council over the bus boycott called by Negroes in protest to segregated seating.

Meanwhile, City Judge John Rudd denied a motion today to throw out charges brought against Negro car pool drivers and council officers for illegally operating a transportation system.

Rudd said he has studied the briefs submitted by Negro attorneys and could not connect the cases and arguments cited with those being tried in city court.

Rudd inferred attorneys for the defendants were trying to inject the broad issue of segregation into the case and declared that "integration and segregation have nothing to do with it."

He said when the case go trial Oct. 17 he intends to restrict arguments to whether or not the car pools were legal.

Special City Attorney Mark Hawes said the motions filed for the defendants had no legal basis, in his opinion, and delcared it looked as if the defendants were using the court "almost as a soap box for NAACP propaganda."

Florida Police Arrest and Beat State NAACP Chief on Charge of Double Parking

Bystander Thurs. 10-11-56 Des Moines, Iowa P. 1

Tampa, Fla.—Police harrassment of NAACP leaders, now assuming a southwide pattern, has victimized liam A. Fordham, president of the Florida State Conference of NAACP Branches, who was arrested, handcuffed and beaten by police here this week on a charge of double parking.

Mr. Fordham, an attorney, double-parked his car in front of the local NAACP office to make a telephone call on October 1. While he was inside the office, police proceeded to call a wrecker to remove his car.

Capable of Driving

The difficulty, Mr. Fordham said in a statement the next day, "stemmed from the fact I insisted on being given a ticket and allowed to drive my own car instead of paying a wrecker $5.00 to pull it away. It seems to me that this policy of having drivers is a racket. I had not been drinking and felt that I was capable of driving my own car."

When he protested, he was "handcuffed, beaten, kicked and arrested by Officers W. L. Strickland and Zeon Henderson," Mr. Fordham said.

Actions Uncalled For

Backing up their president, the officers and members of the Florida State NAACP issued a statement affirming their support of Mr. Fordham "since our investigation reveals that actions of the officers were uncalled for and that they exceeded all lawful propriety."

Mr. Fordham also alleged that an account of his arrest in a local daily paper was "distorted," representing only what the police told the reporter. "I do not know of any attempt made by the local press to contact me or any officer of the NAACP to obtain facts," he said. "Nor did my wife, who was at home and who knew of my whereabouts at all times, receive any call from the press concerning the occurrance. The entire incident as related to reporters by the officers was distorted and the whole truth was not told." Bystander

Similar incidents involving NAACP leaders have been reported from Mississippi, Alabama and Texas. Negroes active in the civil rights movement have been arrested and fined for minor traffic violations.

Negroes Drop Car Pool in Bus Boycott

Post and Times Herald P. 2

TALLAHASSEE, Fla. Oct. 22 (AP)—The Negro Inter Civic Council today said it had abandoned the car pool it has sponsored to provide transportation for Negroes boycotting buses in protest against segregated seating.

However, the Rev. C. M. Steele, president of the Council and head of the Tallahassee chapter of the National Association for the Advancement of Colored People, said: "The war is not over. We are still walking." Tues. 10-23-56

Dan Speed, chairman of the Council's transportation committee, said, "We not only are not offering transportation, but we are not even offering advice."

The Council voted to drop its sponsorship of the car pool at a mass meeting of the boycotters last night. The action followed Saturday's conviction in City Court of the Council and 21 of its officers and members on charges of operating an illegal transportation system. The Council has indicated the verdict will be appealed.

City Judge John Rudd sentenced each of the defendants to pay a fine of $500 or serve 60 days in jail. He sentenced each to 60 days in jail, but suspended the jail term and put each on probation for one year.

Arrest 22, grab books of drivers

Afro-American
Baltimore, Md.
Sat. 10-13-56

(Special to the AFRO)

TALLAHASSEE, Fla. — Striving desperately to break the four-month old boycott of segregated buses here by colored citizens, city officials, by weekend, had extended to 22 the number of leaders charged with violating local ordinances in operating a car pool.

Ten of the accused were arrested Wednesday, while 12 others were served city court summonses Thursday, signed by Municipal Judge John A. Rudd. Hearing on the charges is set for Oct. 17.

Earlier, the city had arrested the 12 persons, including the Rev. C. K. Steele, president of the Inter-Civic Council which is spearheading the boycott on charges of violating the state "for-hire" law.

* * *

THE EARLIER charges against the 12 were dropped this week and much broader charges incorporating various transportation ordinances of the City of Tallahassee have been substituted.

The entire leadership of the Inter-Civic Council faces charges, in addition to six operators of service stations which have been supplying the car pool, and a number of drivers of the pool.

In addition to the Rev. Mr. Steele, council leaders facing trial are:

The Rev. K. S. DuPont, ICC vice president; Dr. M. C. Williams, executive secretary; Eddie L. Barrington, assistant secretary; the Rev. J. Metz Rollins, treasurer; Dr. James Hudson, chaplain; Dan B. Speed, director of the car pool; E. W. Jones, assistant car pool director; and the Rev. D. H. Brooks, chairman of ministers.

The six service station or garage operators who have been ordered to bring into court any records relating to business that had been done with the ICC are Thomas Hadley, Cornelius Speed, Adam Somer, Primious Harris, John Payne and Shack Gardner.

* * *

OTHERS arrested include: Riley Hayward, Robert P. McGee, John Cook, Mathew Adams, Henry T. Smith, Mrs. Bessie W. Irons, Edward D. Irons and Ralph G. Coleman.

The arrests were based on warrants signed by Det. Sgt. R. J. Strickland, who has been conducting the city's investigation of the car pool cases.

The warrants charged the Rev. Mr. Steele and others with operating cars for hire within the city without obtaining a license from the city.

The original warrant stipulating that a state "for-hire" law was violated was dropped when defense attorney Theries Lindsay pointed out that Municipal Court had no jurisdiction in administering a state law and requested a transfer of the case to a state court.

Sergeant Strickland gleaned most of the information to base his arrests from the records of the ICC, which were subpoenaed forthwith on Sept. 26 by Judge Rudd.

Afro-American

THE JUDGE ordered Dr. Williams to bring to court "the minutes of the meetings of the executive committee of ICC, the minutes of the meetings of the transportation committee, together with all the council's books, records and papers dealing with and reflecting certain activities and transactions of the council in relation to furnishing transportation to any and all persons in the City of Tallahassee."

In addition to City Attorney Edward Hill, the records were checked by Mark R. Hawes, Tampa, Fla., attorney, who had been hired at a $4,000 fee by city commissioners to prosecute the boycotters.

Sat. 10-13-56

The case is regarded by the city as "significant" in that it may decide whether any private group in any city can operate a transportation system without control of governmental agencies.

(In Mongomery, Ala., the first successful anti-jim crow bus boycott launched by colored people is now in its 10th month).

* * *

ICC OFFICERS took two bundles of records to court Thursday, but Hawes, after examining them, said he felt the records were incomplete.

With the exception of a bank book and blank cards, no new records were produced by the Rev. Mr. Steele, who was requested to go back to the council office and "conduct a diligent search" for additional records while the hearing was under way.

Dr. Williams testified he had no knowledge of additional records and added:

"After an interim legislative committee was appointed to investigate the NAACP, it did not matter to me personally whether the records were in order or not."

* * *

JUDGE RUDD asked Dr. Williams:

"Do I understand that after you became aware of the legislative committee's purpose, you felt it would be best to cease keeping the records or destroy them?"

"That was my personal feeling," Dr. Williams replied.

"In order words, you didn't want to get involved in the investigation?" Rudd asked.

"Yes. I'm sorry I'm so involved today," said Dr. Williams.

Dan Speed, transportation chairman, said he had no records of cars or drivers.

Questioned about three cards found in the original records, he said they had been drawn up to get information about where the riders worked, the time they needed rides and other pertinent information.

He said he discarded the idea after finding out it wouldn't work and no such records were ever kept.

The Rev. Mr. Rollins, treasurer, said he had no detailed records showing who contributed to the council and what amounts. He was asked to bring in this month's cancelled checks.

Both the Rev. DuPont, vice president, and Mr. Barrington, one of the original signers of the ICC's charter, testified they had no additional records.

* * *

EARLIER IN the week, Circuit Court Judge Hugh Taylor denied a petition filed by Mr. Lindsay in behalf of the boycotters asking that the trial be prohibited.

The Oct. 17 mass trial will mark the climax of efforts on the part of the city to end the protest movement sparked May 28 when two Florida A and M University coeds were arrested for sitting in the "white" section in a crowded bus.

First students at FAMU boycotted the buses, then the Ministerial Alliance joined the boycott and within a week the boycott was almost 100 per cent effective.

The bus company, which derived most of its income from colored riders, was forced to suspend operation in July because of the loss of funds.

It resumed operation in August, after the Junior Chamber of Commerce launched a "ride the buses" drive, to get more white patronage for the company, but colored citizens maintained the boycott, despite the fact that the bus company hired two colored drivers for routes through colored neighborhoods.

38-b

DRIVERS IN the car pool of more than 60 vehicles have been subject to police harassment since the boycott began, being arrested and heavily fined for trifling and, in some instances, "trumped up" traffic violations.

The harassment has even extened to drivers of out-of-state cars, who have complained to the ICC that they have been rudely treated by Tallahassee policemen.

The Rev. Mr. Steele said this week that he is considering appealing to President Eisenhower and the FBI for an investigation of civil rights violations during the boycott.

He had previously called upon Gov. Leroy Collins of Florida to investigate the "various types of prosecutions by city police," but Collins rejected his request with the remark that "the courts were the forum for relief of alleged proscriptions.

Police Chief Frank Stoutamire admitted that several colored persons had been brought to headquarters and questioned about car pool cases, but denied that there had been any intimidation.

* * *

THE ICC has never swerved from its original three demands of the bus company: (1) Service on the buses on a "first-come, first served" basis on the matter of seating; (2) hiring of colored drivers on routes through predominately colored neighborhods; (3) courtesy by bus operators to patrons,

When the company made its concession to hire two colored drivers upon restoring its service, it expected colored citizens to flock back upon the buses.

This did not happen after the Rev. Mr. Steele counseled a mass meeting that the company could not buy the principle for which the boycott was launched (seating without segregation) with a couple of jobs to colored drivers.

Brooklyn rally to aid Florida bus boycott partisans

Afro-American
Baltimore, Md.
Sat. 10-20-56

BROOKLYN (ANP) — A mass meeting for the benefit of the Tallahassee, Fla., bus boycotters will be held Monday, Oct. 22, at the Mt. Olive Baptist Church in Brooklyn.

Daphne Sheppard, newspaperwoman and vice president of the Brooklyn Chaper of the Business and Professional Women's Club, will be the principal speaker. The NAACP and ten church choirs will assist.

More than 20 arrests have been made of members of the Inter-Civic Association, which has been operating a car pool in Tallahassee since last May and refusing to accept jim crow bus service.

'Court The Forum'

TALLAHASSEE, Fla.— "The court is the forum" for dissolving problems arising among the citizenry, Gov. Leroy Collins informed the Rev. C. K. Steele, president of the Inter-Civic Council Friday, in answer to an appeal from the latter for an investigation of police harassment of colored motor vehicle operators.

Friday's telegram was not the first that the Rev. Mr. Steele has sent Governor Collins protesting the pressures exerted on minority group citizens operating a car pool here to keep from riding on the segregated buses.

Previous telegrams have gone unanswered.

In another legal move, during the week, Theries Lindsay, ICC attorney, asked Circuit Judge Hugh Taylor to subpoena bus boycotter prosecution records, so that the defendant car pool members who face trial Thursday, Oct. 4, may be better able to answer charges against them.

THE ELEVEN, included among whom are Dan Speed, grocer and director of the car pool and the Rev. K. S. Dupont, ICC vice president, stand arraigned of violating a state law in transporting citizens without a special license to do so.

Crackdown On Fla. Bus Boycotters

TALLAHASSEE, Fla. — (INS) — Florida's capital city of Tallahassee began its long-threatened crackdown on Negro car pool operators Wednesday in an attempt to break the back of a bus boycott sparked by segregated seating.

Several drivers were hauled into police headquarters and booked for failing to have "for hire" tags on their vehicles. The attorney general recently ruled autos being used in the car pool fell into the "for hire" classification.

Rev. C. K. Steele, president of the Inter Civic Council, which is sponsoring the boycott, denounced the arrests as "very unfair."

He declared: "Instead of forcing us back on the buses, it will have the opposite effect and make us more determined than ever to continue our efforts for equal treatment . . ."

The average cost per car for the special tags would be about $15 but the city commission has the right to limit the issue of such plates.

Among those arrested was the Rev. K. S. Dupont, vice president of the Inter Civic Council.

In Miami, meanwhile, a 31-year-old Negro woman accused of disorderly conduct by refusing to move to the rear of a bus was found not guilty.

The judge, pointing out there was only one other passenger on the vehicle, commented: "I don't see how the peace can be breached with only one other person knowing it."

Bus Boycott Leaders Face Trial Oct. 17

TALLAHASSEE, Fla., Oct. 4 (UP)—The city today arrested the entire executive committee of the Negro Inter Civic Council on charges of illegally operating a transportation system for Negroes boycotting local buses.

The charges were placed against 22 Negroes and the Council as a whole. Trial of the cases was set for Oct. 17.

Earlier, the city had arrested 10 individuals, including Council President C. K. Steele, who also is local head of the National Association for the Advancement of Colored People on individual charges of operating motor vehicles for hire without obtaining a State license.

These cases had been scheduled for trial this morning after two earlier postponements. The city unexpectedly dropped the charges today and filed the broader charges against the Council and 22 of its executive board and members.

The broader charges are based on various transportation ordinances of the city of Tallahassee rather than the State "for hire" law. The Council had contended the city had no jurisdiction over state "for hire" laws.

The arrests arose out of a boycott in a dispute over segregated seating that began May 28. Cities Transit Co. was forced out of business in July by the boycott but resumed operations Aug. 2 on new routes.

REV. K. S. DUPONT
Faces police charges

MISS YVONNE E. HAYLING
Coed supports bus boycott

'Little folk' who rode buses still walking

TALLAHASSEE, Fla. — Charles Carter, the manager of the Tallahassee Bus Company, admitted here last week that the boycott of the city buses was still very effective.

The boycott began on May 29 when two FAMU coeds were arrested for failing to move to the rear of a bus when ordered to do so by the operator.

The boycott forced the company out of business July 1, but it returned its coaches to the streets Aug. 1, after a "ride-the-bus" campaign gained additional white patrons. The campaign was sponsored by the Junior Chamber of Commerce.

TWO COLORED drivers were hired on buses that run in colored sections, but this concession to the boycotters did not appreciably affect the company's business.

The slogan adopted by the boycotters is "first-come, first served" in the matter of seating, and this plan would do away with segregation altogether.

THE PEOPLE upon whom the success of the boycott rests, the domestics, students and others who rode the bus, are still walking.

"I'm not going to ride until they come to an agreement and I will continue to walk as long as the boycott goes on.

"I don't mind walking, "says Mrs. Maggie Nicholson, a maid, who works on the Thomasville highway, a six-mile walk twice a day.

Mrs. Janie Willians, also a maid, declared, "I am along with my people. As long as they walk, I walk."

I. T. Platt said: "From what I can learn from the people they feel they will walk right on. They are going to go until things are thoroughly changed..

* * *

"ABOUT DR. GORE, I think some twisting of the facts has been done by the press (white).

"They are hoping to make a fight between us. The devil is always busy. We should hold our peace until we see and know. Dr. Gore should be the leader of the race.

"How does it happen that, out of the blue, he says those things to the teachers who were with us in the boycott?

"Out of the blue, he starts against us. I think some twisting of facts has been done."

ing of facts has been done."—E. M. OLIVER.

How much in bank?

By ELIZABETH M. OLIVER

TALLAHASSEE, Fla.—"How much money do you have in the bank?"

This is one of seven questions asked bus boycotters apprehended by city police this week.

Other questions, according to Theries Lindsay, attorney for the Inter Civic Council, directing the five-month boycott of jim crow city bus lines, were:

"Who are the New York lawyers that are going to come in and help defend the for hire cases?

"How many cars does the Inter Civic Council own?

"HOW MUCH DO YOU PAY the drivers?

"How much money do you collect at your meetings?

"From whom do you buy your gas?"

"How much do you pay for your gas?

MR. LINDSAY SAID the police department is using a new investigator to seize council leaders without warrants and to grill them at length on council activities.

Two women riding in a car pool vehicle were detained Monday. Police and the city attorney's office told an AFRO reporter no women were detained.

Dr. M. C. Williams said, "I went to the police station. They were there all right."

Others taken in custody were Dan B. Speed, coordinator for the council, and the Rev. King S. Dupont, vice president.

Police told these officials that they had compiled a list of all the people who would be questioned.

"SOME OF THESE OFFICIALS are scheduled to be tried in Municipal Court Oct. 4 on the flimsy charge of operating "for hire vehicles." The for hire charge comes about because they were using their own automobiles to give rides to their friends and neighbors during the protest against riding segregated buses.

QUESTIONING POLICE also had photostatic copies of the Inter Civic Council's charter, granted by the State of Florida as a non profit organization, which is organized for the civic improvement of its members and others.

Mr. Lindsay said:

"The Gestapo methods used by the Tallahassee Police Department is merely another technique designed to keep colored people down and prevent them from seeking the things that rightfully belong to them as American citizens."

4 sue for integration

MIAMI, Fla. (ANP) — G. E. Graves, attorney, last week filed suit in Federal court here on behalf of four women who are seeking to have the city and state segregation laws declared unconstitutional.

The suit, aimed specifically at the bus segregation laws and practices in Miami, was filed on behalf of Mesdames Eleanor M. Fair, Maggie Garmon, Gloria Matthews and Alice Jackson.

IN THEIR petition, the women charge that the bus segregation laws deny them their constitutional rights and asserts the laws are based solely on racial orgin.

The petition further states that the bus segregation laws deny them (colored Amricans) "equal protection of the law guaranteed everyone."

* * *

MRS. FAIR said she was sent to city jail last July 8 after refusing orders of the bus driver and a policeman that she move to a rear seat.

Tallahassee trial sidelights

Afro-American P.18
Baltimore Md.

TALLAHASSEE, Fla.—Mark R. Hawes, Tampa attornty, who was hired by the city at the expense of $4,000 to prosecute Tallahassee bus boycott leaders, was repeatedly upbraided by Attorney Whittaker and appeared afraid of the man, whose actions caused him to stutter, and continually make errors.

Sat. 10-27-56

At one time he submitted the wrong batch of ICC checks to Godfrey Smith to be identified.

He said, while the courtroom tittered, "I'm afraid I had you identify the wrong batch of checks, Mr. Smith."

Mr. Smith, who had been permitted to leave the witness stand, was on his way back to the bank and had to be recalled. The court took a "five minute" recess which lasted 20 minutes.

* * *

A VIRTUAL three-ring-circus, the trial is what Rev. Steele calls "Southern Justice."

Judge Rudd frequently leaned back in his straight legged, kitchen-type chair against a large paper map of the city.

Indication that he habitually does so during his court trials was in the grease spot on the map where his head rubbed.

The ancient courthouse showed signs of age and unkept condition. Cigaret butts, refuse, burnt matches literally covered the floor of the second floor courtroom. Cobwebbs hung in the corners of the ceiling.

Behind the "bench," which is a serious of delapidated tables, were calendars advertising various auto firms. Paint peeled from the sidewalls. The seats consisted of hard church-type benches and folding chairs.

* * *

JUDGE RUDD sat in the center. Beside him on his left was a woman stenographer who had a small tape recorder. They frequently, laughed aloud often, stuck pencils in their mouths.

Judge Rudd rubbed his recently greased hair repeatedly and objected to the ICC plans for prayer before the opening session.

In almost 90 degree heat, young and old were present. Household help, farmers, students, people who were there to see what the end would be.

* * *

ON THE WHOLE, the crowd came some poorly clad, others richly dressed.

White spectators were entirely men, in shirt sleeves or tee shirts, shabby hair, unshaven. They sat with mouths open, listening, trying to understand.

The concensus is that the whites are "not too interested."

Rodriques and Theries Lindsay were outstanding both in appearance and in proper presentation in contrast to Whittaker and Hawes, who presented an air of informality and uncertainty.

The latter two in a "palsy-walsy" attitude with the judge, requesting innumerable "5-minute" recesses, turned the courtroom for solemnity to "picnic time," causing frequent laughter.

* * *

THE APPEARANCES of Hawes and Whittaker, who is a fabulous criminal lawyer, caused this remark from Rodriques: "This is a misdemeanor which has been elevated to the proportions of a major crime."

Theries Lindsay brought a large tape recorder in with him. It looked like a portable phonograph. He set it up on the table in front of him and operated it throughout the trial.

The judge and Hawes halted testimony while Lindsay changed the tape holders. Lindsay recorded the entire proceedings.

* * *

ANY REMARK which tended to defer the defendants was immediately overruled.

Rodriques objected to everything methodically. He got so that he said: "Same objection as before."

Judge Rudd, forgetting how the previous objection was stated, said: "Repeat your objection, restate it, I forget what it was."

When Rodriques rose to state the objection, the courtroom giggled.

That Hawes had put out some of the $4.000 used to hire him was evident in his expensive dark blue suit and his spotless white shirt, his fresh hair cut, his shining black shoes.

A hefty, neat young man, he was obviously disturbed by Whittaker's brow-beating before the court.

Whittaker shook his finger at Hawes at intervals and interrupted his conversation with witnesses. His Southern draw. is prominent.

* * *

Colored spectators, some of whom were forced to stand, uttered quiet objections, passed word up and down the rows, that it was "a shame" for them to stand while seats were empty on the white side.

One maid, off for the day said: "My boss said keep on trying. You can stay off as long as the trial lasts. Come on back when it's over."

A Dr. Miller, Florida State University professor, told his maid: "Don't give up, stick with it." She was present in court.

Colored spectators dressed up for the ocassion. All looked neat and clean. — ELIZABETH M. OLIVER.

Citizens Not Yielding To Segregation

Journal & Guide
Sat. 10-27-56
Norfolk, Va.

Men Operating "Car Pool" Given Heavy Fines

P. 1

Special To Journal and Guide

TALLAHASSEE, Fla. — Fines totaling $11,000 were assessed against 21 individuals and against the Inter-Civic council here last week when a City Court judge found the defendents and the organization guilty of illegally providing transportation for colored citizens boycotting local buses.

Despite the "guilty" verdict local residents have announced themselves unwilling to yield to segregation on buses and in noting appeals of the court ruling foresaw a long, legal battle. In the meantime, the main theme along Tallahassee streets is "walk on" with last weekend's verdict hampering, rather than helping, efforts to get colored citizens to accept discriminatory seating arrangements.

Judge John Rudd imposed $500 fines and suspended sentences of 60 days against the defendants including the entire executive committee of the council.

* * *

EACH DEFENDANT was also placed on probation for a year.

The verdict was "guilty" despite the fact that defense counsel pointed out that the transportation provided for boycott supporters was not paid for by the passengers. The cost of providing the transportation is actually met by contributions to the council, Attorney Francisco Rodriguez pointed out.

* * *

NOTICE OF appeal was given and if the appeal is not perfected, the defendants must pay the fines or go to jail for sixty days.

A stipulation of the judgment was that an additional 60-day sentence can be imposed if they violate terms of their probations, which require them "not to participate in illegal activity" for a year.

* * *

THE DEFENDENTS in the case were accused of failing to provided "for hire" licenss for cars used in the highly successful "car pool" which has provided transportation for local colored residents since early last spring when a boycott was begun after two coeds at Florida A. and M. University here were arrested for refusing to give their seats on a bus to white patrons.

The Inter Civic council asked the city administartion to bar segregated seating on buses, but the city refused to do so. Bus firm operators sought to appease the colored citizenry by abolishing seating jimcorw but was denied the right to do so by the city.

Later, the company added two colored drivers on predominantly-colored routes, but this failed to attract colored patronage to the line which had a 70 per cent colored clientele before the boycott was instituted.

Boycotters Fined $500

TALLAHASSEE, Fla. — (INS)— The Tallahassee Inter-Civic Council and 21 individual defendants were found guilty Saturday of illegally operating a car pool for Negroes boycotting city buses.

The boycott, which forced suspension of bus service in Florida's capital city for several weeks last spring, was called in protest over segregated seating.

City Judge John Rudd sentenced each defendant to a $500 fine or 60 days in jail. He also handed each a mandatory 60 day term, but suspended this judgement and ordered a year's probation for each instead.

Leader

Execution of the sentences was delayed pending a motion for a new trial, which defense attorneys said will be filed.

Sat. 10-27-56

The jurist, handling the cases without a jury, delayed only 15 minutes after testimony was completed before announcing the verdict. He said he asked for "divine guidance" in arriving at a fair pronouncement.

The 21 car pool drivers, including the entire nine-man executive committee of the Inter Civic Council, were arrested for operating their vehicles without "for hire" tags.

P. 2.

The trial opened last Wednesday and dragged over three and a half days with the prosecution calling some 30 witnesses to the stand to prove that the car pool was a commercial operation functioning without a franchise.

Bishop Nichols at boycotters trial in Fla.

Afro-American
Baltimore Md.
Sat. 10-27-56

TALLAHASSEE, Fla.—Bishop D. Ward Nichols summed up the trial of 22 car pool operators here Thursday in these words.

P. 5

"It is a waste of the taxpayers money. A witch-hunt and reflection on the good name of the U.S.A.

"The city of Tallahassee plainly has no case and should withdraw its charges in the interest of what the American Government stands for.

"I will pray for such a misled city and the Universal Church should pray for the city officials who are doing more to help the Communists than they are doing to hurt the defendants.

"Wrong can never win and, whether in Tallahassee or in Washington, will never prevail.

* * *

BISHOP NICHOLS arrived here for the trial Thursday. He was attending the Florida AME Conference in Quincy.

He was accompanied by the Revs. A. L. Bennett, presiding elder Quincy District; Walter S. White, presiding elder of the Tallahassee District; H. McNeal of Bethel Baptist Church, Tallahassee; Mr. John H. Cobb and Mr. Louis Stokes.

He said: "Tell Carl Murphy I am on the firing line. We are behind the boycott one hundred thousand strong."

* * *

WITNESSING the indignities to colored people, the jests at the court of justice, the faltering display of temper, the "backing up" on statements, the consuming of soft drinks at the witness stand. Bishop Nichols frequently closed his eyes in prayer.

He was greeted at the courtroom door by more than 150 spectators, who made him welcome by their handshakes. The defendants expressed gratitude at his presence.

New Tallahassee Buses To Spurn Negro Riders

Businessmen Back Transport Line

Defender Chicago Ill.
Sat 7-21-56

TALLAHASSEE, Fla. — (INS) — The Tallahassee bus company announced last week that it will resume operations "fairly soon" with routes aimed at providing transportation for white passengers only.

The company had been forced out of business July 1 by a boycott of buses by Negroes.

The move came today after the Tallahassee Chamber of Commerce assured the transit company a "ride the bus" campaign by white citizens would keep the line out of financial trouble.

The Chamber of Commerce, headed by Tom Brownlee, is passing out forms on which white citizens of Tallahassee can list what schedules they prefer and what routes they wish the buses to operate along.

The bus company — Cities Transit, Inc., — said the routes would be "steered away" from Negro sections of the city because the Negroes, who have refused to end their boycott, "wouldn't ride anyway."

The boycott had forced the bus company to discontinue operations as of July 1 because of financial difficulties brought about by the lack of Negro passengers. Negroes had made up 70 per cent of the passenger load on the vehicles.

Tallahassee To Put Clamp On Boycotters

Advertiser
Wed. 7-18-56
Montgomery Ala.

TALLAHASSEE, Fla., July 17 (AP) — The City Commission today ordered a police crackdown on drivers of automobiles in the car pool which has provided transportation for Negroes since they started boycotting public buses May 28.

Cities Transit Co. suspended all its bus service July 1 because of the boycott. Negro riders supplied about 70 per cent of the bus company's revenues.

The City Commission ordered Police Chief Frank Stoutamire to start arresting Negro car pool drivers for any violations of state law governing public carriers. City Atty. James Messer said most of the car pool drivers were breaking the law.

VIOLATIONS CITED

Messer said car pool automobiles were not carrying the proper tag, since they are not licensed as public carriers, and that few of the drivers are licensed as chauffeurs.

He said although the passengers are not charged regular fares, the car pool is supported by contributions from passengers and in his opinion is governed by laws covering "for hire" vehicles.

Police have been investigating the car pool for the past two weeks and have completed a list of automobiles, drivers, pick up points, destinations and passengers, Messer said.

NEW SERVICE SET

The Commission asked the police chief to turn over the information to City Prosecutor Edward Hill for background information to be used in making future cases against car pool drivers.

Manager Tom Brownlee of the Tallahssee Chamber of Commerce conferred with state agency department heads on restoration of bus service. Cities Transit has agreed to resume service with routes and schedules geared to convenience of white patrons. Buses are expected to be back on the streets in about 10 days.

Brownlee hopes to obtain agreement from state agencies to stagger working hours to assist the bus line in providing better service.

Boycott Foe Declares War On Car Pools

Advertiser
Montgomery Ala.
Fri 7-20-56

TALLAHASSEE, Fla., July 19 (AP) —A legislator announced today an effort would be made to pass a bill at the special session of the Florida legislature next week to curb "wildcat carpooling" formed during transportation boycotts.

Rep. Kenneth Ballinger said the proposal he and a group of lawmakers would propose was inspired by the Negro boycott of Tallahassee buses which has resulted in a bus shutdown.

The boycott was called May 28 in a protest of segregated seating arrangements.

RESUME OPERATIONS

Ballinger's announcement came as the Cities Transit Co., reported it would start buses rolling again Aug. 2 over new routes geared to serve white patrons.

A slightly smaller type bus is being purchased for the new operations. Many of the older buses were sold after the July 1 shutdown. The Chamber of Commerce is sponsoring a ride the bus campaign to help make transit operations profitable when service is resumed.

Another legislator, Rep. James M. Beck, said he will introduce a bill to make it unlawful for a state employe to take part in an organized boycott. Some members of Florida A&M University here are leaders of the Negro Inter Civic Council which is active in the boycott.

The proposals would require organizations seeking to divert patronage from existing public transport systems by providing free transportation to be licensed by the state railroad commission or the city. Jail terms of up to 90 days plus fines of up to $250 would be provided in cases of violations.

"The bill as now drawn is designed to help other cities protect themselves against the planned and blatant ignoring of regulatory authority which has featured the leadership of the bus boycott in Tallahassee," Ballinger said.

Leaders of the Negro Inter Civic Council could not be contacted immediately for comment regarding Ballinger's statement.

The city commission has ordered a crackdown on Negro car pool operators it says are violating state "for hire" licensing regulations, but the police department delayed start of the crackdown another day to enable police to develop sufficient evidence to make arrests.

The commission said it had been advised by the city attorney that automobiles used in carpools should have "for hire" tags and drivers should have chauffeurs' licenses.

Boycott Unit Regrets Attack On Fla. Prexy

Defender
Chicago Ill.

TALLAHASSEE, Fla.—The president of the Negro Inter Civic Council said this week he regrets a news release sent out in the name of the council critical of President George W. Gore, jr., of Florida A and M university.

Rev. C. K. Steele said the release was put out by "well meaning, but overzealous" members of the organization.

Sat. 10-6-56

"'I consider it unfortunate that anyone should meddle in the private affairs of the university," he said. "The affairs of the university should be something completely apart from the bus dispute."

The news release issued in the name of the council claimed that Dr. Gore had issued what amounted to an ultimatum to the university staff and faculty not to participate in the bus boycott here.

Dr. Gore denied he had issued any such ultimatum, but said he had appealed to the faculty, staff and employes of the university to use discretion and refrain from active participation in the boycott.

In Tallahassee, Fla.

Courier p.3

Buses Stop Rolling!

Pittsburgh, Pa.

Sat. 8-28-56 Sat. 8-7-56

TALLAHASSEE, Fla.—Florida's capital city is without public transportation this week because officials of the local bus concern have yet to knuckle under to Negro demands that "total integration" be instituted by the City Transit Company.

The bus system shut down its operations Saturday midnight because of the economic pressure brought to bear on it by a four-week-old boycott by Negro riders.

Tallahassee's Negro citizenry took the shutdown calmly for the Inter-Civic Council, which is spearheading the boycott, has promised "full transportation" and has swung a 74-car pool in action.

The council has demanded "total integration" and "courtesy" from white bus drivers toward Negroes. In addition, the organization has been pressing for the employment of Negro drivers on predominately Negro lines.

A last-minute attempt of city officials to avert the bus shutdown was squelched when the Inter-Civic Council turned down a "compromise" offer which offered to permit "open seating" on lines serving Negro districts, except for the "reservation" of a three-passenger seat in front for whites. The city had also offered to permit the hiring of Negro drivers.

STETSON COLEMAN, owner of the City Transit Company, called the boycott, "un-American." State Senator Wilson Carraway of Tallahassee cracked, the "Supreme Court decision cannot be enforced in Tallahassee without calling out the U. S. Army."

The Rev. C. K. Steele, president of the ICC, countered, "We had rather walk with dignity than ride with humiliation."

The population of Tallahassee is 40,000. Approximately 65 per cent of the bus company's trade is Negro.

The Rev. K. S. DuPont, vice president of the Negro Inter Civic Council which is sponsoring the boycott as a protest against segregated seating, said he believed the police crackdown on car pool operations is an attempt to force passengers back on the buses.

Police have arrested seven car pool drivers since Atty. Gen. Richard Ervin ruled that vehicles used to transport boycotters are providing public transportation and should carry "for hire" tags. Such tags cost about $15 more than the average car license plate.

All seven were charged with failing to have "for hire" tags. Their cases will come up in police court Monday. DuPont, who is one of the seven, said all will plead innocent.

DuPont said the auxiliary driver plan will be tried to prevent delays which have been caused when drivers have been taken to the police station for questioning.

The company agreed to restore service on a segregated basis, with new schedules and a number of new routes geared to serve white residents of the city, at the request of the Chamber of Commerce and other civic organizations which are conducting a "ride the bus" campaign.

Charles Carter, bus company manager, said it had been decided to restore service on the Florida A&M University and Frenchtown routes as well because of a "tremendous response" from residents of the two areas "who want service to resume."

Two petitions urging resumption of service were being circulated by Negro leaders and reportedly had more than 900 signers.

The bus company suspended service July 1 because of financial losses suffered after Negroes started the boycott May 28 in protest against segregated seating as required by state law. Few Negroes used the buses after the boycott went into effect.

MONTGOMERY, Ala. — Times are getting hard for Montgomery's white bus drivers, many of whom have taken a stand against the hiring of Negro drivers. The local city bus line has laid off 21 m re drivers and three other employes on a "temporary" basis.

Bus Bias Succumbs Quietly in Houston

HOUSTON — Bus segregation has disappeared in Houston, Tex., and no one has paid the slightest attention to its demise. Negro bus riders are riding wherever they please and as yet there have no "incidents." Whites are going to the rear of buses and are, seemingly, enjoying the ride.

Boycott Drivers To Carry Spares

Advertiser Montgomery Ala.

TALLAHASSEE, Fla., Aug. 26 (AP) — A bus boycott leader announced here will be carried in car pool vehicles starting Monday to avoid delays in the event of arrests.

Buses To Start Rolling Again In Tallahassee

Advertiser Montgomery Ala. Thurs. 8-2-56

TALLAHASSEE, Fla., Aug. 1 (AP)—Buses start rolling again tomorrow after a month of idleness because of a boycott by Negroes, and Cities Transit Co. announced it would provide service on predominantly Negro routes.

Priest hit on Fla. bus

Pro-American Baltimore, Md.

KANSAS CITY —In a letter to the British consul here, the Rev. Grover C. Bullock charged that he and his wife were assaulted on a bus in a small Florida town last Friday.

The Jamaican priest said he came here to visit relatives while touring America.

Sat. 8-25-56

HE WROTE the consul that a man got on the bus in Perry, Fla. and demanded that he and his wife move from the middle of the bus to the rear seat.

When they refused, he said the man struck both of them. The bus was en route from Miami to Kansas City.

* * *

WILLIAM H. BARNES JR., a Perry police officer, said Milton Poppell of Perry admitted hitting the cleric and that he arrested both on charge of fighting since he didn't see the accident.

Both men forfeited $25 bond.

The British consul here said he was forwarding the cleric's letter to the British Embassy in Washington since the incident did not happen in his jurisdiction.

Blonde for Tallahassee boycotters

Pro-American Baltimore, Md. Sat. 8-18-56

TALLAHASSEE, Fla. — "I would walk myself bowlegged rather than ride the buses in Tallahassee under present conditions."

This was the statement made by Miss Loyce Cargile, a white Florida school teacher, before some cheering 900 persons attending a mass meeting of the Inter-Civic Wednesday at Bethel Baptist Church here.

In congratulating the city's citizens for their initiative and efforts, in spite of harassment, to hasten integration, she vowed she would not ride a taxi or bus while the protest movement was in effect.

"TAKING AWAY the privileges of democracy leads us to another form of government," she said, adding, "when democracy is in danger for a segment of the population, it is in danger for all.

"Traces of a caste system have no place in a democracy."

Miss Cargile criticized the twisting and turning of the old laws and the creation of new ones for the purpose of intimidating colored citizens. She compared some of the tactics used by the politicians in Florida with those employed by the defunct Facists abroad.

"Absolute power corrupts absolutely," she declared.

* * *

A TEACHER last year, Miss Cargile said she refuses to teach in a state whose constitution and politicians refuse to obey the mandate of the U.S. Supreme Court.

"Christianity is not a part-time job," she said. "Where are we going to sit in heaven? Who will drive the buses?"

Miss Cargile, who later attended a meeting of the ways-and-mean committee of the ICC, suggested that a rummage sale be held to raise funds to keep the car pool rolling.

Pro-American

WHEN SHE left the city to return to Miami, where she resides, she gave the committee her suitcase and all it contained for the rummage sale.

The dress she wore when she addressed the mass meeting was in the bag. As she boarded the train, she also stripped off her earrings, necklace and bracelet and gave them to a committee member.

When the state legislature held an emergency meeting recently on the school integration question, Miss Cargile came to Tallahassee to attend the hearings.

Sat. 4-18-56

WHILE HERE she sent every state senator and representative air mail, special delivery post cards in an effort to persuade each to vote against any measure that was contrary to the Constitution of the United States.

The answers of legislators who declared they intended to defy the Supreme Court were photostated by her and sent to Chief Justice Warren of the High Court for appropriate action.

Miss Cargile also sent "insulated" hats to two of the most hot-headed segregationist legislators, stating that when the hats are soaked in ice water and worn they will keep one's head "cool for a considerable length of time."

Boycott Flayed by Gov. Collins

Times Picayune

Tallahassee Line Begins Sale of Buses

New Orleans, La.

TALLAHASSEE, Fla., July 2 (AP)—Gov. Leroy Collins said Monday he regards the Negro bus boycott as a "miscarriage of ambition."

Times 7-3-56

His statement came after the Cities Transit Co., suspended the service made unprofitable by loss of Negro patronage and began selling off its buses. Five buses left Tallahassee Monday to be delivered to a purchaser in Cuba.

Between 1500 and 1700 white persons are having to make other arrangements for transportation. Apparently the are either walking or getting rides from neighbors because taxicab companies reported little or no increase in business.

"Efforts made here by the NAACP (National Association for the Advancement of Colored People) which have resulted in discontinuance of bus service in this community, I regard as a miscarriage of ambition," Collins said.

'Gains Nothing'

"If this organization is interested in advancing the welfare of our Negro citizens, it should concern itself with other conditions of far more importance than where people sit on buses.

"There are many areas for real and substantial improvement such as health standards, moral standards and educational standards, in which they could become engaged with a great deal more benefit to the people they represent."

Collins cited efforts made to improve conditions for Negroes in Tallahassee in recent years and declared "the tragedy of this bus situation is that it has gained nothing for the Negroes and much has been lost in the tensions and antagonisms which have been developed. . . .

"I frankly think that the Negroes had some just grievances about the operation of the bus service. But it is clear to me that the city authorities indicated in good faith a willingness to adjust these grievances."

Extension Threatened

The Tallahassee city commission met privately Monday to discuss the situation but reported no action was taken.

Meanwhile, the Tallahassee Junior Chamber of Commerce talked over possible action to get the buses back in service but decided against taking definite steps until it is seen whether there are further developments.

Rev. C. K. Steele, president of the Negro Inter Civic Council which spearheaded the boycott, threatened at a mass meeting to extend the boycott to white merchants unless there's an end to what he described as "police intimidation" of Negroes.

Intimidation was denied by police chief Frank Stoutamire who said he hasn't seen any mistreatment and "wouldn't stand for it."

Negro leaders were working on plans for a jitney bus system to supplement the car pools which have been in operation since start of the boycott. The Negroes began staying off buses after two Negroes were arrested for taking seats in a white part of a bus and refusing to move.

Florida Bus Boycott Forcing Line to Quit

World-Telegram + Sun

By the Associated Press.

TALLAHASSEE, Fla., June 15.—The Cities Transit Co. disclosed today it intends to go out of business here July 1 unless a solution is found to the boycott of its buses by Negroes.

New York

The Negro community, about one-third of Tallahassee's 40,000 population, has refused to ride buses since May 29 in protest against segregation practices required by state and city law. An estimated 70 percent of the bus company's business came from Negroes.

The firm inserted a full page advertisement in the Tallahassee Democrat conceding the boycott by the Negro riders has been effective and has cut revenues 60 percent.

Negro Bus Riders Offered Protection

Herald Fri. 7-13-56

Miami, Fla.

TALLAHASSEE —(UP)— The City Commission offered police protection Thursday to any Negroes who want to ride city buses on a segregated basis but hotly refused to negotiate further with a Negro group demanding full integration.

P-28-a

The commission, in a brief but militant meeting, slammed the door on any further negotiations with the Negro Inter-Civic Council. The council led a five-week boycott which forced the Cities Transit Bus Co. to close down July 1 because of a 60 per cent drop in revenue.

Council members vowed again Wednesday night to stay off the buses until segregated seating is outlawed and "true democracy finds expression in this southland of ours."

Bus service will be resumed "within five or six days" but the old routes which largely served the city's 15,750 Negroes will be revised to appeal to white patronage.

"The buses are going to be supported and run without the Negroes, but if they want to ride they are going to be protected," Commissioner Joe Cordell said. "We have enough white people who will support the buses, but if any Negroes want to ride we want them to be protected by the police and know they won't be molested by anybody."

The commission charged the Inter-Civic Council "intimidated" other Negroes into staying off the buses, and Mayor Fred Winterle said more police would be hired if necessary to protect Negro passengers.

The commissioners agreed unanimously they are "sick and tired of dealing with the Inter-Civic Council and charged most of its leadership came from newcomers to Tallahassee and professors and their wives at Florida A&M University for Negroes.

Winterle hinted the board of control, which governs the universities, may be asked to investigate and said "there will be no more negotiations with the Inter-Civic Council. We're fed up."

Crack Down Begins On Bus Protest Drivers

Daily Herald

Atlanta, Ga. Thurs. 8-23-56

TALLAHASSEE, Fla. — (INS) — Florida's capital city of Tallahassee began its long-threatened crackdown on Negro car pool operators Wednesday in an attempt to break the back of a bus boycott sparked by segregated seating.

Several drivers were hauled into police headquarters and booked for failing to have "for hire" tags on their vehicles. The attorney general recently ruled autos being used in the car pool fell into the "for hire" classification.

Rev. C. K. Steele, president of the Inter Civic Council, which is sponsoring the boycott, deriounced the arrest as "very unfair."

He declared: "Instead of forcing us back on the buses, it will have the opposite effect and make us more determined than ever to continue our efforts for equal treatment..."

The average cost per car for the special tags would be about $15, but the city commission has the right to limit the issue of such plates.

Among those arrested today was the Rev. K. S. Dupont, vice president of the Inter Civic Council.

In Miami, meanwhile, a 31-year-old Negro woman accused of disorderly conduct by refusing to move to the rear of a bus was found not guilty.

The judge, pointing out there was only one other passenger on the vehicle, commented: "I don't see how the peace can be breached with only one other person knowing it."

Life Made Hard For Boycotters

Call Sun

Kansas City Mo.

Fri. 7-27-56

Say Drivers of Protest Cars Not Licensed Chauffeurs

TALLAHASSEE, Fla. — (ANP) — City officials are bending over backwards here to do as much as they can to make life as hard as possible for Tallahassee's Negroes who stopped riding Jim Crow buses more than six weeks ago.

Last week the City commission ordered Police Chief Friend Stoutmire to begin arresting drivers of the cars which have been providing transportation for Negroes since May 28, when Negroes began boycotting city buses in protest of biased seating.

The order came after City Attorney James Messer alleged that investigation had shown that most of the drivers in the pool were not licensed as chauffeurs and the cars were not bearing the proper license tags.

Passenger riding in the car pool are not charged fares, but Messer said that is his opinion that the cars are operating in the public carrier field since the pool is supported by contributions from passengers.

Messer said that the police have been investigating for the past two weeks and have compiled lists of cars, drivers, pick-up points, destinations and passengers.

This information was turned over to the city prosecutor as background information, apparently to be used when police begin arresting the drivers.

The Rev. K. S. DuPont, vice-president of the Inter-Civic council, meanwhile urged all drivers in the car pool "to be as thoughtful and careful as they can and to offer no resistance at all if questioned by police."

"We are asking all persons wherever they are," he said, "to join us in prayer, morning, midday, and afternoon, for a better Tallahassee."

Rev. DuPont said his organization would call a business meeting at which the police crackdown will be discussed.

"It's kind of shocking," he said, "but I guess we'll have to pass through it."

Plan Drive On Florida Car Pools

Defender Sat. 7-28-56

Chicago Ill.

TALLAHASSEE, Fla. — An intended crackdown by Tallahassee police against Negro car pool drivers in the boycott against city buses was delayed while police develop sufficient evidence to make arrests.

The city commission said it has evidence that the car pool drivers are violating state laws concerning vehicles which are for public hire.

Negroes have been using station wagons and other private vehicles for transportation since the boycott started as a protest against racial insults by bus drivers and segregated seating.

The company was forced to halt operations on July 1 because of the grave losses it suffered; however, an announcement was made last week that buses will start rolling again on Aug. 2.

The Cities Transit co. sold many of its buses after it went out of business, but has purchased a fleet of slightly smaller vehicles.

Meanwhile, the Inter-Civic Council, which is leading the boycott, issued an appeal for funds to provide a transportation system for Negro riders and to prepare for a "long legal battle."

Rev. C. K. Steele, president of the council, said the group plans to use 10 station wagons, full time drivers, a full time secretary and combination maintenance-d i s-patchers.

"We are profoundly positive that there is nothing wrong with our bus system that a good dose of decency, Christian love and real democracy will not cure," he said.

Businessmen Back Transport Line

Defender Sat. 7-21-56

Chicago Ill. P.1

TALLAHASSEE, Fla. — (INS) — The Tallahassee bus company announced last week that it will resume operations "fairly soon" with routes aimed at providing transportation for white passengers only.

The company had been forced out of business July 1 by a boycott of buses by Negroes.

The move came today after the Tallahassee Chamber of Commerce assured the transit company a "ride the bus" campaign by white citizens would keep the line out of financial trouble.

The Chamber of Commerce, headed by Tom Brownlee, is passing out forms on which white citizens of Tallahassee can list what schedules they prefer and what routes they wish the buses to operate along.

The bus company — Cities Transit, Inc., — said the routes would be "steered away" from Negro sections of the city because the Negroes, who have refused to end their boycott, "wouldn't ride anyway."

The boycott had forced the bus company to discontinue operations as of July 1 because of financial difficulties brought about by the lack of Negro passengers. Negroes had made up 70 per cent of the passenger load on the vehicles.

Tallahassee's Little War

Courier Sat. 9-15-56 P.9

Because the militant colored citizens of Tallahassee have refused to go along with the white city officials and disobey Federal Court rulings to desegregate local public buses, those sworn to obey the Constitution have declared war on the Negroes. Pittsburgh, Pa.

It is just a little war, and the city officials know that they are bound to lose in the long run, but they have never learned to bow gracefully to the inevitable.

So now they are warring against Negro leaders who are operating the car pool, have arrested two of them and released them in $100 bond each in an effort to terrorize the Negro citizens into again riding the jim-crow buses.

Apparently, Tallahassee's officials completely fail to understand the feeling of their colored citizens on this issue, not realizing that people who are willing to so inconvenience themselves as to boycott the usual means of transporation will not be so easily frightened into returning to their former humiliation.

We hope it will soon dawn upon the Tallahassee city fathers that a new Negro is abroad in the South today.

Boycotted Tallahassee Buses To Roll Soon on New Routes

Constitution P.2 Atlanta Ga.

TALLAHASSEE, Fla., July 11 (AP)—City bus operations, halted because of a prolonged boycott by Negro riders, are going to be resumed by Cities Transit Co., the Chamber of Commerce said today.

Thomas Brownlee, secretary of the chamber, said the buses would start rolling as soon as revised routes can be worked out on the basis of a survey of requirements. The start probably will be made within two weeks.

He made the announcement following a conference with Charles L. Carter, manager of the transit firm.

Tallahassee has been without bus service since July 1. Service was suspended because the boycott made operations unprofitable, the transit firm said.

The boycott was called almost two months ago in a move by Tallahassee Negroes to gain integrated seating. The city commission has refused to approve full integration, saying this was prohibited by state laws.

Two Florida Bus Protest Folk Jailed

Courier P.1 Jackson, Miss. Sat. 9-1-56

Tallahassee, Fla., Aug. 29—Two leaders in the Tallahassee bus boycott were arrested Monday for operating Negro car pool vehicles without "for hire" tags.

Taken into custody and later freed on $100 bond each were the Rev. C. K. Steele, president of the Inter Civic Council and Dan Speed, Chairman of the Council's Transportation Committee.

The council is sponsoring the

TALLAHASSEE BUS PROTEST STILL "VERY EFFECTIVE," MGR. REPORTS

Bham Ala. Sat. 9-15-56

TALLAHASSEE, Fla. — (INS) — The manager of the Tallahassee Bus Company declared Wednesday business is "picking up" but added the boycott of city buses by local Negroes is still "very effective."

Charles Carter declared that business "is still 40 per cent lower than at this time last year." The buses were boycotted May 29 in protest over the arrest of two co-eds from all-Negro Florida A & M College who refused to move to the rear of a segregated vehicle.

The company was forced out of business July 1 but returned its coaches to the streets Aug. 1 after a "Ride-The-Bus" campaign by the Chamber of Commerce gained additional white patrons.

Carter said the average daily passenger load is around 2,500. He said some 400 to 600 Negroes are included, "much less" than before the boycott.

Meanwhile, 10 Negro leaders of the movement will go on trial in Tallahassee next week on charges of operating car pools without proper licenses. Among them is Rev. C. K. Steele, president of the Negro Inter-Civic Council and the leader of the boycott.

Tallahassee police began cracking down on car pool operators last week after the attorney general ruled that cars being in the pool fell into the classification of "for hire" vehicles and, therefore, required special [illegible]

—Patronize Our Advertisers—

Segregation developments—

Negro leaders cautious in Florida bus dispute

News
Thurs. 5-3-56 P. 7

BY THE ASSOCIATED PRESS

Negro leaders advised caution today in two Florida cities where there has been talk of bus boycotts similar to those at Montgomery, Ala., and Tallahassee, Fla. At Columbia, S.C., attorneys considered whether to appeal dismissal of a case involving segregation on city buses.

The Rev. Enoch D. Davis, leader of a Negro Citizens Cooperative Committee at St. Petersburg, Fla., requested a meeting with the city council to discuss equal seating of all races on city owned buses.

B'ham, Ala.

HE SAID yesterday the meeting is being sought to avert the possibility of a bus boycott similar to those at Montgomery and Tallahassee.

Council members asked Davis to draft a specific statement of what he wants to discuss. City Manager Ross E. Windom said St. Petersburg will enforce segregation on buses under state laws requiring Negroes to seat from the rear and white persons from the front.

At Miami, Fla., the National Assn. for the Advancement of Colored People issued a statement last night advising "all citizens to comply with existing city and state laws governing seating on buses."

THE MEETING followed the arrest of two Negroes during the week on charges of disorderly conduct for failing to move to the rear of buses. Before the meeting NAACP members said one of the arrests had the makings of a test case at law. There also was some speculation about a bus boycott.

Both the Montgomery and Tallahassee bus boycotts started after Negroes were arrested for refusing to move to the rear of buses. The Montgomery boycott has been in progress for more than six months and the Tallahassee boycott since May 28. Both have caused city bus systems to increase fares and cut services in efforts to meet operating costs.

AT COLUMBIA, S. C., attorneys for Mrs. Sarah Mae Flemming Brown studied an order dismissing her $25,000 damage suit against the South Carolina Electric and Gas Co. They have 30 days to file an appeal.

Judge George Bell Timmerman dismissed the case in Federal District Court yesterday on grounds the Columbia Negro woman "has shown no right to relief."

Timmerman ruled the company could not be made "liable in damages" for acting under "valid and subsisting" state segregation laws at the time.

Mrs. Brown charged her civil rights were violated in June, 1954, when a bus driver allegedly ordered her to vacate a front seat in a crowded bus and then struck her when she attempted to leave by a front entrance.

IT WAS TIMMERMAN'S second dismissal of the case. When it first came before him last year he ruled it did not state a cause of action. The Circuit Court of Appeals, however, reversed him and held that segregation on buses operating within the states is unconstitutional. The U. S. Supreme Court refused to review the case on appeal. This was interpreted later as meaning an appeal was premature.

At Atlanta, the Board of Regents of the University System of Georgia tightened entrance requirements following reports several Negroes planned to seek admission to the white Georgia state college of business administration.

One regulation would empower the president of any institution in the system to refer an application to the Board of Regents for assignment to another institution if the president feels "that the educational needs of any applicant . . . can best be met at some other institution."

The other would allow a third alumnus to sign an entrance application in lieu of a county ordinary or clerk of court in a county of more than 100,000 population. At present, applicant must obtain the signatures of two sponsoring alumni and the county ordinary or clerk of court.

Other developments included:

Baton Rouge, La.—The NAACP appealed a state court ruling outlawing the pro-integration group in Louisiana under a law originally aimed at the Ku Klux Klan.

Crystal Beach, Ont. — Three white and two Negro youths were fined in connection with Memorial Day rioting at the Crystal Beach amusement park. Charges against two other Negroes were dropped. All seven were ordered deported and were escorted out of the county by provincial police.

Kingstree, S. C.—Sheriff Buford Boyd ordered an investigation to determine who fired shots in a religious meeting being conducted for Negroes by the Catholic Order of Our Lady of Springbank Dominican Friary. Father Patrick Walsh, head of the order, said four white men fired four pistol shots during a showing of a Passion Play on film. No one was injured.

New Orleans—The pro-segregation Citizens Council of New Orleans called on the FBI to investigate un-American and subversive charges lodged against it by the commission of human rights of the Catholic Committee of the South, a group of laymen studying social structures in the Southeast.

NEGROES CONVICTED IN AUTO POOL CASE

Commercial Appeal

Tallahassee Judge Fines 21 In Bus Boycott

Sun. 10-21-56

TALLAHASSEE, Fla., Oct. 20. —(AP) — Twenty-one defendants and the Negro Inter-Civic Council were found guilty Saturday of illegally providing transportation for Negroes boycotting the city buses as a protest against segregated seating.

Memphis Press Scimitar

City Judge John Rudd fined each of the defendants $500 and imposed suspended 60-day jail sentences on them. Each was placed on probation for a year.

The sentences were stayed pending a defense motion for a new trial. The motion is expected to be filed next week.

The verdict was received quietly by the defendants and other Negroes who crowded the courtroom.

Defense attorney Francisco Rodriguez declared there was no showing passengers had paid drivers for transportation and those who made contributions to the Inter Civic Council never had specified they were paying for rides.

Unless there is a successful appeal, the defendants will either have to pay their fines or go to jail for 60 days. An additional 60-day jail sentence can be imposed if they violate terms of their probations which require them "not to participate in illegal activities" for a year.

NEGROES 70 PERCENT OF CITY FARES

World P. 1
Fri. 6-15-56

B'ham, Ala.

TALLAHASSEE, Fla. — (INS) — The 17-day-old boycott of city buses by Tallahassee Negroes appeared to be gaining strength Wednesday despite the fact that fares were raised from 10 to 15 cents by the Transit Co. to offset the loss of revenue caused by the boycott.

Bus Company Vice president Charles L. Carter, In announcing the Hike in fares, said the system was doing so because of "our recent trouble" and "present financial situation."

"A LAST RESORT"

Carter said the increase was "a last resort" to remain in business. He said the bus company lost a considerable sum of money last year and had planned to ask for an increase in fares before the boycott began.

Prior to the boycott, Carter said Negroes made up at least "70 per cent of the company's business."

BOYCOTT STRONGER

The latest developments strengthened the boycott, according to officials of the Tallahassee Inter-Civic-Council, which is leading the Drive. Officials claimed the boycott is "about 95 per cent effective."

Meanwhile, no developments were announced after meetings between Attorneys for the city and the Inter-Civic Council. Council president Rev C. L. Steele left Tallahassee reportedly because he had received many insulting telephone calls regarding his part in the Fracas. However, he is expected to return for tonight's council meeting.

MAY 2:

The boycott began May 28 with the arrest of a pair of Negro co-eds from Florida A. & M College in suburban Tallahassee. The two girls were arrested when they refused to take a seat in the rear of a Bus after a white woman complained.

The city later dropped the charges against the two, but the boycott had already gained momentum.

New Slant On Boycott

Advertiser
The Talladega Daily Home
Mon. 6-18-56

Montgomery's bus boycott now has continued so long that it has ceased to be news except when something out of the ordinary occurs in connection therewith.

Montgomery, Ala.

Certainly such an occurrence was the announcement by one of the leaders of the Negro protest against bus segregation that he is quitting because other leaders are putting personal interests before the movement and because of "misappropriation" of boycott funds.

The charge of personal aggrandizement undoubtedly reflects a restiveness that some boycott leaders have been experiencing as certain of their mates have become "heroes" in rallies staged in Harlem and elsewhere with the likes of Eleanor Roosevelt lending their presence and their praise.

For those left in the comparative background not to feel something like resentment would be more than human; and such resentment brings division of sentiment hardly calculated to cause continued solidity.

But that is the less serious charge.

It has been obvious, of course, that radicals all over the country have been pouring money into Montgomery in vast amounts.

The statements of the accusing, and resigning, leader gives some rather interesting details.

Even though the boycott is an unsavory, trouble-making thing, we think we know Montgomerians well enough to know that they would be aroused by any charge that their local Negroes were being defrauded, even in such a sorry cause as this.

The other leaders of the boycott are quoted extensively as to the "falseness" of the charges.

A grand jury investigation with a complete audit of the manner in which all funds have been received, disbursed and otherwise handled will prove who is lying and who is telling the truth.

21 Negroes Fined Over Bus Boycott

Herald P.1
Miami, Fla.
Sun. 10-21-56

TALLAHASSEE —(UP)— City Judge John Rudd, calling on Divine Guidance, fined 21 Negroes $500 each and gave them suspended 60-day jail sentences Saturday for operating a car pool in a racial boycott of city buses.

"I have never called for Divine Guidance so much and so often," Rudd said in handing down the sentence at the close of a four-day trial. "I hope each of you will be Christian enough to abide by the law."

The Negroes, including the local NAACP president, the Rev. C. K. Steele, were convicted of running an illegal public transportation system without a city permit for a state "for hire" license.

The car pool was set up five months ago when Tallahassee's 15,000 Negroes launched a boycott of Cities Transit, Inc., to protest segregated seating.

Both the boycott and car pool are still operating, but Police Chief Frank Stoutamire did not comment on what effect the court ruling will have. Attorney Francisco Rodriguez, representing the defendants and the Negro Inter Civic Council, said he will file a motion for a new trial.

Rudd also imposed a 60-day jail sentence for those failing to pay the fine and a 60-day suspended sentence with one year's probation for all. But he stayed execution until the motion for a new trial is decided.

38b 1956

FLORIDA

Two Negro Units Clash On Bus Drive Pressure

Boycott Rejected By League

Herald 1-9-C
Miami, Fla.
Thurs 6-14-56

By BERT COLLIER
Herald Staff Writer

Two Negro groups clashed Wednesday over the amount of pressure to be put behind the drive to end segregation on Miami buses.

Representatives of the National Assn. for the Advancement of Colored People tried to take over a meeting of the Negro Citizens Service League, according to Sam Solomon, league president. The meeting was called to discuss the threat of a bus boycott.

Despite efforts of the NAACP to eject newsmen and arrive at a policy decision in private, the league's advisory board turned down the boycott weapon as a means to hasten integration.

"We repudiate, with all the power of emphasis at our command, all loose talk of threats of a bus boycott," the League said in a resolution.

"Our situation here, unlike that in Montgomery or Tallahassee, does not warrant putting our people who ride the buses to such inconvenience."

The league decided to "instruct our people to abide by the law of the State of Florida until such time as, by legal measures, the law has been abrogated or repealed."

"We go on record as favoring all legal measures which may be employed to implement the ruling of the Supreme Court," the resolution said.

"Having enjoyed fine relations with the white people here over the years, we now call upon them, and the bus officials to do everything within their power to restrain bus drivers from allowing racial incidents to occur on buses."

The NAACP filed in Federal Court Tuesday the first suit to compel admission of Negro children to white Florida schools.

The suit, filed in the name of parents of six children, is unlikely to come to a conclusion for many months. The defendant Dade County School Boars is expected to file motions for delay on grounds that its study of plans for school integration are not yet complete.

The question of segregation on the buses may be settled more quickly.

In the meeting of the Negro Citizens Service League, R. D. Freeman, vice president of Miami Transit, explained the company's position.

Segregated seating is required on buses by state law and city ordinances, Freeman said. Until they are changed, the company is bound by them.

Should they be changed, the company will comply, Freeman said.

Wednesday night about 50 leaders from the four NAACP branches in Dade County — Perrine, Homestead, Liberty City and Miami — held a 3½-hour meeting to decide policy regarding bus segregation here. The members issued this statement after the meeting:

"The Dade County Council of NAACP branches advises all citizens to comply with existing city and state laws governing seating on buses."

Two Negroes, a youth and a woman, have been arrested this week for violating the segregation ordinance.

Rudolph Reid, 19, of 2525 NW 67th St., will appear in Miami City Court at 8:30 a.m. today to face a charge of disturbing the peace.

A similar charge faces Mrs. Bessie Kerbo, 50, of 341 NW 10th St., at 8:30 a.m. Friday.

If either trial results in a conviction, an appeal will be taken on grounds that segregation on buses is now unconstitutional.

Negroes Nix On Bus Compromise

State Press Fri. 6-8-56
Little Rock, Ark. P. 1

There were few Negroes riding buses this week as a boycott got underway last week, and so far is about 80 per cent effective.

Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, this week offered the "cooperation and advice" of the Association's national headquarters to the leaders of the Tallahassee, Fla., protest "against the humiliating treatment of our people on the bus lines . . . as long as it is conducted in a peaceful, non-violent manner and by lawful means."

Mr. Wilkins' offer was made in a telegram to the Rev. C. K. Steele, president of the Tallahassee NAACP branch and chairman of the new Inter Civic Council, organized to direct the protest which was started on May 26 by the arrest of two Negro women who refused to get up and leave two seats in a local bus vacant for possible occupancy by white passengers.

Meanwhile, the Rev. Martin Luther King, leader of the six-month-old bus protest in Montgomery, Ala., wired encouragement to the Tallahasse group.

The arrested women, Mrs. Carrie Patterson and Miss Wilmena Jakes, students at the all-Negro Florida A&M university, located here, have been released. The charges of "placing themselves in a position to create a riot" has been dropped. Meanwhile the 2,400 students and the townspeople decided not to ride the buses until their demands were met.

The demands, formulated at a mass meeting on May 29, are essentially the same as those advanced in Montgomery. The students and townspeople asked:

1. That all passengers be seated on a first come first served basis;
2. That bus drivers be required to give fair and impartial treatment to Negro passengers; and
3. That Negro drivers be employed by the bus company.

City and bus company officials withheld action on the three-point demand until they can get a written statement. The demand was a verbal demand.

However, Charles Carter said he wanted to know exactly what is meant by first come, first serve demand. Carter is manager of the transit line. Negro leaders said that they want Negroes to be permitted to sit as long as there are vacant seats.

Carter said that had been the policy one buses serving Negro sections but that state racial segregation laws must be observed.

As the protest got underway, local police started a campaign to arrest for alleged traffic violations Negro motorists giving rides to other citizens. Among the first arrested were Mr. Steele and some members of the university faculty.

State Press

Following the arrest of the two students, the NAACP sent its Fla. field secretary, Robert W. Saunders to Tallahassee to make investigation of the situation. Mr. Saunders reported that trouble on the buses had been brewing for at least six weeks. Students and townspeople have been threatened and abused by some of the bus drivers. No one had been arrested, however, until May 26.

Mrs. Patterson and Miss Jakes, Mr. Saunders reported, are rated "above average students" who, according to faculty members and their fellow students, had never given any trouble.

Tallahassee, a capital of the state, has a population of about 40,000 people of whom 14,000 are Negroes. According to estimates, from 60 to 70 per cent of the bus passengers are Negroes. Negroes are required to sit from the rear forward, whites from the front rearward. If all seats are taken on a predominantly Negro line, colored passengers are required to get up and give their seats to white passengers as they board the bus.

About 1300 or 1400 Negroes who normally ride the buses are being transported in carpools, which were hurriedly organized last week.

City Offers Compromise

The city agreed to an earlier demand by the Boycott leaders for "first-come, first-served" seating without doing away with state and local laws requiring segregation.

The city also agreed that the bus company should accept appli-

cations for Negro drivers and should require drivers to be courteous to all passengers, regardless of color.

The Negroes at a mass meeting Monday nite rejected this compromise and chipped in with $700 to continue free pool cars to transport passengers.

The Negroes demand an end to the humiliating segregation on city buses, and nothing else will end the boycott.

Bus line may be forced to quit

Afro-American P. 1

Sat. 6-23-56

By SAMUEL HOSKINS
AFRO Staff Correspondent)
(See Editorial on Page 4)
(Photos on Page 3)

Baltimore Md.

TALLAHASSEE, Fla. — The bus boycott here by colored patrons, virtually 100 per cent effective, is killing the City Transit Company.

In full page newspaper advertisements Friday, the company said unless boycott relief is forthcoming by July 1, the firm will discontinue operation in Tallahassee.

Since the beginning of the boycott on May 28, it was reported the transit concern has been losing approximately $3,000 a day.

* * *

THE FIRST official confirmation of this report was made last Friday, when company officials admitted that at least 60 per cent of the revenue came from colored patrons.

(This figure is lower than the estimate given out by officials of the Intercity Civic Association, the organization which is sponsoring the boycott. Their estimate is that from 70 to 75 per cent of the revenue came from colored riders.)

* * *

EARLIER, CHARLES L. CARTER, general manager of the bus company, told the AFRO that unless the boycott was brought to an end, the company probably would have to discontinue operating here.

"We were losing money before this trouble started," he declared.

He added that about six months ago the owner of the company had talked of giving up the Tallahassee franchise.

"I talked the owner out of it," he said, "but if this boycott continues, we will be forced out of business."

At the same time, Mr. Carter stated that the company has three colored employees.

* * *

"THEY, TOO, are upset by this trouble and don't know if they are coming or going."

Theries C. Lindsay, attorney for the civic council, released figures on the bus company's earnings during 1955.

The gross as of Oct. 31 of that year was placed at $176,471.34.

Afro-American

Hope for a settlement dimmed this Wednesday when a scheduled meeting between the civic council and the city commission failed to materialize.

Neither side ventured an explanation as to why the meeting was not held.

* * *

HOWEVER THE mass meeting set for Wednesday night at Bethel AME Church was held. Approximately 300 persons attended, donating $297.51 to the car pool fund.

Dan Speed, chairman of the committee, told the AFRO that the boycott will be continued.

"We plan to follow through," he said. "No matter if our actions spell the end of bus transportation in Tallahassee. The colored people here are in no mood to underwrite segregation in public transportation."

* * *

THE BUS controversy dates from May 26 when a driver refused to refund two 10 cents fares to Misses Wilhelmina Jakes, 26, and Carrie Patterson, 20, Florida A. and M. University students.

Max Coggins, driver, ordered the young women to give up their seats because they were sitting beside a white woman.

The students, both of Lakeland, Fla., answered that they would rather leave the bus than stand. Both asked that their fares be returned.

The driver, however, refused and they would not leave the seat. As a result both were arrested. Later they were released in $25 bail each in custody of university officials.

* * *

THE CHARGES against them were "placing themselves in a position to incite a riot."

The charges were dismissed on May 28. The same night a cross was burned in front of the house where the girls live off the campus.

Following a subsequent mass meeting of the student body, students refused to ride the buses. Later the boycott spread to the city at large.

Tallahassee Seeks Ruling On Free Buses

Advertiser Montgomery, Ala.

Tues. 6-19-56

TALLAHASSEE, Fla., June 18 (AP)—The city asked a ruling today whether Negroes who are boycotting Tallahassee buses can legally operate their own bus without charging fares.

City Attorney James Messer said he was studying the law to see whether or not such an operation is legal.

Meantime, an estimated 500 Negroes attending a mass meeting went on record as expressing "sympathy" for the Cities Transit Co. in its current financial plight, but reaffirmed their stand to continue the boycott until Negroes win equal rights with white passengers on the buses.

The transit firm announced Friday it would be forced to go out of business July 1 unless a solution is found to its financial problems.

CAR POOL

The Negro community, representing about one-third of the city's 40,000 residents, has been boycotting city buses for three weeks in protest against segregated seating required by city and state law.

Dan Speed, who heads the Negro car pool committee, said his group had obtained a bus from St. Petersburg for use in providing free rides, but he said it had been put in the garage pending a check whether it could be legally used.

Speed said Leroy Thomas, the driver, was arrested Saturday for "obstructing traffic." When Thomas failed to appear in city court this morning, a warrant was issued for his arrest.

The bus was registered in the name of St. Peter's Missionary Baptist Church at Chaires when a license was obtained for it last week.

Negotiations toward a settlement of the boycott have bogged down and no solution is in sight.

The Rev. C. K. Steele, president of the Negro Intercivic Council which is directing boycott activities, said at last night's mass meeting there was a discussion of the bus company's announcement it would suspend activities.

Tues. 6-19-56

"We are greatly disturbed about the plight of the bus company," he said. "We would be willing to do almost anything we could to make up for their losses short of giving up our request for open seating."

Steele repeated an earlier statement his group had no dispute with the bus company, but rather with city authorities over segregated seating arrangements.

"Oun position is that we would rather walk in dignity than ride in the midst of injustice and indignities," he said.

An estimated 70 per cent of the bus company's business prior to the boycott came from Negro riders.

Coeds' Arrest Spurs Boycott In Tallahassee

Constitution Atlanta Ga.

Tues. 5-29-56

TALLAHASSEE, Fla., May 28 (AP)—Students at Florida A. & M. University for Negroes today appeared to be starting a boycott of city buses in protest against the arrest of two girl students.

The girls, Wilhelmina Jakes, 26, and Carrie F. Patterson, 20, were arrested Saturday after they refused to move to the rear of a city bus. They were charged with placing themselves in a position to cause a riot and released on $25 bond each pending a hearing in police court Friday.

Last night a small wooden cross was burned on the lawn of the house in which they were living and their landlady, Mrs. Eloise Kendrick, said they became frightened and moved into the college dormitory.

Students cheered and clapped their hands as an empty city bus was driven through the campus today. Earlier several hundred students staged a mass meeting and voted to stay off city buses for an indefinite period.

Broadus H. Hartley, president of the student body, said last Saturday's arrests were the latest "in a series of incidents in which we have been humiliated by bus drivers."

End All Bus Bias, Boycotters Insist

Morning Telegraph

By the United Press.

Charles Carter, manager of the Cities Transit Bus Co., said he wanted to know exactly what is meant by the first come, first served demand. Boycott leaders have said verbally they want Negroes permitted to sit as long as there are vacant seats on buses.

meant simply that a Negro would not be forced to stand when there were empty seats.

Florida Negroes Ask Meet On Bus Seating

Advertiser

ST. PETERSBURG, Fla., June 13 (AP)—Negro leaders have requested a meeting with City Council to discuss equal seating of all races on St. Petersburg buses.

The Rev. Enoch D. Davis, leader of Negro Citizens Cooperative Committee, said today the meeeing is being sought to avert possibility of a bus boycott similar to those in Tallahassee, Fla., and Montgomery, Ala.

Montgomery Ala.

Thurs. 6-14-56

"We are just trying to ward off any incidents that have been happening other places."

TALLAHASSEE, Fla., June 4.—Negroes demanded complete integration on city buses today as their price for ending a week-long boycott.

New York

Mon. 6-4-56

The position was given in writing to the city by a Negro group known as the Inter-Civic Council, after local authorities granted three concessions that had been requested by Negro riders originally.

Those concessions were first come, first served seating privileges, willingness to hire Negro drivers and a promise of "courtesy to all passengers."

The city earlier had stressed segregation would still be practiced on the buses. Up until the demands were presented in writing today, it was not clear what the Negroes meant by first come, first served.

The Rev. C. K. Steele, one of the Negro leaders, said it

Negroes' Tallahassee Bus Boycott Is Reported as 75 Pct. Effective

Constitution Atlanta Ga.

Fri. 6-1-56

TALLAHASSEE, Fla., May 31 (AP)—Negro passengers became rarer and rarer on Tallahassee buses today as a boycott touched off by a flareup over segregated seating was reported 75 per cent effective.

Meanwhile, city and bus company officials withheld action on a three-point demand by Negro leaders until they can get a written statement of what is wanted.

The Negroes have submitted a verbal request for seating on a first come, first served basis, employment of Negro bus drivers on predominantly Negro routes and more courteous treatment from drivers.

Negro Bus Rider Arrested; Refused To Move to Rear

Herald P. 1-C
Tues. 6-12-56
Miami, Fla.

Miami NAACP Youth Leader May Figure in Local 'Test Case'

By GEORGE SOUTHWORTH
Herald Staff Writer

A possible segregation "test case" had its beginning here Monday when a young Negro was arrested after he refused to move to the rear of a Miami Transit Co. bus.

Charged with tending to create a breach of the peace was Rudolph Reid, 19, of 2525 NW 67th St. He was released on $500 bond after three hours in City Jail.

Reid's arrest was the first here in connection with violation of city segregation laws since the National Assn. for the Advancement of Colored People announced last week it would push for desegregation on public buses.

An organizer of a local youth council in the NAACP, Reid denied he purposely wanted to be arrested in order to create a test case.

But an associate of his in the NAACP, Neal Adams, 39, said the bus company "will be sued" and that "it could mean a bus boycott."

Adams, president of the Brownsville Improvement Assn. which works closely with the NAACP, said his group "will give serious consideration to a boycott and decide whether to ask NAACP and other organizations to join in."

Octavio Cuevas, executive vice president of the Miami Transit Co., said Monday night his company "renders a service to the public and has no ax to grind.

"We have told all of our employes that they are to obey all the laws of the state and the city," he said. "Evidently the driver, Henry Albrandt, was acting under those general instructions.

"The driver called police and they made the arrest. They can't sue a citizen or a company for obeying the laws. If the laws are changed tomorrow, we will obey the new laws," Cuevas said.

Reid, who was graduated last week from Northwestern Senior High School, said he and two friends boarded a 27th Avenue bus to come downtown from NW 36th Street.

"My friends were sitting behind the back door and I was sitting across from the door," he said. "A white lady sitting behind me moved up front.

"The bus driver asked me to move to the rear of the bus and I refused. A policeman got on the bus at NW 27th Ave. and 7th St. I told him I didn't want to move back because it was too hot back there. He told me I was under arrest."

G. E. Graves Jr., attorney member of the NAACP committee on education and information, said at his home in Miami Monday night that he would represent Reid if asked to do so.

Graves said the matter would definitely be discussed by NAACP officers.

Local NAACP leaders voted here Friday to begin a program to end segregation by "lawful and reasonable" means and to use boycotts only as a "last resort."

Harold Jones, 35, of 2651 NW 27th Ave., a private investigator and former deputy sheriff, helped get Reid out of jail Monday. He is Reid's uncle and an active member of the NAACP.

Radio Patrolman K. M. Hardin, who made the arrest, could not be reached for comment Monday night. Reid will be tried in City Court at 8 a.m. Thursday.

Another Negro Disobeying Bus Rule Arrested

Herald P. 2-A
Wed. 6-13-56
Miami, Fla.

By BERT COLLIER
Herald Staff Writer

Miami police made a second arrest Tuesday of a Negro charged with refusing to ride in the segregated section of a Miami Transit Co. bus.

Mrs. Bessie Kerbo, 50, of 341 NW 10th St., was taken into custody as officials of the National Assn. for the Advancement of Colored People were meeting to consider the earlier arrest of a Negro youth.

"Something has got to be done," said Neal Adams, president of the Brownsville Improvement Assn. He is active in the NAACP.

Adams suggested that test cases be made to attack the city ordinances requiring segregated seating on buses.

He said there have been other incidents, in addition to the ones resulting in arrests.

Numerous complaints have been made to his association about treatment of Negroes on buses of the Coast Cities Coaches, Adams said.

The NAACP will meet Wednesday night at the Afro-American Insurance Co. Policy to guide future action will be decided.

Another group, the Negro Citizens Service League, Inc., also called an emergency meeting for 12:15 today to consider the situation. It will be held in the league's headquarters, 914 NW 2nd Ave.

Sam Solomon, president, said his members are "alarmed at the threat of a bus boycott."

"We feel that before people become frenzied and form opinions, we should meet and take a definite stand in order to avoid unnecessary trouble," he declared.

Solomon added that there is strong sentiment against a bus boycott and a feeling that leaders should assert themselves to prevent incidents.

The legal approach, rather than a boycott of buses such as occurred in Montgomery and Tallahassee, appeared likely. Negro leaders seemed in agreement that a bus boycott here would be difficult to organize because of numbers of persons and distances of travel involved.

Mrs. Kerbo was arrested on a bus at NW 27th Avenue and 8th Street. She sat opposite the rear door and refused to move back when ordered to do so by the driver.

He summoned Police Sgt. J. P. Suggs, who placed the woman under arrest.

She was charged with disorderly conduct tending to create a breach of peace. She posted a $25 bond after some delay. Trial is at 8 a.m. Friday in City Court.

Rudolph Reid, 19, of 2525 NW 67th St., was arrested on the same charge Monday.

He was released under $25 bond for trial Thursday morning.

Reid, an official in the NAACP youth organization, will address the strategy meeting Wednesday night.

He was invited to tell his story to the group.

Bus Charge Dropped, Florida Negroes Freed

Inquirer Thurs. 5-31-56
Philadelphia, Pa. P. 2

TALLAHASSEE, Fla., May 30 (UP).—City authorities dropped charges against two Negro college students whose arrest for sitting beside a white woman in a bus touched off a spreading Negro boycott of Tallahassee city buses.

Police Chief Frank Stoutamire said the city had turned the matter over to authorities of Florida A. and M. University, which the students attend, "as we often do in certain types of cases involving white students at Florida State University here."

Wilhemina Jakes, 26, and Carrie Paterson, 20, had been free on $25 bond to appear in City Police Court Friday on charges of putting themselves in a position to incite a riot.

Stoutamire denied that the city charges were being dropped in order to appease Negro leaders, who are demanding the right for Negro bus riders to take vacant seats in the white section of buses when the Negro section at the rear is full.

"We would like, of course, to see integration on the buses, but we're not pulling at that bone now," said the Rev. C. K. Steele, local president of the National Association for Advancement of Colored People.

"But we do want seating on a first-come first-served basis and not have our tired people standing up looking at empty seats."

2 Negro Co-eds Intimidated in Fla.

Herald Tribune
Tues. 3-29-56
New York, N.Y.

TALLAHASSEE, Fla., May 28 (AP).—Police reported a cross was burned last night on the front lawn of the residence of two Negro college girls who were arrested on a city bus Saturday.

The two, students at Florida A. & M. University here, were charged with placing themselves in a position to cause a riot after they refused to move to the rear of a city bus. P. 10

owned the house where the two roomed, said a car drove up in front of her home about 10 p. m., stopped a few minutes, then drove off at high speed. One of the girls noticed a fire and on examination found a small cross of crude wooden construction burning fiercely. Mrs. Kendrick said the two girls became frightened and moved into the college dormitory.

Police said Wilhelmina Jakes, twenty-six, and Carrie F. Patterson, twenty, sat down in a front seat next to a white woman and ignored a request by bus driver Max Coggins that they move to the back. They were released on $25 bond and a hearing was set in City Police Court for June 1.

Judge Suspends Negro's Sentence In Transit Case

Advertiser
Fri. 6-15-56
Montgomery, Ala.

MIAMI, Fla., June 14 (AP)—A 19-year-old Negro drew a suspended sentence today upon his conviction for breach of the peace by refusing to move to the rear of a bus. P. 6-A

And attorneys for Rudolph Reid, recent high school graduate, said the question of bus segregtion in Miami will be tossed into federal court.

Reid was fined $50 and costs or 24 days in jail by Municipal Judge Francis Sobieski, who suspended sentence from day to day for two years and said he hoped this would be the first and last incident involving bus segregation because such incidents lead to "turmoil."

"We are going to file suit in federal court to eliminate segregation on Miami buses," said G. E. Graves, attorney for Reid. "You can expect it in the near future."

Two Freed In Florida Bus Boycott But Others Join Negro Protest

Herald Tribune Thurs. 5-31-56 New York, N.Y. P. 5

TALLAHASSEE, Fla., May 30 (UP).—Police dropped charges today against two Negro co-eds who refused to move to the rear of a segregated bus, but other Negroes throughout the city joined in a boycott of the transit system.

"It's a matter of principles, not personalities," said the Rev. C. K. Steele, local president of the National Association for the Advancement of Colored People. Mr. Steele also was made chairman of a new inter-civic council formed to carry out the boycott.

Boycott leaders promised there would be "no violence, if it can be avoided." But racial uneasiness clearly was mounting in this state capital and university city, which has a white population of 23,708 and 14,392 Negroes.

Charges Dropped

The situation was similar to that in Montgomery, Ala., where Negroes have been boycotting buses for six months and now have a well developed private transport system of their own.

Charges of putting themselves in position to incite a riot were dropped against the two Florida A. & M. University (Negro) co-eds whose arrest precipitated the boycott here, first on the part of students and then joined by town Negroes.

The students had denounced what they termed "constant humiliation and intimidation" by white bus drivers. But Chief of Police Frank Stoutamire denied the charges were dropped to "appease" the Negro leadership. He said the case of the two co-eds merely was being turned over to A. & M. officials for handling, much as Florida State University, also situated here, has jurisdiction over student discipline.

500 at Mass Meeting

Five hundred Negroes, held a mass meeting and vowed to stay off the buses until the city meets their demands for "first-come, first-serve" seating.

The group formed a twenty-one-vehicle car pool to haul Negroes to and from work. A few Negroes rode buses today, but the car pool reported "hundreds of calls" for transportation.

In addition to demanding seats on buses, the Negroes also asked that they be shown more "courtesy" by drivers and that Negro drivers be hired on runs where passengers are predominantly Negro. The same demands have been made in Montgomery.

City Manager Arvah Hopkins, who met with Mr. Steele and other Negroes, and Mayor Fred Winterle declined comment "until we see the demands in writing." "The city isn't going to jump before it's time," Mayor Winterle said.

Florida Bus Integration Plans to Be Aired

Herald P. 14-a Tues. 11-27-56 Miami, Fla.

By RONALD YORK
Herald Staff Writer

How federal officials in South Florida will proceed in scrapping bus segregation laws will be decided at a meeting of U.S. District Attorneys in Washington Dec. 10.

But James L. Guilmartin, U.S. Attorney for South Florida, cautiously described the session as an "exploratory meeting." He would not comment further.

Atty. Gen. Herbert Brownell Jr. called for the conclave of DAs from 14 states still practicing bus segregation after a Supreme Court decision last Monday ruled such laws unconstitutional.

Such ordinances are now "dead letters," Brownell said, and the district attorneys will discuss the "methods most appropriate" for the Justice Department to take to "secure observance."

The prodigious task of getting copies of all local and state bus segregation laws has already begun, Guilmartin said. He'll carry them with him to Washington for reference.

The South Florida District covered by Guilmartin's office stretches from Key West to Jacksonville and to Tampa on the west. Scores of local ordinances preserve segregation on buses in the area.

Guilmartin said there is no precedent for his office to file either civil or criminal injunction suits to force compliance with the high court's decision.

How else the DA's office could "secure observance," in keeping with Brownell's intent, Guilmartin wasn't saying.

Florida Atty. Gen. Richard Ervin has said the Supreme Court's ruling outlawing segregated buses in Alabama does not nullify similar laws in Florida, but could be referred to in cases directly attacking Florida's segregation laws.

Boycott Leaders Face Fines

Herald Sat. 12-8-56 Miami, Fla.

TALLAHASSEE —(AP)— Negro bus boycott leaders were handed an ultimatum Friday to post $22,000 in appeal bonds by 11 a.m. Saturday or pay $11,000 in fines immediately.

City Judge John Rudd served the notice on the Negro Inter Civic Council, which sponsored car pools during the six-month-old boycott, and 21 of its members.

They were convicted Oct. 20 of operating an illegal transportation system.

Rudd said that unless the notices of appeal with the appeal bonds were filed and approved by the clerk of the Leon County Circuit Court by the new deadline sentence would be executed.

The council and each of the defendants were sentenced to a $500 fine or 60 days in jail. Rudd also imposed a mandatory 60-day jail sentence upon each defendant but suspended it and placed each on probation for one year.

Fla. bus boycotters to continue protest

Afro-American P. 13 Sat. 11-24-56 Baltimore, Md.

BROOKLYN (ANP) — The five-and-a-half month boycott of City Transit Bus Co. lines in Tallahassee, Fla., will not cease until there is an agreement to "first come, first served" provisions for all passengers.

Such was the declaration of the Rev. Charles K. Steele last Monday at a mass meeting at Mt. Olive Baptist Church, Brooklyn.

The Rev. Mr. Steele, leader of the Inter-Civic Council and Tallahassee Branch NAACP, and pastor of Bethel Baptist Church, said if the 21 persons under conviction for operating a car pool do not win their appeal they may have to go to prison.

* * *

THE TREASURY of the council is far short of the $11,000 needed to pay the total fine, he said.

The State NAACP has given the service of its legal representative, Atty. Francisco Rodriques of Tampa, to defend the boycotters.

The Rev. Mr. Steele praised the NAACP and said that the appropriation of $50,000 by the State of Florida for an investigation of that organization and the Inter-Civic Council was a move to shut up these militant organizations.

Boycotters Dety Police Crackdown

Afro-American p.1

By SAMUEL HOSKINS
AFRO Staff Correspondent

Baltimore Afro 38b Sat. 7-28-56

TALLAHASSEE, Fla.—A determined effort is being made here to crack the seven-week-old bus boycott.

The effort involves the police department, the bus company, most of the members of the city commission and some members of the State House of Representatives.

Already the pressure has caused a number of repercussions.

Responding to veiled threats of mass arrests of car pool drivers, Dan Speed, transportation chairman of the Intercity Civic Association, said:

"We stand ready and willing to fill up the jail, if they wish to arrest us for standing up for our rights."

ANSWERING THE promise of a State Legislator to sponsor a law designed to "break the back of the boycott" the Rev. Charles Kinzie King, president of the Civic Association, declared:

"If they arrest us, we will test their new laws."

He promised the drivers the services of the best legal talent in the country.

In this connection, another ICA official revealed to the AFRO that the organization has been in contact with Roy Wilkins, executive director of the NAACP.

It is understood Wilkins promised the local group to "send lawyers into Tallahassee on the next plane" to defend persons who may be arrested.

THERIES LINDSEY, Attorney for ICA, has requested FBI Director J. Edgar Hoover to investigate a report from Chicago that police there are "investigating" him at the request of someone in "official position" in Tallahassee. He says the Chicago probe is because of his work with the boycott.

(See Story Page 2)

Typical of the reaction of the majority of the colored people here to the apparent boycott crackdown was the comment Friday by a woman employee at Florida A and M. University.

Commenting on the stopping of two cars and the questioning of the drivers and eight passengers at police headquarters, the woman observed:

"Pretty soon, in order to be a respectable citizen, you will have to have been arrested."

THE "CRACKDOWN PHASE" of the boycott dates from last Thursday when Charles L. Carter, Cities Transit Co. manager and a Chamber of Commerce committee member, announced that bus service would be resumed on Aug. 2.

Service was suspended July 1, due to loss of revenues because of the boycott.

The announcement made it plain that buses will be operated mainly for white riders.

Asked to comment on this arrangement, Chief Stoutamire asked: "What's wrong with that? The white folks will be riding and the colored people walking."

He added: "They won't want to ride the bus, so let 'em walk."

THE CHIEF HINTED however that arrests of car-pool drivers are pending. "We are looking into the law 'for hire' car regulations. If we find that the law is being violated, we will enforce the law," he added.

Rep. J. Kenneth Ballinger, who was defeated after campaigning on a pro-school segregation platform, is sponsoring the anti-boycott bill in the current special session of the legislature, which convened Monday.

Referring to the leadership of the boycott, he said; "These leaders have been laying the foundation for years or more.

"They demonstrated that they can and would weld the colored population into an effective voting bloc."

THS IS BELIEVED to have been a reference to his defeat. The bulk of the colored voters are in the district he represents.

Rep. James M. Beck is sponsoring a bill to make it unlawful for any state employee to take part in an organized boycott.

This proposed legislation is designed to curb the activities of FAMU faculty members who have been linked to the bus boycott.

The drivers stopped by police and taken to headquarters on Friday were identified as Johnnie Cook, 2220 Keith St., and Paul McGee.

MISS EMMA BOWERS, 1127 Conklin St., was one of the riders in the vehicle operated by Cook.

She said police questioned her about 20 minutes. "They tried to make me say I paid money to ride," she declared.

All of the women, who were en route to work, were late getting to their jobs, she declared.

CALL CAB OR WALK

Advertiser Mon. 7-2-56 p.1

Transit Service Calls End To Bus Runs In Tallahassee

Montgomery

TALLAHASSEE, Fla., July 1 (AP) —It was call a cab or walk today for those among Tallahassee's 26,000 white residents who depend upon public transit facilities.

Cities Transit Co. suspended service on its bus routes last midnight as a result of a month-long boycott by Negro patrons. The Negroes normally supplied about 70 per cent of the bus company's revenue.

Cities Transit had serviced Florida's capital city since 1940.

Stetson Coleman, president of the company, announced 10 days ago bus service would end July 1 unless some solution was found to get the city's 14,000 Negroes back on the buses.

The last hope for a compromise ended Friday night when the Negro Inter-Civic Council refused to retreat on its demands for an end to segregated seating on the buses and immediate employment of Negro drivers.

The city had agreed to amend the bus franchise to permit open seating on the predominantly Negro lines except for one three-passenger lateral seat at the front which would have been reserved for white and to allow employment of Negro drivers at the discretion of the company.

The city apparently has no plan for any kind of emergency service. Commissioner W. T. Mayo, who has been the city's spokesman during the boycott, was not available for comment today, but there has been nothing from the city to indicate any emergency measures are contemplated to provide public transportation.

BOYCOTT PEACE BID FAILS

Times P.32-C

Tallahassee Rejects Negro Plan—Buses Halt Tonight

Sat. 6-30-56

TALLAHASSEE, Fla., June 29 (UP) — The City Commission rejected today a final proposal by the Negro inter-civic council for ending the bus boycott. Commissioner W. T. Mayo said "only a miracle" could keep the buses running after tomorrow.

C. L. Carter, manager of Cities Transit, which runs thirteen buses and employs twenty-two persons, would suspend indefinitely at midnight tomorrow. This would leave this city of 48,000 persons without public transportation except for taxis.

He said the company would sell most of its buses but retain its plant "and we'll be ready to be back in business when we feel it is financially feasible." Mr. Carter said the company would "take care" of its employes in other jobs.

Cities Transit, which operates under a city franchise, has suffered a 60 per cent loss in revenue since most of Tallahassee's 14,000 Negroes stopped using the buses May 28 in protest against segregated seating.

Negro Boycott Stops Buses at Tallahassee

Post + Times Herald p.1 Sun. 7-1-56

TALLAHASSEE, Fla., June 30 (AP)—Tallahassee's buses will stop rolling at midnight tonight as a result of a 5-week Negro boycott protesting segregated seating practice, leaving 48,000 residents without any public transportation.

Washington D.C.

City Commissioners rejected a final proposal in the tug-of-war with a firm "no" to demands of the Negro Inter-Civic Council for integrated seating. Leaders of the Council have been furnishing transportation for boycotters.

Transit manager C. L. Carter said the company will suspend service indefinitely, leaving the city's residents without any public transportation except for taxicabs.

Carter said the company suffered a 60-per-cent loss since most of the city's 14,000 Negroes stopped using the buses May 28.

"If it becomes financially feasible to go back to work, we'll be ready," he said, "although the situation now doesn't look too good."

He said the 35 persons employed by the company would be "taken care of" in other jobs.

FLORIDA

Two-Edged Boycott

In Florida's easygoing capital of Tallahassee (pop. 42,000), the new-found Negro weapon of the bus boycott proved to have a sharp and painful double edge last week. For five weeks, while Negroes refused to ride segregated buses (TIME, June 18), Negro and white civic leaders tried to work out a solution. Despite some broad concessions by the all-white city commission, e.g., first-come-first-served seating (but no side-by-side mixing of races), the Negroes held out doggedly for complete abolition of segregation—or nothing. Last week, acknowledging an all too effective 60% loss in revenue, the Cities Transit Co. announced that it was suspending operations, selling off Tallahassee's buses to other cities. Said a Cities Transit spokesman as service came to a stop: "The boycott is over because there is nothing to boycott."

Appeals To Citizens Not Needed

Norfolk, Va.

Police Arresting Car-Pool Drivers; Council Plans Test

TALLAHASSEE, Fla.—Since the "Free-Day" of August 2, three weeks ago, a few shamed-faced Negroes have been riding the buses. Though the number normally seen on the bus is five or six, the number has steadily decreased until on August 22 nine out of every ten buses which travel the A. and M.-Frenchtown routes have one or less.

These few riders have a tendency ot slump down in their seats or turn their heads when the people on the streets stare at them.

THIS IS IN deep contrast to the situation which existed prior to the bus protest, in which the buses were crowded with standing room only, especially during the early morning and evening hours, while people were going to and from work.

The Negroes have followed their leaders better than the whites have followed their leaders in this issue.

• • •

EVERY ATTEMPT to get the white citizens to cooperate and ride the bus has failed. Before the buses were taken off on June 30th, an appeal was made by the daily newspaper to the white citizens to leave their cars home and ride the buses, or the city would lose its public transportation system. This effort failed as indicated by the "taking off" of the buses.

When the buses were put back on, another "ride the bus" campaign was sponsored by the Junior Chamber of Commerce. All sorts of concessions were being made to bus riders, such as free orange juice, morning papers, mailing letters, etc. They reported that a thousand civic workers were combing the white neighborhoods in an effort to sell bus passbooks at a dollar and a quarter per week. They reported a gross sale of $800 or less than one book per worker.

• • •

WHEN THE buses actually started rolling again, there were even fewer whites riding the bus than before they went out of business. They explained that by saying that some people had made other arrangements while the buses were out of business.

In a protest movement such as this, the Negro leaders have admonished that Negroes should stay off the buses until they get decency. With no more people riding the buses than are now riding, it is roughly estimated that the Negro is cooperating by roughly 98 per cent. What leader could ask for more?

• • •

WEDNESDAY, August 22, the police department began arresting any Negro with a group of people in his car, the charge being that of violating the "vehicle for hire" law. The bond for this offense is $150.

In the opinion of many, this is another intimidation move on their part, designed to stop Negroes from picking up the people who are walking. If they can do this, they can make the people ride the bus, they hope.

The Inter-Civic Council plans to test this law all the way to the U. S. Supreme Court if necessary.

Transit Lines Resume Runs In Tallahassee

Fri. 8-3-56 Montgomery

TALLAHASSEE, Fla., Aug. 2 (AP)—Tallahassee buses resumed operation today with two Negro drivers and a number of Negro riders, but the leader of the Negro boycott declared there would be no letdown in efforts to obtain integrated seating.

The Rev. C. K. Steele said his followers "will not be herded like cattle to the rear of a bus though driven by Negro drivers."

The statement by the president of the Negro Inter Civic Council, which sponsored the boycott as a protest against segregated seating, came as buses started up again after month-long suspension.

"Our request for the time being is for democracy, fairness and decency in bus accommodations for our people," Steele said. "This we have not been promised. Consequently, our protest of love, prayer and faith continues."

In a surprise move the Cities Transit Co., assigned two Negro drivers to Negro routes.

However, the council's demand for integrated seating was turned down and passengers took seats on the same segregated basis as before the boycott started May 28.

The Rev. K. S. DuPont, council vice president, reported council members agreed at a meeting last night there will be no attempt to prevent anyone from riding the buses but that car pools will be kept in operation.

Bus rides were free today to celebrate the first day of resumed service.

Charles Carter, manager of the transit firm, said that the number of white riders today was about double that previously.

Boycotters Lost, Says Gov. Collins

Constitution Atlanta, Ga. Tues. 7-3-56

5 Tallahassee Buses Sold; Service Ends

TALLAHASSEE, Fla., July 2 (AP)—Gov. Leroy Collins said today he regards the Negro bus boycott as a "miscarriage of ambition."

Gov. Collins

His statement came after the Cities Transit Co., suspended the service made unprofitable by loss of Negro patronage and began selling off its buses. Five buses left Tallahassee today to be delivered to a purchaser in Cuba.

Between 1,500 and 1,700 white persons are having to make other arrangements for transportation. Apparently they are either walking or getting rides from neighbors because taxicab companies reported little or no increase in business.

"Efforts made here by the NAACP (National Assn. for the Advancement of Colored People) which have resulted in discontinuance of bus service in this community, I regarded as a miscarriage of ambition," Collins said.

"If this organization is interested in advancing the welfare of our Negro citizens, it should concern itself with other conditions of far more importance than where people sit on buses.

"There are many areas for real and substantial improvement such as health standards, moral standards and educational standards, in which they could become engaged with a great deal more benefit to the people they represent."

Collins cited efforts made to improve conditions for Negroes in Tallahassee in recent years and declared "the tragedy of this bus situation is that it has gained nothing for the Negroes and much has been lost in the tensions and antagonisms which have been developed. . . .

"I frankly think that the Negroes had some just grievances about the operation of the bus service. But it is clear to me that the city authorities indicated in good faith a willingness to adjust these grievances."

NEGROES RIDING ON BUSES AGAIN

Times-Picayune

Will Be No Intimidation, Say Boycott Heads

Sat. 8-4-56

TALLAHASSEE, Fla., Aug. 3 (AP)—Numbers of Negro passengers were back on Tallahassee buses Thursday with assurances from boycott leaders there would be no intimidation of those who choose to ride.

The busses went back in service Thursday after being off the streets for a month because of a Negro boycott protesting segregated seating. In a surprise move, the Cities Transit Company employed two Negro drivers and assigned them to routes. Seating still was segregated, however.

K. S. DuPont, vice-president of the Negro inter civic council which spearheaded the boycott, said it was agreed at a council meeting Thursday night that there would be no interference with Negroes who want to use the buses but that car pools would be maintained for those who wish to continue the boycott.

Many Negroes were using the buses Thursday but since rides were free to celebrate the first day of resumed service it remained to be seen what the situation will be when fares start being collected Friday.

When the boycott was started, Negroes demanded integrated seating, employment of Negro drivers and more courteous treatment for members of their race.

Negroes again ride Tallahassee buses

Times 8-4-56

TALLAHASSEE, Fla., Aug. 4—(AP)—Cities Transit Co. reported that 450 Negroes rode city buses yesterday and the total might go even higher today.

Charles L. Carter, manager of the transit firm, said about 460 fares were recorded on the run to the predominately Negro routes and all but a small number of these were Negroes.

He said there also was a scattering of Negroes on buses serving the predominately white routes. The number of white riders was running about the same as it has been.

Bus service was resumed Thursday after a month shutdown, with Negro drivers employed on the Negro routes.

Temporary suspension of bus operations was ordered July 1 as a result of financial losses resulting from the boycott by Negro riders. The Chamber of Commerce has spearheaded a ride the bus campaign.

38b 1956

GENERAL

8 of 10 Southern Whites Called Integration Foes

Herald Tribune P. 2
Mon. 2-27-56

Gallup Survey Finds Opposition To Travel Bias Ban Slightly Less

New York, N. Y.

By John M. Fenton
Gallup Poll Staff

PRINCETON, N. J., Feb. 26.—Just how strongly does the average Southerner feel about desegregation?

One needs to penetrate only a few miles into the South to become aware of the impact of the Supreme Court's decision. In the thirteen Southern states today, everybody is talking about the possible end of segregation.

In Raleigh, a service station operator said: "We aren't ready for it yet. The average Negro's standard of living and morals are below the average white person's. It will have to be forced on the people before they will accept it."

In Birmingham, a millwright reasoned: "It's a different nationality of people and a different race altogether. Eventually there will be inter-marriage and I don't approve of this."

Time and time again, one hears reactions similar to these as he travels through the South today. They give some indication of the resoluteness with which the white Southerner is keeping to his convictions about the merits of continued segregation.

This reporter has just returned from a 4,000-mile tour of the South, during which he spoke with many Southerners—both white and Negro. Aided by the public opinion reporters of the Institute's Southern staff, we interviewed a representative cross-section of adults in all parts of the South—from Virginia to Texas.

Our goal was to get a true picture of how the South stands on the complex problem of integration and—more important—to probe into what lies behind the average Southerner's viewpoint—the "why" of public opinion.

All in all, we found eight out of ten Southern whites opposed to the Supreme Court's outlawing of segregation in the public schools.

Opinion is slightly less opposed to the recent Interstate Commerce Commission ruling which outlawed segregated travel between states on buses, trains and in public waiting rooms.

There are still about three out of four Southern whites, however, who oppose such a move.

The questions and results:

"The U. S. Supreme Court has ruled that racial segregation in the public schools is illegal. This means that all children, no matter what their race, must be allowed to go to the same schools. Do you approve or disapprove of this decision?"

SOUTHERN WHITES ONLY	
Approve	16%
Disapprove	80
Undecided	4

"The Interstate Commerce Commission has ruled that racial segregation on trains, buses and in public waiting rooms must end. Do you approve or disapprove of this ruling?"

SOUTHERN WHITES ONLY	
Approve	19%
Disapprove	76
Undecided	5

The wide split in opinion that the segregation issue has brought to the American domestic scene is illustrated by the vote of people in the thirty-five states outside the South on the two issues—as recorded in the latest Institute survey:

SUPREME COURT'S DECISION

Outside the South	
Approve	71%
Disapprove	24
Undecided	5

I. C. C.'S RULING

Outside the South	
Approve	67%
Disapprove	24
Undecided	9

The degree of opposition to both rulings in the South is directly related to the size of the Negro population in each of the thirteen states.

In the "border states" of Kentucky, Tennessee, Oklahoma and Texas, for example, where the white-Negro ratio averages eight whites to one Negro, we found nearly one white in four approving of the Supreme Court's decision. Better than one in four favors the I. C. C.'s ruling.

Even in these states, however, there is still a large majority of whites who oppose integration on both counts.

Moving into what might be termed the "Mid-South states" of Florida, Virginia, Arkansas and North Carolina—where Negroes constitute, on the average, about 24 per cent of the total population — we discovered slightly greater opposition, with about one white person in five favoring mixed schools and a little more than this approving on the I. C. C. question.

It is in the five states of the Deep South—Georgia, Alabama, Louisiana, South Carolina and Mississippi—where the greatest opposition and bitterest resentment are found. In these areas—where more than one-third of the population is Negro—nearly nine out of ten whites are opposed on both questions.

Only about one white person in seventeen in these states registers approval of the Supreme Court's decision. Integration on trains, buses and in waiting rooms is approved by one person in twelve.

Talking to whites practically anywhere in the South, one quickly discovers a deep-seated conviction that "the races just weren't meant to mix"—that the white man and Negro exist on two entirely separate planes and that it would be wrong to try to change this.

Behind this conviction are religious reasons, cultural and traditional reasons, moral reasons, and in many cases a bid for the "separate but equal" doctrine as the only solution to the racial problem.

There are other reasons why the white person disapproves of integration. In some instances, it is fear over the trouble or violence that mixing races might cause. In a few scattered cases, it is a protest against what he considers to be a violation of the State's Rights doctrine.

But the feeling that there is something inherently wrong in mixing Caucasian and Negro is, far and away, the reason cited most frequently by the white people as why they oppose integration.

Can't See the Need

Many Southerners cannot understand why there is a need for integration when the Negroes have what the whites consider to be perfectly adequate facilities at present. With the doctrine of "separate but equal," they justify their opposition to the Supreme Court's decision of two years ago.

In some cases, the opposition to mixing races stems from an actual dislike of the Negro or his habits, which some whites say they find distasteful. This kind of sentiment is found most frequently in the heavily Negro areas of the Deep South.

In another category are those whites who fear the consequences of integration—the trouble or violence that may result from mixing the races. Generally speaking, these persons tend to feel that "the time has not yet come" for integration to be a feature of the Southern way of life.

The case for integration—the viewpoint of a small minority of whites—is upheld, practically without exception, because it is the more "democratic" thing to do or that "a person shouldn't be discriminated against just because of his skin."

Md. Educator Sees Success Of Integration

Post-Times Herald P. 3 Wed. 3-21-56
Washington, D.C.

NEW ORLEANS, March 20 (AP)—A Maryland educator says he doesn't think "our white children have suffered" as a result of school integration.

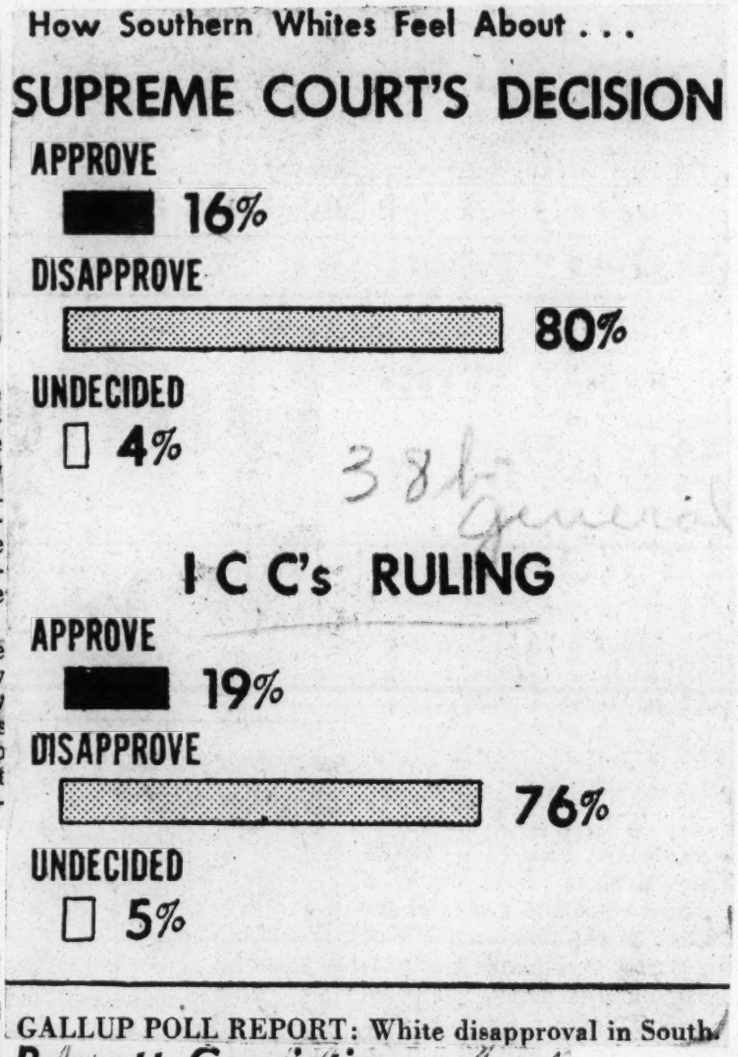
Thomas A. Van Sant, Director of the Division of Adult Education in Baltimore, said Monday, "There is no record of lowering the education level, nor any indication we have more health problems than before."

He added that desegregation has been a "tremendous boost to the Negro children" and that he feels the move may have instilled a motivation to "strive a little harder."

Desegregation in Baltimore schools, he said, may be important in helping to remove the "social and economic barriers" to Negro participation in other fields.

"It probably has eased the racial problem," he said.

As to intermarriage between white persons and Negroes in Baltimore, "they just don't do it," he added.



GALLUP POLL REPORT: White disapproval in South.

Boycott Conviction

Evening Star P. 4-A
Washington D. C.
Feb 25-24-56

It could have been predicted with almost mathematical certainty that the Rev. Martin Luther King, jr., would be convicted in the Montgomery, Alabama, bus-boycott case. And it can be predicted with almost as much confidence that this conviction will not survive the test of appeal.

For there are really only two ways of looking at this case. It is an attempt, under a 1921 antiunion law, to punish Mr. King as a leader of Montgomery Negroes who refused to patronize a bus-line because they objected to its segregation and other policies. Or it is an attempt, by indirection, to compel the Negroes to give up their boycott and go back to patronizing the buses under conditions that are objectionable to them.

In either situation, we do not believe that the appellate courts will affirm the conviction. For the time has long since passed when citizens can be treated as criminals for refusing to patronize a private business concern. This boycott would have been justified had it been aimed at poor service or unclean buses. Is it less so because it was aimed at segregation on the buses and discourteous drivers? If the Alabama authorities think the answer is in the affirmative, one can only suggest that their thinking is far behind the times in which they are living.

FOR LABOR WEEKLY

Advertiser P. 1

Socialist Leader Covering Montgomery Boycott Trials

Montgomery, Ala.

Lies, 3-20-56

By JOE AZBELL
Advertiser City Editor

A revolutionary socialist whose political party is a splinter of the old Third International communist movement is covering the Negro boycott trials here.

He is Farrell Dobbs, New York, who was a candidate for president of the United States in 1948 and 1952 on the Socialist Workers Party ticket. He is covering the trials for Militant, a labor weekly.

Dobbs, who has been connected with the Socialist Workers Party for 22 years is currently secretary of the organization. The party is a splinter of the old Third International following a break between Trotsky and Stalin. Dobbs' party, while admitting it has a revolutionary purpose in establishing a socialist government in the United States, is opposed to the old Stalin brand of socialism or the Russian brand of today.

Dobbs said the Socialist Workers Party is listed as subversive on the Attorney General's list but added that the recent case of James Kutcher, a legless veteran who was a party member, has thrown new light on this listing. Kutcher's pension as a veteran was withdrawn because of his party membership but later was reinstated after a hearing of VA officials. Dobbs said his group had sought hearings to deny the tag of "subversive" but these requests had been turned down.

The 48-year-old Dobbs, who is married and the father of three daughters, said his group does not advocate violence but does advocate a revolutionary method of seeking to secure a majority vote to support a socialist system of government in this country.

The Socialist Workers Party was organized along the ideas of Trotsky who broke with Stalin and, as Dobbs puts it, "was assassinated by one of Stalin's hatchet men."

Dobbs, an easy going, pleasant man with an appealing personality, said that he had come to Montgomery to cover the boycott trials because the trials were of interest from a "democratic viewpoint."

"I believe their (the Negroes') demands are democratic and certainly they are entitled to full equality as citizens," he said, "I am interested in the trials because of the demand for democratic rights which our group adheres to strongly."

When asked by another person if he was sympathetic to the south's position in its racial problem, Dobbs said that while he could understand a problem existed, he could not sympathize with it because it was "wrong for a person to keep his foot on another person's head in a democracy and prevent that person from achieving his democratic rights."

Dobbs entered the courtroom quietly and took his seat with other reporters. He covered the hearings attentively and showed particular interest in the activities of the attorneys, as they exchange legal words.

In an interview, Dobbs emphasized that the Socialist Workers Party is "anti-Stalinist" and that Russian communists had opposed his organization.

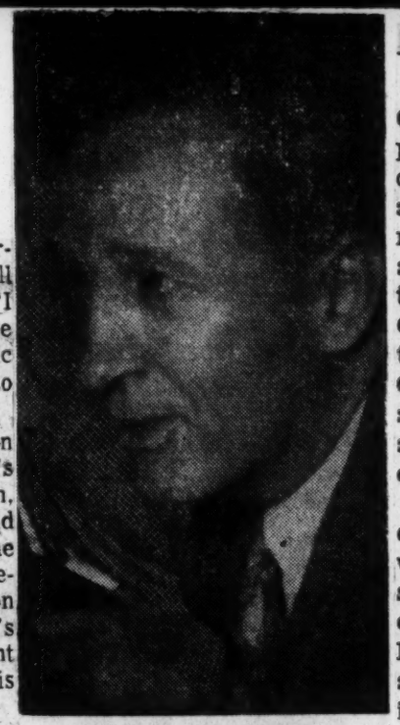
He said that his group was formed because Trotsky who with Lenin was one of the prime movers of the communist revolution in Russia desired to create a world socialist movement while Stalin desired to create a socialist movement within a nation first.

Following a conflict between Stalin and Trotsky, Trotsky moved from one country to another, finally ending up in Mexico where he was assassinated in 1940.

Before Trotsky was assassinated, Dobbs had visited the political figure in Mexico.

In his race for president in 1952, Dobbs received 10,306 votes. His largest vote was in New Jersey where he polled 3,850 votes and in New York where he received 2,212 votes but he was on the ballot on Wisconsin, Washington, Pennsylvania, Minnesota, and Michigan.

He said that "roughly there are about 25,000 supporters of the Social Workers Party" in this country.



FARRELL DOBBS
Revolutionary Socialist

No Bus Segregation

Herald Tribune

The United States Supreme Court does not—indeed cannot—pass laws. What it can do—and does do—is interpret measures adopted by legislative organs and rule upon whether such measures are permissible under our Constitution. Thus the decisions of the Court become, in fact, a part of the law of the land until the Congress amends the Constitution and the amendment is ratified by at least thirty-six of the forty-eight states.

Last week the Court handed down a unanimous decision which had the effect of voiding segregation laws in twelve Southern states. These laws said that Negroes and whites must be separated when riding on local, or intrastate, buses. The court said that they were unconstitutional.

Actually, it simply affirmed such a decision by a lower court, the United States Circuit Court of Appeals in Richmond, Va., but the effect was the same. The Court of Appeals ruling was made in a case in which a Negro woman was evicted from a bus after she insisted on taking a seat in a section reserved for white passengers.

The decision was another blow at the "separate but equal" concept which dates back to 1887. Last November the Interstate Commerce Commission abandoned this doctrine. It declared at that time that segregation of rail and bus passengers, in vehicles or stations, was unlawful. The I. C. C. order went into effect on Jan. 10, and segregation on interstate transportation came to an end without incident.

But the Southern states insisted that local transportation is an entirely different matter. The decision was branded as an "unwarranted invasion of state and municipal rights." Gov. Marvin Griffin of Georgia voiced general sentiment in the South when he said that it would be resisted "by all possible legal means."

The bus lines were perfectly willing to comply and several instructed drivers at once that they need no longer enforce segregation in their vehicles. This seemed to promise trouble because a number of states insisted that public carriers must obey these laws as well as others applying to them.

A typical case was that of the Montgomery City Lines in Montgomery, Ala. Negroes there have been boycotting the line. As soon as the Supreme Court ruling became known, the operators ordered segregation ended. The Montgomery police commissioner thereupon ordered the arrest of any passenger or driver involved in race mixing. The line also faced the threat of losing its franchise unless it reverses its position.

Afro-American P. 8
Sat. 3-24-56
Baltimore, Md.

IN BOSTON, House Majority Whip James L. O'Dea Jr. (Dem., Lowell, Mass.) presents a copy of order calling for ceasing of all legislative activity in the Massachusetts House of Representatives between 11 a. m. and noon on Wednesday, March 28, as an expression of sympathy to the colored citizens of Alabama. Receiving the copy are, left to right: Mrs. Glennie Crawford, chairman, civil rights committee; Keesler Montgomery, chairman, committee on legislation, and Dr. Albert C. Sanders, chairman, executive committee, Massachusetts, all of the NAACP.

U. S. to Stress 'Voluntary Compliance' In Desegregation of Bus Travel

Post Times Herald Washington, D.C.

Times. 12-11-56

By Robert E. Baker
Staff Reporter

Attorney General Herbert Brownell Jr. said yesterday that the Federal Goverment will stress "voluntary compliance" with the Supreme Court's decision outlawing racial segregation in public transportation.

The statement differed considerably from one on Nov. 19, when he said bluntly that attempts to enforce segregation laws on public transportation would constitute a "crime against the United States." He thus emphasized the possibility of criminal penalties.

Yesterday's statement came after a day-long conference with 33 United States District Attorneys from 14 Southern and border States—the men most likely to be called upon to prosecute any violations. Brownell said he was "pleased" with the conference, held behind closed doors in the Justice Department.

Strategy Session

The Attorney General called the conference to discuss how best to back up the Nov. 13 Supreme Court decision which struck down bus segregation laws in Montgomery, Ala., and the State of Alabama, and thus the South.

Brownell concluded a brief statement with:

"In the application of the Constitution to segregation on all common carriers, primary emphasis will be placed upon voluntary compliance with the law as enunciated by the Supreme Court of the United States."

He did not say what would be done if "voluntary compliance" did not work.

Some transit companies in the South may find themselves caught between the Supreme Court decision and a local insistence on enforcing segregation laws. Brownell may have had this in mind when he said:

"Upon request, conferences with common carriers to define their legal rights and responsibilities will be held."

Interstate Ruling

He recalled that the Interstate Commerce Commission last year ruled out segregation in transit companies which cross state lines. The Nov. 13 decision, he stated, established that segregation on intrastate transportation violates the due process and equal protection clauses of the 14th Amendment.

The State of Alabama and the city of Birmingham both have asked the Supreme Court to reconsider its Nov. 15 decision. The Court took no action on the requests yesterday. Until it does, official notification of the decision will not be sent to Montgomery, where a special three-judge court first declared the state and city bus segregation laws unconstitutional.

Federal prosecutors from the following States attended the session yesterday:

Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia.

U.S. HELP IS OFFERED TO CARRIERS SEEKING SPEEDY INTEGRATION

Commercial Appeal Memphis Tenn.

Justice Department Would Advise Bus, Railroad And Air Firms

Times 12-11-56

COMPLIANCE STRESSED

Brownell, Federal Attorneys Discuss Ways To Enforce Supreme Court Ruling If South Should Balk

By ROBERT F. COLL
United Press Staff Writer

WASHINGTON, Dec. 10. — Atty. Gen. Herbert Brownell Jr. Monday offered the services of the Justice Department as a legal adviser to bus firms, railroads, and airlines seeking to abolish racial segregation.

But he said the department still will stress "voluntary compliance" in wiping out segregation on common carriers engaged in both interstate traffic and travel within a state.

The attorney general declined to say what steps would be taken by the Federal Government should "voluntary compliance" fail.

Rehearing Move Pending

He reported on the department's position at the close of a one-day meeting of United States attorneys from 14 Southern and border states. They discussed means of enforcing a Supreme Court decision barring segregation on intrastate buses in Montgomery, Ala.

A move for a rehearing of the case is pending before the high court.

Mr. Brownell said the conferees "considered at length those measures most appropriate for the Department of Justice to take to perform its duty under the law."

He said that "upon request," he will hold conferences with the carriers "to define their legal rights and responsibilities."

The conferences would be held here or where the carriers want.

Mr. Brownell cited a year-old Interstate Commerce Commission ruling barring separation of the races by interstate carriers.

'Dead Letter'

He also pointed out that under the court's decision in the Montgomery case continued segregation in intrastate carriers "violated the due process and equal protection clauses" of the Constitution.

In calling Monday's conference, Mr. Brownell told the Federal attorneys it was clear from the high court's finding in the Montgomery case that segregation laws in other states would have to be "regarded as a dead letter."

Officials in several Southern states have insisted that segregation in local transportation will continue regardless of any action taken by Mr. Brownell and Government prosecutors.

If "voluntary compliance" fails and the Government should decide to take action, it might move under one of two Federal laws.

Local Juries

One statute makes it a crime to conspire to deprive citizens of rights guaranteed by the Constitution. Maximum penalty could be a $5,000 fine and 10 years imprisonment.

The second provides penalties for anyone acting "under cover of law" to deprive persons of privileges and immunities protected by the Constitution. Maximum penalty is a year in prison and a $1,000 fine.

In either instance a violation would be tried in the district where the crime was committed. Grand and trial juries would be composed of local citizens who might be more in sympathy with local laws than Federal statutes.

A change of venue in such cases would not be possible for the Government.

Hopes For Voluntary Obedience

Call P.1

Times 12-14-56

Kansas City, Mo.

Brownell Confers With 14 Southern Attorneys General

By ARTHUR KRANISH

WASHINGTON.—(INS) — Attorney General Herbert Brownell Jr. has expressed hope that southern transportation companies will voluntarily abolish racial segregation of passengers without direct federal intervention.

The justice department chief explained this policy late Monday after an all-day meeting with federal prosecutors from 14 southern and border states which still permit some form of "jim crow" travel.

Brownell announced that he will place "primary emphasis" on "voluntary compliance" with Supreme court decisions which hold that all segregation on common carriers violates the constitution and federal law.

The attorney general refused to answer when a newsman asked him what steps would be taken if transportation companies refuse to comply.

Brownell followed up his plea for voluntary compliance with an offer to confer with transportation officials "to define their legal rights and responsibilities."

Spokesmen insisted that the attorney general was not backing down from an earlier statement in which he pointedly referred to laws which make it a federal crime to refuse Negroes their constitutional rights.

Last year the Interstate Commerce commission outlawed racial segregation on carriers which cross state lines. Last month the Supreme court delivered another blow at segregation by declaring that the constitution forbids state and local laws which require segregation on trains, buses or streetcars travelling within the borders of a single state.

At Monday's closed-door meeting U. S. attorneys presented a summary of state and local laws in southern and border states on the segregation question.

Officials said the federal prosecutors were told to return to their home communities and encourage transportation officials to voluntarily abandon segregation.

The prosecutors, it was reported, would also operate as "listening posts" for the attorney general, sending to Washington information on the progress made and suggestions for possible federal action—if necessary.

Brownell Offers Integration Advice

Post-Herald Tues. 12-11-56

Birmingham Ala. P. 1

He Says U. S. Will Stress 'Voluntary' Compliance With Following Edicts

WASHINGTON, Dec. 10 (AP)—Attorney General Herbert Brownell Jr., today offered the services of the U. S. Justice Dept. as a legal advisor to bus firms, railroads, and airlines seeking to abolish racial segregation.

But he said the department still will stress "voluntary compliance" in wiping out segregation on common carriers engaged in both interstate traffic and travel within a state.

The attorney general declined to say what steps would be taken by the federal government should "voluntary compliance" fail.

He reported on the department's position at the close of a one-day meeting of U. S. attorneys from 14 Southern and border states. They discussed means of enforcing a Supreme Court decision barring segregation on intrastate buses in Montgomery, Ala.

A move for a rehearing of the case is pending before the high court.

Brownell said the conferees "considered at length those measures most appropriate for the Department of Justice to take to perform its duty under the law."

He said that "upon request," he will hold conferences with the carriers "to define their legal rights and responsibilities."

The conferences would be held here or where the carriers want.

Brownell cited a year-old interstate Commerce Commission ruling barring separation of the races by interstate carriers.

He also pointed out that under the court's decision in the Montgomery case continued segregation on intrastate carriers "violated the due process and equal protection clauses" of the Constitution.

In calling today's conference, Brownell told the federal attorneys it was clear from the high court's finding in the Montgomery case that segregation laws in other states would have to be "regarded as a dead letter."

Officials in several Southern states have insisted that segregation in local transportation will continue regardless of any action taken by Brownell and government prosecutors.

If "voluntary compliance" fails and the government should decide to take action, it might move under one of two federal laws.

One statute makes it a crime to conspire to deprive citizens of rights guaranteed by the Constitution, maximum penalty could be a $5000 fine and 10 years imprisonment.

Post-Herald

The second provides penalties for anyone acting "under cover of law" to deprive persons of privileges and immunities protected by the Constitution. Maximum penalty is a year in prison and a $1000 fine.

P. 2

In either instance a violation would be tried in the district where the crime was committed. Grand and trial juries would be composed of local citizens who might be more in sympathy with local laws than federal statutes.

A change of venue in such cases would not be possible for the government.

U.S. ATTORNEYS CALLED TO BUS RULING PARLEY

Daily Tribune Tues. 11-20-56

Chicago, Ill.

14 State Session Set by Brownell

P. 12

Washington, Nov. 19 (AP)—Atty. Gen. Brownell today summoned federal prosecutors in 14 southern states to a Washington conference on how to carry out the United States Supreme court decree against racial segregation on buses.

He set the date, in a circular letter to the 34 United States district attorneys in the 14 states, as Dec. 10.

Brownell's letter said that it is clear from the Supreme court decision of Nov. 13 on the Montgomery, Ala., bus segregation case, that discrimination against bus passengers on account of race is "a crime against the United States."

Test Cases Forecast

A number of state and municipal government spokesmen in southern states have spoken out against the court's Montgomery ruling; several have indicated that various state laws against mixing of races on transportation systems would have to be tested in separate court actions. They said that pending such tests, segregation would be continued on buses.

The Montgomery case was marked by a long bus boycott by Negroes against segregated travel.

Justice Black of the Supreme court issued a statement today saying that after consulting with all other members of the court, he was refusing to order immediate issuance of the court's notice of the decision.

Takes 25 Days

Counsel for Montgomery Negroes in the case had asked last Saturday that the notification be sent out at once. Normal procedure takes 25 days. The request came before Black in his capacity as presiding judge for the 5th United States Circuit court.

Supreme court aids said the bus case notice now may be mailed about Dec. 12. It will go to members of a special court which sat in Montgomery and handed down the anti-segregation decision affirmed by the Supreme court.

Brownell's letter calling the justice department conference went to United States attorneys in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia.

Subject of Conference

Brownell told them the conference "will consider and decide upon measures most appropriate to secure observance of the United States Constitution and laws by carriers and all others who may hereafter require segregation of white and colored passengers on common carriers."

The attorney general told the district attorneys to bring with them copies of state or local laws relating to racial segregation. He said the Nov. 13 court decision, which struck down Montgomery and Alabama statutes, makes it clear "that any such law, statute, ordinance or regulation must be regarded as a dead letter."

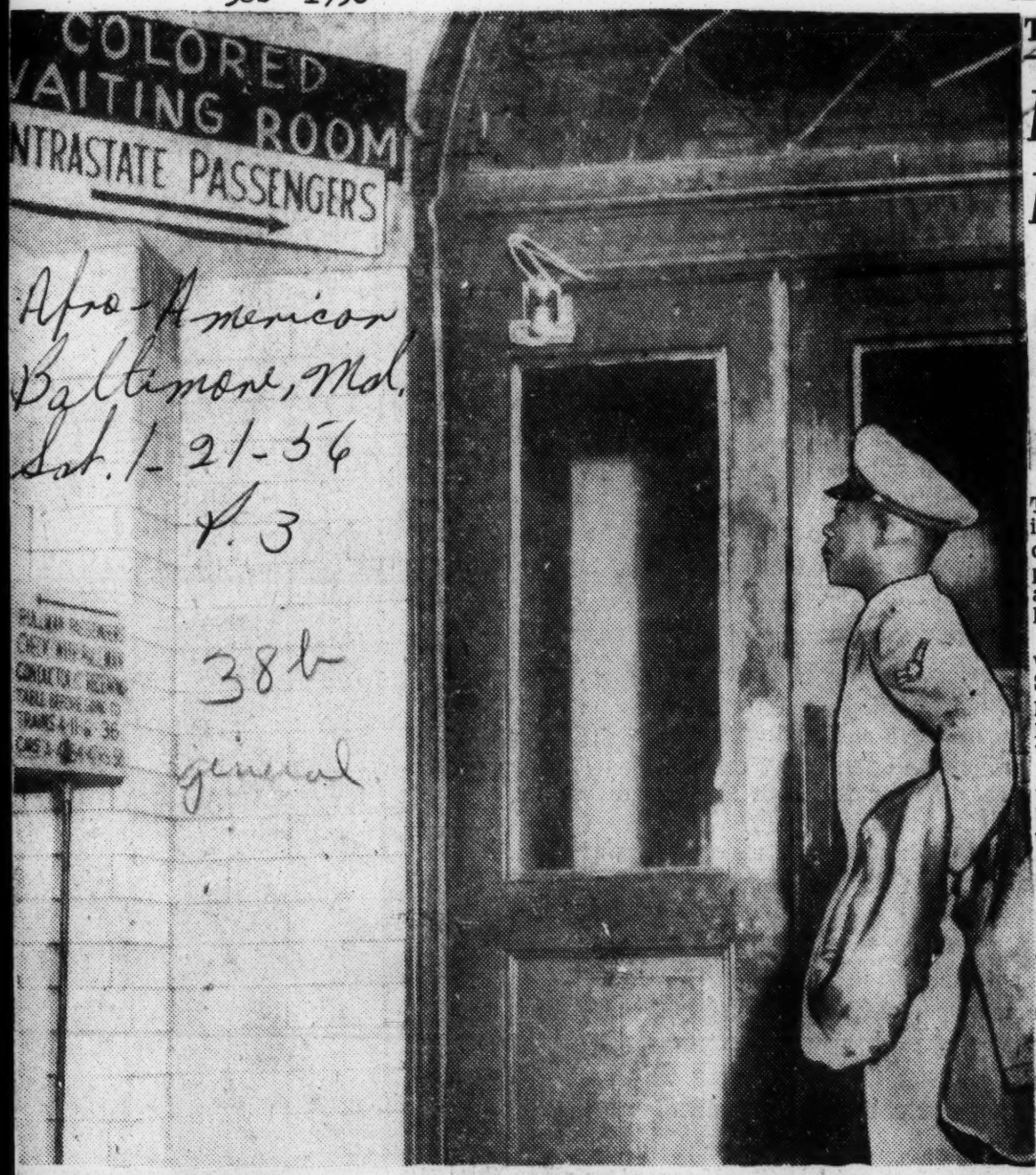
"It is also clear," he added, "that the enforcement or observance of any such discriminatory measure by any common carrier of passengers will constitute in the future and in the light of the unmistakable declaration of the federal courts a willful deprivation by the carrier of the Constitutional rights, privileges and immunities of those discriminated against and a crime against the United States."

Others "Equally Guilty"

"Anyone who commands, induces, procures, counsels, aids or abets the carrier in the commission of such crime is equally guilty," he said.

Officials of the city of Montgomery asserted after the court decision that they would use every legal means available to continue separate seating arrangements for Negroes and Whites on Montgomery buses. They said this was required to preserve public safety and promote order.

Nonsegregated operation was attempted last spring by the private bus company which serves Montgomery, but was dropped under a state court order.



Afro-American
Baltimore, Md.
Sat. 1-21-56
P. 3
38b
General

MORE CONFUSION—Airman Second Class Phillip Wagner of New York City, en route to Warner Robbins Air Force Base near Macon, Ga., looks puzzled and confused, as everyone else did, as he paused to examine the new appendage to the so-called "Colored Waiting Room" sign in Terminal Station, Atlanta, Ga. The "Intrastate" sign was added obviously in an effort to evade the Interstate Commerce Commission order desegregating interstate travel and ordering "Colored" signs removed.

The Gallup Poll

Post & Times Herald
Wed. 2-29-56 P. 13
Washington, D.C.

End of Transit Bans Firm Goal of Negroes

(Editor's Note: Following is the second in a series of three special articles on the problems of integration in the South today by John M. Fenton. Today's report deals with the sentiment of Southern Negroes.)

PRINCETON, N. J., Feb. 28 The Supreme Court's historic integration decision has directly confronted the 40 million people of the South with a problem as grave and unsettling as they have ever had to face.

On the one hand, an overwhelming majority of the South's 30 million whites as reported Monday are bitterly opposed to the idea of integration with the Negro.

On the other hand, there are the South's 10 million Negroes. What does the Southern Negro want?

Results of our interviewing show that by a 3-to-2 ratio he wants to have an integrated educational system. About one Negro in nine at this time is undecided.

Negro sentiment is more strongly in favor of ending segregation in waiting rooms, buses and trains. The recent Interstate Commerce Commission ruling which outlawed segregated travel between states is approved of 6-to-1. Only about one Negro in 25 is undecided on this point.

The questions that we asked and their results:

"The United States Supreme Court has ruled that racial segregation in the public schools is illegal. This means that all children, no matter what their race must be allowed to go to the same schools. Do you approve or disapprove of this decision?"

SOUTHERN NEGROES ONLY

Approve	**53%**
Disapprove	**36**
Undecided	**11**

"The Interstate Commerce Commission has ruled that racial segregation on trains, buses and in public waiting rooms must end. Do you approve or disapprove of this ruling?"

SOUTHERN NEGROES ONLY

Approve	**82%**
Disapprove	**14**
Undecided	**4**

In determining the Negro viewpoint, we had conversations with hundreds of Negroes in all parts of the South. Negroes living on farms and in the cities were given a chance to express their views.

To make sure that a true picture of Negro opinion was obtained, the Institute assigned both white and Negro reporters to the work on this phase of the study. It is interesting to note that the results of the work of both Negro and white interviewers, on both questions, showed Negroes in favor of integration.

Ministers from all over nation sign statement

Afro-American P. 13
Baltimore, Md.
Sat. 3-24-56

NEW YORK—The list of ministers who had signed the statement sent out by the Fellowship of Reconciliation up to Friday of last week follows:

ARIZONA — Henry W. Esbensen, Phoenix, and Robert H. Stewart Jr. Tucson;

CALIFORNIA — John S. Atwood, San Diego; Gordon J. Baker, Buena Park; Russell E. Clax, Whittier; Hubert F. Doran, Aptos, Thomas K. Farley, El Monte; Allan Hunter, Los Angeles,; Hoffman Hurley, Trowbridge; Marvin A. Johnson, Lakewood; Keith C. Kanaga, San Bernardino; Arthur T. Kent, Wilmington;

Cyrus B. McCown, Montebello; Edward Radcliff, Los Angeles; Ray W. Ragsdale, Gale Seaman, Pasadena; Harvey Seifert, Whittier; Roy Tucker, Culver City; Norman W. Taylor, Dean G. Watt, South Gate; Lindsay Young, Los Angeles.

COLORADO — Harold V. Jenson, Boulder; Kenneth R. Redfearn, Fleming; Ernest Shively, Cheraw; F. H. Stephenson, Loveland.

CONNECTICUT — Frank K. Argelander, Hartford; M. A. Cestaro, New Haven; Harold E. Craw, Danbury; Francis A. Drake, New Haven; Carl A. Hanson, Hartford; Halford E. Luccock, New Haven; John Oliver Nelson, New Haven;

John R. Neubert, Manchester; C. Sumner Osgood, Torrington; Irven Paul, Hartford; Ernet T. Sh[illegible], Danbury; Howard O. Stearns, [illegible]nam; Loyd F. Worley, Hartfo[illegible]

DISTRICT OF COLUME[illegible] — C. Austin Cromwell,

FLORIDA — Floyd M. Irvin, Eustis; Terrell T. Kirk, Jacksonville;

GEORGIA — Sam L. Laird, Atlanta

IDAHO — P. M. Hammond, Boise; Paul V. La Rue, Murtaugh;

ILLINOIS — Frederic E. Ball, Ottawa; James H. Beam, Chicago; Albert W. Buk, Chicago; Albert; L. Clapper, New Holland; C. E. Durham, Evanston; W. J. Faulkner, Chicago; Dean L. Franz, Mt.: Morris; Herbert George, Chicago; Victor Goff, Rockford; Robert H Hamill, Joliet; Paul Lambourne Higgins, Chicago;

Peter W. Hill, E. Peoria; Eugene Wm. Kreves, Naperville; Melvin W. Evanston; Donald F. Priestaf, Hinsdale; R. P. Graebel, Springfield; F. L. Rickleff, Elmhurst; Ernest W. Saunders, Evanston;

Merl Schiffman, Elmhurst; T. W. Simer, Grant Park; Carl D. Soule, Lombard; Tyler Thompson, Evanston; R. C. Wenger, Franklin Grove; J. Frank Whitt, Decatur; Jesse H. Ziegler Chicago.

INDIANA — Charles E. Anderson, LaPorte; Vernon Bigler, Zionsville; August E. Binder, Mt. Vernon; Albert L. Copeland, Monrovia; Arthur L. Dodge, Elkhart; Harris D. Erickson, Evansville; Oscar R. Fike, Goshen; Daniel C. Flory, Middlebury; M. O. Johnston, Rushville;

Howard H. Keim, N. Manchester; Harvey M. Landis, N. Manchester; Elvin Miller, Albany; Earl J. Prignit, Spiceland; Carl F. Schroer, W. Lafayette; H. Auston Smith, Danville; Joel K. Thompson, eRoann; ville; Joel K. Thompson, Roann; Harper S. Will, South Bend.

IOWA — Franklin Clark, Boone, Floyd Davidson, Oskaloosa; Tom Fukuyama, New Hampton, Arnold H. Nelson, Blakesburg; John M. Nolin, Des Moines; L. Willard Reynolds, Earlham; Robert R. Sanks, Iowa City; Leonard E. Tinker, Atlantic; Richard Trotter, Davenpport.

KANSAS — Ray B. Bressler, Rose Hill; Allan M. Anderson, Morland; J. P. Baehr, Newton; George Herman DeBoer, Witchia; Gerhard Friesen, Newton;

Walter R. Grist, Natoma; Richard S. Klein, Marysville; J. H. Langenwalter, North Newton; Paul H. Merkle, Halstead; Lawrence E. Schwar, Topeka; Tom Underwood, Prairie Village.

KENTUCKY — Roud Shaw, Pleasureville; Leon D. Sanborne, Berea.

MAINE — George G. Brooks, Sa-; co; Francis C. Hawes, East Millinocket; Arthur Newell Moore, So. Portland; Elwin L. Wilson, Bangor.

MARYLAND — Emmet F Bittinger, Bunkitteville; Ralph Hall Collis; Salisbury; Carroll A. Daggett, Jr. Baltimore; Herbert L. D. Deggett, Frederick; Lowell B. Hazzard, Westminster; Edwin Schell,

Baltimore; Samuel A. Snyder, Jr. Westminster; L. Stanley Whitson, Clear Spring.

MASSACHUSETTES — Wesley H. Allen. Cataumet; John H. Lavely, Auburndale; Clarence F. Avey, Athol; Newell S. Booth, Jr., Arlington; John W. Brush, Newton Center; Raymond Calkins, Cambridge; Clarence Carr, Great Barrington; Ward R. Clarke, Cambridge; J. Norman Carlson, Avon; Welcott Cutler, Charlestown;

Dana McLean Creeley, Boston; Howard Hare, So. Braintree; Wayne T. Hill, Malden; Paul M. Husted, Worcester; Edwin L. Kaut, West Newton; Donald G. Lethrop, Bowton; Donald H. McAninch, Amesbury; Richard E. Matera, Orange; Otto Meinardus, Peabody; Skillman E. Myers, South Natick;

Robert O.'Brien, Stoneham; Carl M. Sangue, West Cummington; S. Paul Schilling, Auburndale; Dewees F. Singley, Amherst; Philip H. Steinmetz, Ashfield; Dr. Roland Stahl, Middleboro; Robert P. Price, Boston; Norris E. Woodury, Plymouth.

MICHIGAN — Paul J. Allured, Lansing; George W. Chaffee, Pentwater; Fenno Densmore, Hillsdale; Carfon Felt, Manchester; H. F. Fredsell, Detroit; Herman M. Janssen, Saginaw; John S. Jury, Detroit; Albert Wallace Kauffman, Jackson; Henry G. Kroehler, Jackson;

Lenn L. Latham, Caro; Lloyd F. Merrell, Festoria; Arthur W. Munk, Albion; Anthony A. Nelson, Mianistee; Donald A. Shoub, Lexington;

P. M. Smith, Delton; Otton H. Steen, Marine City; Carl B. Strange, Grand Haven; W. Winston Thomas, Swartz Creek; Edward W. Wilsor; Don Winegar, Ithaca.

MINNESOTA — Oviatt Desmond, Minneapolis; P. M. Gilfillan, Minneapolis; Wilbur D. Grose, Minneapolis; Richard M. Harper, Le Sueur; George M. Lapoint, Rochester; Edward H. Pflunke Jr., Minneapolis; Earl E. Snader, Minneapolis; F. A. Spong, Minneapolis;

Willis W. Velte, Mankata; Lael H. Westberg, Minneapolis; Harold Wiltz, Minneapolis; Donald Woodward 2, Minneapolis; Willert W. Zahl, Danube

MISSOURI — Robert W. Beckstruck, St. Louis; Edwin T. Dahlberg, St. Louis; Walter A. Hearn, Columbia; Elmer H. Hoefer, St. Louis; Woodbridge O. Johnson, Parkville.

MORE TO COME IN — 6 POINT

MISSOURI — Allen O. Miller, Webster Groves; Daniel M. Schores Jr. Gabool; Nelson 'Schusten, Ovenland; C. Richard Shanor, Kansas City.

NEBRASKA — Carl M. Davidson, Lincoln; Foster Myers, Kearney; Joseph B. Ree, Big Springs, Martin G. Schroeder, Grand Island; M. Schroder Lincoln.

NEW JERSEY — Ernest Edwin Best, Madison; Robert E. Campbell, Tenafly; John Dillingham Newark; Henry D. Frost Somerville: Albert E. Hartman, Trenton. Geo. G. Heneveld, Wyckoff:

John B. Kirby Jr., New Brunswick Martin R. Lehfeldt, Camden; Joseph T. Lippincott, Moorestown; Lloyd Benner Schear, Hoboken; E. M. Tasman, South Orange; Philip S. Waters, Summit.

NEW HAMPSHIRE — Walter Priest Brockway, Seabrook: David C Cargill, Concord; Einar Michaelsen, Stratham T. Vail Palmer Jr., Gonic; George R. Woverton, Sunapee; Bradford Young, Manchester.

NEW YORK — Lester W. Auman, Rockville Center; Robert T. Adams, Buffalo; M. Forest Ashbrook, New York City; Lloyd A. Berg, Lee H. Ball, Irvington; Chas. F. Beynton, New York City; Paul E. Boller, Far Rockaway; Oee Vaughn Barker, Merrick; Donald B. Cloward, White Plains, William W. Clark, Poughkeepsie;

Edward S. Frey, New York City; John De Vries, Beacon; William F. Fore, New York City; Joseph B. Flotten, St. Albans; Royal H. Fisher, Lynbrook; Frederick L. Gilson, Buffalo; W. M. Hammond Jr., New York City; Ambrose Hering, New York City; Robert Hurton, West Webster; Chester E. Hodgson, Ozone Park;

Donald Harrington, New York City John Haynes Holmes, New York City; Robert S. Hoagland, Schenectady; B. Bailey Hathaway, Burlington, Flats; W. Donald Housser, Livonia; Lee A. Howe Jr., Webster; Howard B. Haines, Middletown; L. H. R. Hass, Commack; Charles Iglehart, New York City; Wilbur W. Kamp, Poplar Ridge; C. Lloyd Lee, New York City; Lester E. Loder, Islip,

Arthur C. Moore, New Rochelle; Steward Meacham, New York City; Bruce G. McGraw, Queens Village; Neal D. Mills, Alfred; James Myers, New York City; Oliver Shaw Newell, Yonkers; Latimer B. Neale, Southold Wesley Dennis Osborne, Hollis; Alan B. Peabody, De Ruyter; Samule P. Reinke, Staten Island; J. Henry Reed, Groton.

Shelby Rooks, New York City; Philip Allen Swart, Poughkeepsie; John Nevin Sayre, South Nyack; Frederick W. Siebert, Glendale; Rupert H. Stanley, Marlboro; Clyde V. Sparling, Canton; Ralph S. Thorn Jr., Cold Spring; Robert B. Thomas, Schenectady; David D. Van Strien, Middletown; Wallace T. Viets, Albany; Sylvester Van Oert, Wallkill; W. H. Willits, Elmira; Richard M. Woodman, Binghamton; Paul Parks Walenta, New Hartford.

NORTH CAROLINA —Joseph R. Bogle, Belmont; George R. Edwards Durham; Douglas E. Moore, Lecksville.

NORTH DAKOTA—Homer R. Harrington, Grand Forks.

OHIO — James K. Brown, Spencer Mary Lou Bischmann, Columbus; Ernest R. Bronley, Sharonville; Foster M. Bittinger, Union; J. Paul Cotton, Geneva; Alex E. Dandar, West Milton; Leland B. Emrick, Pleasant Hill; S. Joseph Duell, Dayton; Hazel E. Foster, Cleveland; Dean L. Farringer, Lima;

H. Robert Gemmer, Cleveland; William Gay, Hamersville; Alan C. Herman, Columbus; Hiram B. Holdridge, Mason, Robert L. Hamilton, Conneaut; Angus C. Hull Jr., Cleveland; Warren E. Jackson, Toledo; William E. Jacobs, Dayton; Gilbert Lovell, Cleveland; Phillip H. Lauver, Greenville; Murn B. Kepinger, Dayton; Bernard N. King, Ashand.

Theodore C. Mayer Steubenville; Melvin R Moody Beach City; Paul E. Nelson, Granville; Edmund Harrison Oxley, Cincinnati; Carl T. Pierson, Columbus; Nobel M. Rempel, Xenia; Richard R. Rodes, Cleveland Scott Simer, New Philadelphia; Everett W. Seibert, Cleveland; William T. Turnbull, Cleveland; Rudy H. Thomas, Columbus; Walter F. Wolf, Cincinnati.

OKLAHOMA — Edward D. Hamner, Enid; J. B. Webster, Marshall.

OREGON — Hideo Hashimeto, Portland; John D. Langenes, The Dalles.

PENNSYLVANIA — Russell B. Barbour, Pottstown; John Blewitt, Verena; James E. Bristol, Philadelphia; E. Fay Campell, Swarthmore; Thomas C. Davis, Mountain Top; Elden E. Elthart, Dushore; Kenneth Ripley Forbes, Philadelphia

Leo Alvin Gates, Warren; John M. Gordon, Lancaster; Floyd Gotjen, Monaca; Earl C. Gross, Washington; H. Lee Hebel, Bedford.

T. A. Holmes, Houtdale; Ardmore Charles E. Parmer, Manheim; Charles D. Rockel, Coplay; Norman W. Shollenberger, Reading; Kenneth M. Stewart, Ulster; Donald E. Struchen, Meadville; Alexander Toth, Lancaster; William A. Weyman, Reading.

RHODE ISLAND — Harvey K. Mousley, Providence.

SOUTH DAKOTA — Albert H. Babcock Jr., Sioux Falls; Reuben A. Tanquist, Parker.

TENNESSEE — Joseph W. Bell, Nashville; Frank N. Butler, Jackson Lewis E. Durham Jr., Nashville;

TEXAS — J. A. Dennis, Austin; Harry C. Munro, Fort Worth; Leonard Radde, Fort Worth; Wesley N. Schule, Austin; Travis Williams, Dallas;

UTAH—Arthur W. Molton, Salt Lake City;

VERMONT—J. R. Case, Bergennes; Carroll D. Tripp, Burlington; Max H. Wesbster, Curlington;

VIRGINIA — Carl Beadles, Oakwood; Albert E. Gingrich, New Castle; Clyde E. Hylton, Woodstock; Bernie H. Hampton, West Graham; Richard E. Monroe, Charlottesville; Harold E. Kettering, Stanardsville; Allen Stanger, Lynchburg,

WASHINGTON — Aron S. Gilmartin, Seattle; Charles M. Knapp, Almira. Jackson E. Smith, Seattle; J. Daniel Stel Grand Coulee;

WEST VIRGINIA — J. Hugh Cummings Wiliamstown; David Gustafson, Wirton; Oscar E. Holder, Institute.

WISCONSIN — Owen W. Akers, Madison; William T. Chell, Wisconsin Rapids;; George L. Collins, Malison; John M. Mecartney, Bloomington; Lowell Messerschmidt, Adell; Justus E. Olson, Waupaca; Charles J. Swanson, Loyal; Lyle Walter, Egg Harbor;

FOR LABOR WEEKLY

Advertiser

Socialist Leader Covering Montgomery Boycott Trials

Montgomery, Ala

Tues. 3-20-56

By JOE AZBELL
Advertiser City Editor

A revolutionary socialist whose political party is a splinter of the old Third International communist movement is covering the Negro boycott trials here.

He is Farrell Dobbs, New York, who was a candidate for president of the United States in 1948 and 1952 on the Socialist Workers Party ticket. He is covering the trials for Militant, a labor weekly.

Dobbs, who has been connected with the Socialist Workers Party for 22 years is currently secretary of the organization. The party is a splinter of the old Third International following a break between Trotsky and Stalin. Dobbs' party, while admitting it has a revolutionary purpose in establishing a socialist government in the United States, is opposed to the old Stalin brand of socialism or the Russian brand of today.

Dobbs said the Socialist Workers Party is listed as subversive on the Attorney General's list but added that the recent case of James Kutcher, a legless veteran who was a party member, has thrown new light on this listing. Kutcher's pension as a veteran was withdrawn because of his party membership but later was reinstated after a hearing of VA officials. Dobbs said his group had sought hearings to deny the tag of "subversive" but these requests had been turned down.

The 48-year-old Dobbs, who is married and the father of three daughters, said his group does not advocate violence but does advocate a revolutionary method of seeking to secure a majority vote to support a socialist system of government in this country.

The Socialist Workers Party was organized along the ideas of Trotsky who broke with Stalin and, as Dobbs puts it, "was assassinated by one of Stalin's hatchet men."

Adv. 3-20-56

Dobbs, an easy going, pleasant man with an appealing personality, said that he had come to Montgomery to cover the boycott trials because the trials were of interest from a "democratic viewpoint."

"I believe their (the Negroes') demands are democratic and certainly they are entitled to full equality as citizens," he said, "I am interested in the trials because of the demand for democratic rights which our group adheres to strongly."

When asked by another person if he was sympathetic to the south's position in its racial problem, Dobbs said that while he could understand a problem existed, he could not sympathize with it because it was "wrong for a person to keep his foot on another person's head in a democracy and prevent that person from achieving his democratic rights."

Dobbs entered the courtroom quietly and took his seat with other reporters. He covered the hearings attentively and showed particular interest in the activities of the attorneys, as they exchange legal words.

In an interview, Dobbs emphasized that the Socialist Workers Party is "anti-Stalinist" and that Russian communists had opposed his organization.

He said that his group was formed because Trotsky who with Lenin was one of the prime movers of the communist revolution in Russia desired to create a world socialist movement while Stalin desired to create a socialist movement within a nation first.

Following a conflict between Stalin and Trotsky, Trotsky moved from one country to another, finally ending up in Mexico where he was assassinated in 1940.

Before Trotsky was assassinated, Dobbs had visited the political figure in Mexico.

In his race for president in 1952, Dobbs received 10,306 votes. His largest vote was in New Jersey where he polled 3,850 votes and in New York where he received 2,212 votes but he was on the ballot on Wisconsin, Washington, Pennsylvania, Minnesota, and Michigan.

He said that "roughly there are about 25,000 supporters of the Social Workers Party" in this country.

FARRELL DOBBS
Revolutionary Socialist

Boycott Threats Hit Other Cities

Courier 6-9
Pittsburgh Pa.
Sat. 6-23-56

(Courier Press Service)

Dixie's public transportation systems, caught in the tentacles of the boycott, are in "danger" of being squeezed into submission to integration.

Florida Negroes, inspired by Alabama brethren in Montgomery, continued to apply pressure in Tallahassee, and were eyeing prospective "victims" in Miami and St. Petersburg. Atlanta and Memphis were also seen as possible targets for the spreading boycott movement.

Latest developments on the boycott:

1. July 1 has been set as a deadline by the Cities Transit Company of Tallahassee, Fla., for settlement of the boycott "problem." If the boycott has not been settled by that date, the company says it intends to go out of business.

2. Some Miami Negro leaders say they are afraid to call a boycott because it might not prove as "effective" as the one in Tallahassee.

3. Montgomery boycott leaders had a mild rhubarb over funds when the Rev. U. J. Fields quit as secretary of the Montgomery Improvement Association charging misappropriation of funds but his claims were denied by Dr. Moses Jones who termed the charges "deeply regrettable." The MIA announced that it plans to iron out the dispute in private, but will keep a united front on the boycott issue.

4. In St. Petersburg, Fla., Negro leaders have called upon City Council to meet with them in an effort to prevent bus boycott or "similar incidents." The Rev. Enoch D. Davis of the Second Bethel Baptist Church said, "We are hopeful that St. Petersburg can assume a position of leadership."

5. Tallahassee's City Commission has granted the bus company permission to raise its fares from 10 to 15 cents in an effort to offset losses sustained through the boycott.

CORDELE, Ga.—After a white grocery clerk slapped a Negro woman home demonstration agent and broke her car door, Negroes of this community have waged an effective boycott of the store and warned that they would not immediately abandon their program.

6. The Rev. C. K. Steele, president of the council sponsoring the Tallahassee boycott, has to leave town when he wants to visit his wife. She left the town because of threatening phone calls.

7. Sidney Rodney took a seat in the white section of a New Orleans bus and was charged with refusing to obey segregation laws and disturbing the peace. But, when Rodney turned up in court with Atty. A. P. Tureaud as counsel, the segregation and disturbing the peace charges were dismissed. Instead, he is being charged with being loud and boisterous.

8. The Montgomery Improvement Association has been incorporated as a non-profit organization to "improve living conditions in the community."

9. The Rev. Theodore Gibson, Miami NAACP chairman, asserts, "If they don't come across, we will call a boycott or go to the courts or both . . . if we call a boycott, it will be because we feel we can get quicker relief that way.

10. The Transport Union Workers of America's Executive Council, AFL-CIO, has called upon the bus drivers "of Montgomery, Ala., and any other city or town where a boycott or a campaign of passive resistance to the segregation edicts is being conducted to refuse to carry out bus owners' policies of segregation or discrimination."

11. Following the effects of the boycott in Montgomery, 10,000 whites of that Alabama town have joined the White Citizens Council.

Negroes' Bus Boycotts Continue in Two Cities

Star Wed 6-6-56
Washington D.C.
P. 29-A

By the Associated Press

Negro bus boycotts continued in two Southern cities today in the wake of a ruling by a three-judge Federal Court panel that racial segregaation one one of the bus lines waas unconstitutional.

A Negro spokesman said the boycott would go on in Montgomery, Alaa., at least until a formal court order was issued carrying out the decision. A boycott also was in progress at Tallahassee, Fla.

Representative Adam Clayton Powell, Democrat of New York, said 12 persons, "white and Negro from North and South," would meet in New York Saturday to consider whether the "time is ripe" for a nationwide program of passive resistance similar to the two bus boycotts.

The Negro representative revealed plans for the meeting while speaaking at commencement exercises at Morehouse College in Atlanta yesterday.

Act to Exclude Negroes

The City Commission at Delray Beach, Fla., voted, 4 to 1, yesterday to take steps to have the entire Negro district excluded from the city limits of that resort town 47 miles north of Miami.

No violence has been reported in the city, but racial tension has mounted in the wake of attempts by Negroes to be allowed to use beaches and municipal swimming pools. The town has about 6,500 white persons and about 2,000 Negroes.

At Memphis, Tenn., the National Association for the Advancement of Colored People filed a Federal court suit asking that bus segregation laws in Tennessee be declared unconstitutional.

At Montgomery the 2-1 decision that racial segregation on city buses violated the Federal Constitution was handed down six months to the day after the start of the boycott.

Injunction Delayed

But the court took no immediate action to issue an injunction against enforcement of city and State segregation laws. The panel gave opposing lawyers two weeks to submit written suggestions on how the formal anti-segregation order should be made effective.

An appeal direct to the United Ssates Supreme Court might result in the first clear-cut decision by that court on city bus segregation.

At Tallahassee, where a bus boycott has been in progress since May 28, the Negro Inter-Civic Council scheduled a mass meeting for tonight to bring every one up to date on the situation.

The boycott was touched off when two students of Florida A&M University for Negroes at Tallahassee were arrested for refusing to move to the rear of a bus. A similar arrest of a Negro seamstress set off the Montgomery bus boycott. In both cities Negroes have been walking or using car pools to get to work, and in Tallahassee the bus company ended service on runs serving Negro communities.

About 500 Negroes at Birmingham, Ala., formed a new organization called the Alabama Christian Movement for human rights and dedicated to wiping out racial segregation. Formation of the new group followed granting of a temporary injunction at Montgomery last week outlawing the NAACP in Alabama.

Other developments on the segregation scene:

WASHINGTON.—Representative Huddleston, Democrat of Alabama, in a speech before the House, proposed a bill that would allow Federal and State courts to ignore any Supreme Court decision that "conflicts with the legal principal of adhering to prior decisions which are based upon considerations other than legal."

JOHNSON CITY, Tenn.—Four Negro students registered for summer classes in the white East Tennessee State College Graduate School after a ruling by the Tennessee Board of Education that Negroes could attend graduate school in State colleges.

PITTSBURGH.—The Rev. A. Henry Durham, pastor of the First Negro Methodist Church attempting to enter the all-white Pittsburgh Methodist Conference, said he has been relieved of his pastorate.

Mr. Durham said he was relieved because of his efforts over the last year to integrate his church into the white conference. This was denied by Mr. Durham's immediate superior.

The minister, pastor of the Buena Vista Church, declared Bishop Edgar A. Love of Baltimore, offered him a new charge in Winston-Salem, N. C., or a year's sabbatical leave. He said he is taking the leave. The Pittsburgh Methodist Conference (white) voted last May to invite all Negro churches in this area into its fold.

In Alabama, Florida— Boycotters show no signs of ease up

News P.1
Wed. 6-6-56
Birm. Ala.
General

BY THE ASSOCIATED PRESS

Negro bus boycotts continued in two Southern cities today in the wake of a ruling by a three-judge Federal Court panel that racial segregation on one of the bus lines was unconstitutional.

A Negro spokesman said the boycott would go on in Montgomery, Ala., at least until a formal court order was issued carrying out the decision. A boycott also was in progress at Tallahassee, Fla.

Rep. Adam Clayton Powell (D., N. Y.) said 12 persons, "white and Negro from North and South," would meet in New York Saturday to consider whether the "time is ripe" for a nationwide program of "passive resistance" similar to the two bus boycotts.

The Negro congressman revealed plans for the meeting while speaking at commencement exercises at Morehouse College in Atlanta yesterday.

THE CITY commission at Delray Beach, Fla., voted 4-1 yesterday to take steps to have the entire Negro district excluded from the city limits of that resort town 47 miles north of Miami.

The commission asked legal counsel to draft a bill to the state Legislature to exclude the area and "to take all necessary and required steps incident to having the same enacted into law as soon as possible."

The Legislature, in extraordinary session now to consider only reapportionment, meets next in general session in April.

No violence has been reported in the city, but racial tension has mounted in the wake of attempts by Negroes

to be allowed to use beaches and municipal swimming pools. The town has about 6500 white persons and about 2000 Negroes.

News

"I sincerely believe this is the only way we can save Delray Beach," said Mayor Mike Yargates. "To keep tourists coming down here we are forced to do something. Tourism is our whole livelihood."

P. 2

AT MEMPHIS, Tenn., the National Assn. for the Advancement of Colored People filed a federal court suit asking that bus segregation laws in Tennessee be declared unconstitutional.

The suit requests that a three-judge court hold a "speedy hearing" and grant a temporary injunction restraining the city of Memphis and the Memphis Street Railway Co. from enforcing the Tennessee bus segregation laws.

Then, the suit asks, the court hold a second hearing and declare the state segregation laws null and void.

The president of the privately owned Memphis Street Railway Co., Roane Waring, said his company "can make no change in the manner of seating passengers on our buses. We must follow the state laws. The fact that we have had no trouble here over segregation is a tribute to the good citizenship and goodwill of both races."

The bus company present policy calls for Negroes to occupy seats from the rear forward, and whites from the front backward. There is no dividing line and Negroes do not have to surrender their seats to white riders.

OTHER DEVELOPMENTS on the segregation scene:

WASHINGTON—Atty. Gen. Brownell told the National Press Club that "the critical time has come for action" on the administration's civil rights program. "Members of the Negro race," he said, "need to be safeguarded from haters and opportunists, from those with sick minds."

At the capitol, Rep. Roosevelt (D., Calif.) filed a petition to take the civil rights bill out of the hands of the House rules committee and bring it up for a vote. To be effective, such a petition would require the signatures of 218 members of the House.

The bill has been approved by the House judiciary committee but has not got past the rules committee, which clears legislation for action. Many Southern members have opposed its progress.

BOYCOTT IS SPURNED BY MIAMI NEGROES

Commercial Appeal Tues. 6-19-56

NAACP Leaders Will File Over Segregation

Memphis, Tenn.

ACTION IN LOUISIANA

P. 15

By The Associated Press

Southern pro-segregationists received some support yesterday from new legislative action in Louisiana while Miami, Fla., Negroes rejected the idea of a bus boycott similar to those in progress at Montgomery, Ala., and Tallahassee, Fla.

On the other hand, two Negro youths enrolled as undergraduates at the summer session of North Carolina State College.

Bill To Evade Order

At Baton Rouge, the Louisiana Senate approved, 37-0, a bill designed to help New Orleans evade a Federal Court order to integrate its public school system. The bill, which now goes to the House, in effect would require integration suits to be filed against the state, with a legislative act needed to file the suit.

At the same time, the Senate Education Committee unanimously approved four segregation measures which would permit firing of Louisiana teachers, school bus drivers and other school employes for advocating integrations. The measures previously passed the House.

In Richmond, the Virginia Supreme Court of Appeals threw out a decision of Hanover Circuit Judge Leon M. Bazile that any expenditure from a Hanover County bond issue for non-segregated schools would be illegal because the referendum authorizing the bonds was held prior to the U. S. Supreme Court ruling outlawing segregation in public schools.

NAACP Spurns Plan

At Miami, local leaders of the National Association for the Advancement of Colored People, turned down suggestions for a bus boycott and said that instead they would file suit in Federal Court challenging the constitutionality of Miami's bus segregation laws.

A resolution condemning bus boycotts as "untenable" was adopted at a mass meeting of about 400 Negroes, including NAACP leaders.

At Jacksonville, Florida's Democratic National Convention delegates rejected a request to endorse a movement for banding Southern states together on a platform drawn by the South Carolina delegation. The proposed platform said "the courts shall never be permitted to conduct the schools of the nation or to lay down standards of instruction or attendance thereof."

Two Raleigh, N. C., Negroes, Edward Carson and Manuel Houston Crockett Jr., enrolled as freshmen in electrical engineering at the summer session of North Carolina State College. They are the first to be admitted as undergraduates in the history of the college although graduates students have been enrolled for several years.

TALLAHASSEE PROTEST GROWS; SUIT IN TENN.

Daily World Wed. 6-6-56

Atlanta, Ga.

MONTGOMERY, Ala. — (INS) — A three-judge federal court ruled segregation on Montgomery city buses unconstitutional Tuesday, and Alabama officials announced an immediate appeal to the U. S. Supreme Court.

The decision was hailed as "a victory for Democracy and justice" by the Rev. M. L. King, leader of the six-month protest which has kept virtually all of Montgomery's 50,000 Negroes off city buses.

The Rev. King said, however, that the "protest will continue" while the court decides whether to make its ruling effective immediately, or await appeal to the high court.

TALLAHASSEE PICTURE

A boycott of local buses in Tallahassee, Fla., meanwhile, continued to gain supporters Tuesday and in Memphis, Tenn., a Negro asked to leave a bus when he refused to move to the rear of the vehicle filed suit attacking that

O. Z. Evers, with legal aid from the National Association for the Advancement of Colored People, asked for a three-judge court in Memphis and "speedy" hearing to stop the Memphis Street Railway Co., and the city from enforcing racial segregation.

20-PAGE DECISION

In the 20-page Montgomery decision, two of the three Federal judges held enforced segregation violates the due process and equal protection clauses of the U. S. Constitution. The court invited views on the form its final decree should take, and on whether desegregation should be ordered immediately. The legal briefs are due in two weeks.

Alabama officials said they would appeal the ruling and ask that its effectiveness be postponed, predicting "racial conflict" if the color bars were let down immediately.

APPEAL PLANNED

C. C. Owen, president of the Alabama Public Service Commission, said the ruling would be "immediately appealed." He said the court would be urged to delay making the decision effective, pending the appeal, because:

"Any other action would invite racial conflict in this state."

The court, in holding enforced segregation violates the due process and equal protection clauses of the Federal Constitution, invited Negroes who brought the action, and the city, state and bus lines to submit within two weeks "views as to the form of judgment to be entered, and whether such judgment should be stayed pending appeal."

COMPLETE AGREEMENT

The majority opinion said the judges were in "complete agreement" with the verdict of the U. S. Circuit Court of Appeals, which held that segregation on buses in South Carolina was violative of constitutional provisions. That case is due for another round in the courts, after the U. S. Supreme Court referred it for further proceedings, without specifically ruling on the question of segregation in public transit systems.

The Montgomery Bus Lines had ordered an end to segregation on its buses when the Supreme Court action in the South Carolina case was held in some quarters to have outlawed segregation in buses. But it was only a gesture. City officials threatened arrest of anyone violating the segregation laws which the court struck down Tuesday. And Negroes continued a boycott against the buses which began months before when a woman passenger was arrested for refusing to move to the rear of the vehicle.

SIMILAR BOYCOTT

A similar boycott of public buses got underway in Tallahassee, Fla., last week, with Negro patrons demanding an end to segregation, more courteous treatment from drivers and Negro drivers on routes predominantly patronized by Negroes. These demands were identical with those made by boycott leaders in Montgomery.

Daily World

The Alabama Public Service Commission termed Tuesday's dissenting opinion by Judge Lynn "great and learned." Judge Lynn reaffirmed the long-standing "separate but equal" legal doctrine--which was upset by the U. S. Supreme Court in the school segregation cases.

P. 4

"The majority opinion," Owen said, "seeks to overturn the separate-but-equal doctrine...which has been consistently followed since 1849."

Atlanta 6-56

MOTOR BUSES

The 20-page decision refers specifically to "motor buses"....in the city of Montgomery and its police jurisdiction, apparently making it necessary for separate legal actions to make the effect of the decision applicable in other jurisdictions.

Until the Supreme Court's school segregation decision, rulings of the high court generally were accepted as legal precedent, and applicable in any similar set of circumstances. The South generally, however, has refused to accept the school ruling as applying anywhere but in the specific areas where the action was brought, making suits in each school district in the deep South region necessary before the ruling could effectively erase the traditional color line.

38b 1956

GENERAL

Segregation On Trains, In Depots Due To End Tues, Jan 10th

Informer Houston, Tex

WASHINGTON, D. C. (NNPA) — A search of the Interstate Commerce Commission files in the two cases in which railroads and buses were ordered to end racial segregation of interstate passengers failed to reveal that notices of compliance had yet been filed up to Friday.

Sat 1-14-56

The railroads were due to comply with the order by January 10, and at least two railroads operating in the South had indicated their intention to comply by the deadline.

These roads were the Southern Railway and the Richmond, Fredricksburg and Potomac Railroad.

Twelve railroads, a rail terminal company and a bus line were affected by the ICC order to ease and- desist from maintaining and requiring the use of segregated accommodations in railway coaches, trains and station waiting rooms by colored interstate passengers.

The Baltimore and Ohio, which operates in Maryland and West Virginia but was not one of the defendants in the two cases, said it had no problem because segregated facilities over its line had long been abolished.

The Chesapeake and Ohio, which operates in Kentucky and Virginia but also was not a defendant, said it did not have much of a problem as it carries no segregated coaches.

Compliance with the order by abolishing segregated waiting rooms and complying with state laws requiring segregation was under discussion, a spokesman said.

The Southern Railway, which operates between Washington and the Deep South, said signs on its waiting rooms would come down as far as interstate travelers were concerned, but segregation laws in the southern states in which it operates would have to be obeyed so far as interstate passengers were concerned.

Obviously, this means that the Southern plan to follow a practice of nonsegregation as to waiting rooms for interstate passengers but would still maintain white and colored waiting rooms for passengers whose travel begins and ends within a state.

The Southern said segregation on its trains already had been effectively abolished.

W. Thomas Rice, president of the R.F. & P., said segregation signs would come down on its waiting rooms between Washington and Richmond. He said his line had no problem concerning intrastate and interstate passengers.

Informer

Mr. Rice said, however, that his railroad could take no action with respect to space leased to the Union News Company in the Board Street Station in Richmond. The Union News Company operates segregated public lunch rooms in the station. The Board Street Station is operated by the Richmond Terminal, a corporation jointly controlled by the R. F. & P. and the Atlantic Coast line.

The ICC dismissed the complaint against the Union News Company on the ground that it had no authority over the lunch room.

It could not be ascertained here Friday what the Texas and Pacific railroad intends to do. The complaint against it also was dismissed because the record contained no evidence relating to its practices with respect to interstate passengers.

The other railroads affected by the order, whose intentions also are unknown, are: The St Louis-San Francisco Railway Co., the Louisville and Nashville Railroad Co., the Atlantic Coast Line, Seaboard Air Line, Missouri Pacific Railroad Co., Atchison, Topeka and Santa Fe, Gulf Colorado and Santa Fe, and the Panhandle and Santa Fe.

Also under orders to cease segregation on its buses is the Carolina Coach Company.

Jim Crow Waiting Room Signs

Informer P. 12

If any graphic and visible evidence of the era of desegregation is needed, one place to look for it will be in the waiting rooms of railroad and bus stations. There the "white" and "colored" signs began to come down, even before the deadline of January 10th set by the Interstate Commerce Commission. Houston, Tex

Strange, however, are the ways of the prosegregationists. In Greensboro, North Carolina, for instance, the Southern Railway has removed the "colored" and "white" signs over the waiting room doors. Where the "white" sign was formerly they have put the sign "Waiting Room." But, where the "colored" sign was, they have a new sign which reads: "Colored Intrastate Waiting Room."

The implication of this necessarily is that there will be no white intrastate passengers, and that only Negroes will travel within the state. In other words, they are trying to make the state law read that only Negroes traveling intrastate have to be segregated. This would leave the white and Negro interstate passengers and the white intrastate passengers in the same waiting room, without segregation.

Sat 1-14-56

Of course, what they are tring to get around is the building of a new waiting room for white passengers traveling within the state. But the truth of the matter is that it is not likely to be long before segregation of any passengers will be finally held to be unconstitutional. The Columbia, South Carolina, city bus segregation case is now in the Supreme Court of the United States.

In the meantime, the signs in the Greensboro railway stations show to what lengths the prosegregationists will go before bowing to the law of the land.

Bus Segregation Was Not Outlawed Monday

Advertiser P. 4-B Mon. Jan. 30, 56

The press in general slipped badly in reporting the action of the Supreme Court in the South Carolina bus case. The Court's terse dismissal of an appeal in this case was widely interpreted by newspapers, including this one, as ending segregation in intrastate transportation. Some reporters eloquently portrayed the Court as embalming the last remains of the separate-but-equal doctrine of *Plessy vs. Ferguson*. Misled by these sweeping statements, many editors played the story on their front pages as one of the most significant news events of the day. *Actually, the Supreme Court had done nothing more than to dismiss an appeal which had been improperly brought.*

Thus *The Washington Post* confirms, as we suggested earlier in the week, that the nation's press was guilty of conclusion-jumping and National City Lines of unseemly haste in assuming the Supreme Court had outlawed segregation in intrastate transportation. *The Post*, in thorough fashion, describes how the error was perpetrated.

The court's *per curiam* order said only: "The appeal is dismissed. *Slaker vs. O'Conner*, 278 U.S. 188."

Looking up the 1929 decision cited, reporters picked out such words as "frivolous" and "needlessly consumed our time" and jumped to the conclusion that the court was saying the present appeal was frivolous, thus confirming the Court of Appeals' findings, including the opinion that the doctrine of separate-but-equal is no longer valid.

The significant holding in *Slaker vs. O'Connor* was dismissal of an appeal because the decree of the lower court was not final. In the South Carolina bus case, the question of damages was still to be decided. Thus the dismissal, *The Post* now concludes, was "entirely procedural" and not, as is sometimes the case, an affirmation of the lower court's decree.

There are many reasons why the court may refuse to review a case and seasoned reporters should have known this. But *The Post* concludes, as *The Advertiser* said Thursday, that the Supreme Court is partly to blame for the national confusion and excitement at such a critical time:

> . . . The court might well ask itself if it is doing all it can to prevent misunderstanding of its decisions. The court has an interest in having its rulings properly understood. A few clarifying words in its order in the South Carolina bus case would have saved the press from its error. Without minimizing the responsibility of the press for accurate reporting, the court might well remember the speed with which news stories are customarily written and give some brief warning of pitfalls into which laymen trying to understand its work may otherwise fall.

We trust National City Lines, which is now very far out on a sagging limb, will remember this lesson.

Most Dixie States Bow To ICC

Afro-American

Jim Crow signs down at depots

Baltimore, Md.
Sat. 1-21-56
P. 3

BULLETIN

In only two states in the Deep South is there absolute defiance of the Interstate Commerce Commission's order that passengers in interstate travel may not be segregated in carriers and waiting rooms. These rebel states are Louisiana and Mississippi.

38 lines

BALTIMORE

The Interstate Commerce Commission ordered an end to segregated waiting rooms for interstate passengers — those traveling between states — as of Jan. 10, 1956. The order does not apply to intrastate passengers — those traveling within a state.

General

While most of the southern states are complying with the order in varying degrees, depots and terminals are confusing travelers in some states by converting their formerly colored waiting rooms to waiting rooms for "intrastate" passengers and are thus maintaining traditional segregation in their localities.

The AFRO sent more than a score of its correspondents in southern cities to train and bus stations within their localities to see how the common carriers were complying with the order of the ICC.

* * *

THE FOLLOWING is a summary of their findings:

ALABAMA

BIRMINGHAM — Jim Crow signs were removed at the passenger terminal of the Louisville and Nashville Railroad here, but separate facilities continued to be provided and the company's spokesmen indicated that they would depend upon local police to enforce state segregation laws.

Signs were up at the Greyhound and Trailways bus stations after Jan. 10.

FLORIDA

TALLAHASSEE — The Seaboard Airline Railroad took down the white sign over the door over its main waiting room and changed the sign over the former colored waiting room to read: "Colored Intrastate."

There was no change in "white" and "colored" signs at the airport or at either of the city's two bus stations.

GEORGIA

ATLANTA — The Southern Railway System, biggest user of the Atlanta Terminal, pulled down its JC signs and colored passengers immediately began using the main waiting room.

Airport and bus terminal spokesmen said that segregation always had been "informal" at those places and was to continue on that basis.

AUGUSTA—Signs at the Union Station here came down on Jan. 10. On the street side approach they were obliterated by removing black paint, but inside the waiting room, signs indicating the four rest rooms were intact.

At Trailways and Greyhound bus terminals authorities reported that no action has been taken.

LOUISIANA

BATON ROUGE — Gov. Robert F. Kennon ordered all state, parish and municipal officers in this state to continue rigid enforcement of the state law requiring separate facilities for the races at all stations.

He said that the ICC's order directly violates a Supreme Court opinion in an 1833 civil rights case to the effect that the regulation of facilities for public conveyance was reserved to the states under the 10th Amendment.

MISSISSIPPI

JACKSON — Police stood by to enforce segregation measures at the Illinois Central Railway Station here.

LAUREL — Mayor A. S. Scott said segregation will continue in this city. If the carriers remove signs at train and bus stations here, he said, the city will erect new ones.

Asst. Atty. Gen. Joe Patterson said that it is a misdemeanor to violate the state's segregation laws, punishable by fines of $100 to $1,000.

NORTH CAROLINA

ASHEVILLE — The Southern Railroad has removed "colored waiting room" signs and replaced them with "waiting room" signs at its passenger terminal here.

Separate waiting rooms, rest rooms and eating facilities at the Union Bus Station remained although bus lines have complied with the ICC order.

CHARLOTTE — Colored interstate pasrengers use the same waiting room with whites at the Southern Railway Station. No changes have been made at the Seaboard Passenger Station or at the Union Bus Station.

DURHAM — Here the white only sign at the Seaboard Station was painted out and over the colored waiting room sign there has been erected a second ign which reads "colored intrastate passengers waiting room."

GOLDSBORO — Segregation signs were still up here as of Jan. 12.

LUMBERTON — Jim Crow signs are still up at the Queen City Trailway Bus Station, the Seaboard Airline Station and the City Bus Station owned by Paul Britt.

RALEIGH — The Seaboard and Southern railway stations here had not removed their JC signs as of Jan. 10 and colored passengers are still forced to eat at the same "dirty, little" lunch counter at the Seaboard Station.

WILMINGTON—The Seaboard Airlines is using the same system here that it employed in Durham, while the Atlantic Coast Line depot is fully complying with the ICC order.

The Union Bus Terminal and Bluethenthal Airport have reported no changes in their waiting room operations.

SOUTH CAROLINA

COLUMBIA — Waiting rooms at the Union Railway Station formerly reserved for white travelers now only show signs saying "waiting room." The waiting rooms for colored passengers have signs reading "colored intrastate passengers."

SPARTANBURG — The Seaboard Airlines Station here has complied with the ICC order, but the bus terminals remain segregated.

TENNESSEE

CHATTANOOGA — The Nashville, Chatanooga and St. Louis Station is the only one here which has fully complied with the ICC order. The Southern has changed its signs, but replaced the old "colored waiting room" sign with one reading "colored intrastate passengers waiting room."

Neither of the bus companies (the Trailway and Greyhound) has removed any signs and their managers have not indicated whether they will comply or not with the order.

NASHVILLE — Railway and bus stations here have discarded segregation of passengers without incident.

TEXAS

HOUSTON — The two bus terminals and railway stations here were not complying with the ICC order last week. However, at Union RR Station the entrance used by colored people had a sign up "closed," and racial signs were removed prior to Jan. 10.

VIRGINIA

CHARLOTTESVILLE — at the C and O Station Jim Crow signs are still up, although the C and O has not had any segregation on its trains for some time.

At the Union Station, which serves the C and O and Southern Systems, the white has been painted over on the waiting room formerly reserved for white persons and the sign on the other waiting room altered to read "colored intrastate passengers."

NEWPORT NEWS — The C and O Railroad Station and the Greyhound Bus Station still use "white" and "colored" signs. The ticket agent at the bus station said he knew of no plan to remove the signs.

RICHMOND — The sign of one of the two waiting rooms in the Main St. Station has been changed to read "intrastate colored waiting room."

At the Broad St. Station all "white" and "colored" signs have been removed. All passengers using this station are presumed to be interstate passengers, officials said.

National Lines to recognize segregation rule

News P. 1
Tues. 4-24-56

CHICAGO, April 24—(AP)—National City Lines, Inc., which operates city bus lines in several Southern states, made known today that it will not "enforce segregation" on the buses.

The policy was made public one day after the U. S. Supreme Court held bus segregation unconstitutional.

Birmingham, Ala.

B. W. Franklin, vice president of National City Lines, told the Associated Press:

"We're not going to enforce segregation."

General

The Supreme Court's decision was in a case that originated in South Carolina.

Franklin told a newsman there are segregation statutes in all Southern states and some city ordinances also provide for separation of white and Negro passengers.

"To the best of our knowledge, the Supreme Court declared the South Carolina statute unconstitutional," he said.

He said the statutes in the other Southern states were similar.

"This company has no choice but to comply with the decision of the Supreme Court. For that reason we are not going to attempt to enforce segregation laws.

Franklin did not predict the effect of the company's policy. But he said he understood the mayor of Mobile, Ala., had asked for segregation on a voluntary basis.

National City with headquarters in Chicago, operates city buses in Montgomery and Mobile, Ala., Jackson, Miss., Tampa, Fla., Tulsa, Okla., and Beaumont, Wichita Falls and El Paso, Tex.

38b 1956

End Of The Line

38b

Referendum
Sat. 5-5-56
Chicago Defender

GENERAL

Dixie Cities Fight Integration Plans Of 13 Bus Lines

Constitution Wed. 4-25-56
Atlanta, Ga. P. 1

Montgomery Will Enforce Segregation

38b
General

Bus lines in at least 13 Southern cities abolished segregated seating Tuesday but the orepators were threatened with prosecution in Montgomery, embittered over a 20-week bus boycott by Negroes.

The City and the State of Alabama declared their own segregation laws still in effect although the Supreme Court Monday apparently outlawed the last racial separation barriers in public transportation.

Attorney generals ask Congress to guard state laws. Story on Page 2.

INTEGRATION STEPS

But other bus firms began following the integration policies of the National City Lines, which operates in eight Southern and "border" cities where segregation has traditionally been practiced, including Montgomery.

The Virginia Transit Co. said enforced segregation would be discontinued Wednesday on its lines in Richmond and Norfolk and "it is hoped. . .that good judgment will be used by all passengers in order to continue to maintain good relations."

A spokesman for the Virginia company said the Portsmouth, Va., Transit Co. also would adopt the new policy. Operators were being instructed tonight in Richmond and Norfolk to discontinue enforcing the state segregated seating law.

DURHAM LINE

In North Carolina, the Duke Power Co. said it also was complying with the Supreme Court principle but did not expect any great change in its bus operations at Durham and Greensboro. A spokesman said no reaction or opposition was expected by city officials at either place.

The National City Lines, with headquarters in Chicago, operates subsidiaries in Jackson, Miss.; Tampa, Fla.; Mobile, Ala.; Tulsa, Okla.; Montgomery, and Wichita Falls, Beaumont and El Paso, Tex., where segregation has been practiced.

Constitution

No immediate mixed riding appeared in prospect, however, in most of the Deep South cities. At El Paso, however, the bus company said it had only a few Negro passengers and anticipated no trouble when the signs denoting the white and colored sections are removed.

P. 7

TULSA SHIFT

Tulsa bus riders have practiced segregation informally but the company said a changeover was expected without incident there. The company also has buses in St. Louis and East St. Louis, Ill., where segregation has never been practiced.

38b

The transit authority of Nashville, Tenn., announced an emergency meeting would be held Tuesday night to consider local effects of the court's decision.

General

Chairman Justin Potter said he had no desire to "stall, delay or evade" the issue of segregation.

Tampa, Fla., continued its traditional segregation pattern on buses Tuesday.

NCL VIEW

A National City Lines official in Chicago said the company will 'not e'nforce segregation." But C. J. Helbing, Tampa manager of the transit lines, said the situation will be handled just as always.

Helbing said signs in the buses which direct Negro passengers to seat from the rear "will remain in buses until we are instructed by the state or my company to remove them."

In Montgomery, organized Negroes who have boycotted buses four months said no action to end the boycott would be taken until Thursday, when a meeting will be held.

Montgomery officials threatened arrest of bus line officers and employes or passengers involved in racial mixing on buses. A local ordinance provides up to six months in jail for violation.

Two of the three members of the Mobile, Ala., City Commission said the city's bus segregation will be enforced as long as it remains on the city books.

Mobile Mayor Joseph N. Langan said, however, he believes the Supreme Court decision invalidates Mobile's bus segregation law.

The Supreme Court's decision ruling out segregation in buses immediately was injected into the red-hot Florida gubernatorial contest.

Gov. LeRoy Collins promised Tuesday that lawful steps will be

take nto avoid desegregation of intrastate buses.

Candidate Fuller Warren said the court's decision "proves that the present governor's statements that he has prevented mixing of races in Florida was just a lot of propaganda."

In Little Rock, Ark., the National Assn. for the Advancement of Colored People announced it will seek immediate end of racial segregation on the city's buses.

The spokesman said the first step would be a request, but he declined to elaborate further.

Bus company officials in Baton Rouge and Shreveport, La., said no change in the segregated seating pattern is contemplated in those cities.

Officials in Alexandria, La., and Gulfport, Jackson and Meridian, Miss., also indicated that the court's ruling will not end segregation on buses in their cities.

Meanwhile, in Georgia, the Supreme Court's sweeping decision had no effect on public transit operations.

State, city and transportation officials were quick to point out that the ruling was on a South Carolina appeal, to which Georgia was not a party.

Gov. Griffin pledged resistance at all odds.

No efforts to break down bus segregation were reported in any Georgia city.

Operators of highway buses were non-commital on what course they will follow.

Mayor Hugh Hamilton of Augusta and Macon Mayor B. F. Merritt said they have no authority to order any change.

L. D. Baggs Jr., president of the Bibb Transit So. that serves Macon, said "I have not ordered any changes."

L. H. Costa, president of the locally owned Columbus Transportation Co., said that no change in the firm's seating policy is contemplated. "We will continue operating just as in the past," he sadi.

At Savannah, Hadley B. Commack, general manager of the transit company there, said "Our position is the same as everybody else's. We think it's an invasion of states' rights and we're not sure whether the court's ruling will stick or not."

Resist Jim Crow Orders, Union Tells Bus Drivers

Defender Sat. 6-30-56 P. 3

NEW YORK — Bus drivers in Montgomery, Ala., Tallahassee, Fla., and any other city where an anti-segregation boycott is being conducted have been called upon to refuse to carry out bus owners' policies of segregation or discrimination.

Chicago, Ill.

Resistance to bus segregation was urged by the international executive council of the Transport Workers union of America, AFL-CIO.

The council, in executive session, passed a resolution calling for this action by bus operators.

The resolution, passed at a session in New York's Park-Sheraton hotel, also blasted the white citizens councils and commended the courage, determination and maturity of the Negro people of Montgomery in the fight against bus discrimination.

The resolution said, in part:

"The Transport Workers union . . .hails this genuine progress toward the achievement of full and unqualified citizenship. . .It is with deep concern and anxiety that we view the efforts now being made to subvert this progress and to deny in practice what the country's highest court has substantiated to be the rights. . .under the Constitution.

"The White citizens' councils mushrooming from the hatebeds of the South, are spreading their racist poisons through an alarming large number of our states. By economic intimidation and the encouragement of mob-violence and murder, the white citizens' counctactics of the hooded massacre cils have revived the cowardly and the desecration of the burning cross.

"Their end is to crush not only the organizations of the Negro people but to wipe out all groups, and patrticularly the trade unions in the South which are fighting for justice and equality for all minorities.

"This international executive council of the Transport Workers union of America, AFL-CIO, condemns the white citizens councils as a menace to all America and a blight upon our national life.

"We commend the courage and militancy of the Negro communities in standing firm against all matter of terror and intimidation. We hail their vigorous and unflinching insistence upon long overdue justice. We admire the conduct of the Negro people of Montgomery, Ala., under the leadership of Rev. Martin Luther King, who have manifested to all the world a rare courage, determination and maturity in their fight to end segregation. By their action they have struck a blow for freedom for all minorities in the U. S., and have earned the support of all Americans devoted to decency in our national life.

"We call upon the bus drivers of Montgomery and any other city or town where a boycott or a campaign of passive resistance to the segregation edicts is being conducted, to join with the forces of decency and progress in their communities and to refuse to carry out policies of segregation or racial discrimination in the performance of their daily duties."

Officials of the Montgomery City Lines, Inc., ordered an end to segregation on buses Tuesday in Montgomery, Ala., where Negroes have boycotted the buses in protest over segregation for nearly five months.

But there was no mixing of the races on the buses in Montgomery and no immediate indication when the boycott would end.

At Mobile, Ala., an official of the National Association for the Advancement of Colored People said the group plans no immediate action on that city's plans to continue bus segregation.

John L. Leflore, executive secretary of the Mobile NAACP, said he would consult the association's legal staff in New York before deciding what steps, if any, would be taken.

Asks Voluntary Segregation

Two city commissioners said Mobile's city ordinance requiring separation of white and Negro passengers will be enforced. The third commissioner said he felt the Supreme Court's ruling invalidated the ordinance.

South Reaction Uncertain On Bus Desegregation

Star Wed. 4-25-56 P. 6-A

Washington, D.C.

By the Associated Press

Segregated seating was abolished by bus companies in some Southern cities today, just two days after the United States Supreme Court banned racial segregation on public transportation within the borders of a State.

But there was no clear indication how the change in the traditional Southern pattern of separating the races on buses and trolleys would work out in the face of numerous State laws prohibiting integration.

The Virginia Transit Co. announced it would discontinue segregation on its lines in Richmond and Norfolk today and said the Portsmouth Transit Co. also would adopt the new policy.

A few Virginia Transit Co. bus drivers permitted mixing of the races yesterday. No incidents were reported.

Mayor Joseph N. Langan suggested that bus segregation be continued on a voluntary basis.

In North Carolina the Duke Power Co. said it also was complying with the Supreme Court decision, but did not expect any great change in its bus operations at Durham and Greensboro.

No immediate mixed riding appeared in prospect in most cities of the Deep South. However, generally speaking, white and Negro passengers continued to seat from the front and from the back as they had in the past.

To Resist Ruling

Officials in many States pledged to continue to do everything possible to keep the races apart.

Gov. Marvin Griffin of Georgia said he would resist the ruling in every legal way and Gov. J. P. Coleman of Mississippi said, "We will hold the line on segregation without fail but will not keep ourselves in a daily uproar over it."

Several Louisiana and Mississippi officials said segregated buses would be continued despite the Supreme Court ruling.

But in Florida, J. B. Osteen, traffic manager of Florida Greyhound Lines, said his company would obey the new court order as soon as interpretation and procedure have been worked out. A spokesman for the Florida Trailways Bus System said, however, that his company would operate under Florida law which calls for segregation on buses within the State.

At Little Rock, Ark., Frank W. Smith, State executive secretary for the NAACP, said his organization would seek an immediate end to racial segregation on Little Rock buses. David Durbin, vice president of the Citizens Coach Co., declared that transit company attorneys would not advise a company policy until they had studied the decision thoroughly.

RACIAL SEGREGATION ON BUSES ENDS—White and Negro passengers sat side by side in Norfolk, Va., buses Tuesday as racial segregation on intra-state transportation ended under Monday's U. S. Supreme Court decision. (AP Wirephoto).

BUSES MIX RACES IN PARTS OF SOUTH

Times P.27-C

But in the Main Negroes Still Face Resistance to End of Segregation

Thurs. 4-26-56

MONTGOMERY, Ala., April 25 (UP)—Negroes sat freely with white on buses in some Southern cities today, but the same hard core of resistance that has delayed school integration kept the races separated in many others.

Generally, compliance with the new Supreme Court action foretelling the end of legal segregation in transportation, fell into what is becoming a familiar Southern pattern.

Some cities in Virginia, North Carolina and eastern Tennessee, where faint beginnings have been made in integrated education, put up no barriers against first-come, first-served seating. But in most of them, Negroes continued to take seats toward the rear.

The unyielding segregation stand was found in South Carolina, Georgia, Alabama and Mississippi although bus lines serving some cities instructed drivers not to enforce segregation further.

In Montgomery, both state and city have threatened to prosecute the bus company, drivers and passengers white or black who try to bring about indiscriminate seating. The feeling persisted despite a twenty-week boycott by Negroes of the segregated buses which has bitten deeply into the economy of the city.

Florida and Louisiana lately have taken position in the bank of unyielding Southeastern states. No change-over to integrated buses or schools was detected in Florida. All candidates for Governor in a heated campaign have trumpeted continued segregation.

Louisiana, which has made a start toward integration of graduate and parochial schools, was operating under the state segregation law on the question of public transportation.

Actually, the Supreme Court's terse refusal to interfere with a ruling against segregation in a South Carolina case last Monday did not constitute an immediate order for mixed seating everywhere. Attorneys in Washington said it left considerable room for legal maneuvering and a number of Southern areas were taking advantage of it.

Bus lines in Charleston and Columbia, S. C., are operated by the South Carolina Electric and Gas Company, against which the suit that reached the Supreme Court was filed. The utility has not issued a formal statement of its intentions and the state insists its own segregation law still prevails.

Some Negroes sat in the front with whites in Richmond and Norfolk, Va., today. The Virginia Transit Company formally ended segregated seating today and called for passenger cooperation.

Bus Companies in 13 Cities Of South End Segregation

Times Wed. 4-25-56

New York, N.Y. P. 1

By The United Press.

MONTGOMERY, Ala., April 24—Bus line operators ended segregation today in at least thirteen cities, including this Deep South stronghold where Negroes have boycotted the buses for twenty weeks. Montgomery bus operators immediately were threatened with prosecution.

Both the city and the state of Alabama declared that their own segregation laws still in effect.

The desegration activity followed a ruling by the United States Supreme Court yesterday in a South Carolina bus case. The Court's ruling is expected to remove eventually the color restrictions on intrastate transit lines in the South.

Other bus firms began to follow the integration policies of the National City Lines, which operates in eight southern or "border" cities where segregation has traditionally been practiced, including Montgomery.

The Virginia Transit Company said that enforced segregation would be discontinued tomorrow on its lines in Richmond and Norfolk. "It is hoped * * * that good judgment will be used by all passengers in order to continue to maintain good relations," the line said.

A spokesman for the Virginia company said that the Portsmouth, Va., Transit Company also would adopt the new policy. Operators were being instructed tonight in Richmond and Norfolk to discontinue enforcing the state segregated seating law.

In North Carolina, the Duke Power Company said that it also was integrating but did not expect any great change in its bus operations at Durham and Greensboro. A spokesman said no reaction or opposition was expected by city officials at either place.

The National City Lines, with headquarters in Chicago, operates subsidiaries in Jackson, Miss.; Tampa, Fla.; Mobile Ala.; Tulso, Okla.; Montgomery, and Wichita Falls, Beumont and El Paso, Tex., where segregation has been practiced.

No immediate mixed riding appeared in prospect, however, in most of the cities in the deep South. At El Paso, however, the bus company said it had only a few Negro passengers and anticipated no trouble when the signs denoting the white and colored sections were removed.

Tulsa bus drivers have practiced segregation informally but the company said a changeover was expected without incident there. The company also has buses in St. Louis and East St. Louis, Ill., where segregation has never been practiced.

Special to The New York Times.

ATLANTA, April 24—Georgia's laws requiring segregation on instrastate buses remain in effect and the state will oppose any desegregation move "by all possible legal means," Gov. Marvin Griffin declared today.

Mr. Griffin said that the United States Supreme Court decision on a bus segregation case in a South Carolina case did not apply to Georgia because Georgia was not a party in the action.

Meanwhile, bus company executives in the state reported that they had not heard of any incidents since the South Carolina decision was announced yesterday.

Bus companies generally were abiding by the state's segregation laws until they could read for themselves the South Carolina segregation decision in detail and determine how it would affect Georgia operators.

Robert L. Sommerville, president of the Atlanta Transit System, said that between 30 and 40 per cent of the system's business was furnished by Negroes and that a policy of segregation was being maintained.

Times P. 27-C

Boycott Continues

Special to The New York Times.

MONTGOMERY, Ala., April 24—Racial barriers on Montgomery buses were removed today but leaders of both races stood firm on their goals.

The Rev. Dr. Martin Luther King Jr., spokesman for the Negroes who have been boycotting the city's buses since last Dec. 5, said "there will be no immediate change in our position." He said the boycott would continue.

Police Commissioner Clyde Sellers said that bus drivers who permitted desegregation on their buses would be prosecuted. He added that any passenger who mixes with the opposite on buses would face arrest.

Dr. King issued his statements after a meeting of the board of directors of the Montgomery Improvement Association, the group that directs the boycott.

"Two of our original three proposals have apparently been met," he said, "but we are awaiting word on the third—employment of Negro bus drivers for predominantly Negro routes."

The other proposals presented to the City Commission by his group were for a first-come, first-served policy of seating on buses and for greater courtesy to Negro passengers.

Associated Press Wirephoto

INTEGRATION: Negroes and whites had equal rights yesterday on bus in Norfolk, Va.

KEY TO CLEAR-CUT DECISION

3-Judge Panel To Hear Segregation Challenge Here

By REX THOMAS
Associated Press Writer

The lengthening Negro boycott of city buses in Montgomery may produce the first clear-cut decision from the Supreme Court on bus segregation.

A suit challenging constitutionality of Montgomery city and Alabama state segregation laws will be heard by three-judge panel in federal court here Friday.

The complaint, bearing the names of six Negroes and filed as an outgrowth of the mass boycott now in its sixth month, seeks a declaratory judgement holding the anti-race mixing laws invalid, and an injunction to stop the city and state from enforcing them.

Montgomery City Lines Inc., a privaely owned carrier which operates the city's only bus service, has already abandoned segregation for its part. Its drivers have been ordered to refrain from separating white and Negro passengers.

But there have been no reports of actual integration because most Negroes are still boycotting the bus line in protest against hreas city commissioners. Negroes who have continued to patronize the buses have kept to the rear seats where they always sat.

The City of Montgomery has asked Circuit Judge Walter B. Jones in circuit court for an injunction to compel the bus company to rescind the integration order. Jones may announce his ruling this week.

City attorneys contended at a hearing last Thursday that the continued exisence of the non-segregaion policy has created serious Commissioner Clyde Sellers testified that in his opinion a breakdown in segregation would invite rioting and would make it "dangerous for people to walk the streets."

If the three-judge federal panel sitting here Friday takes juridcictiion and rules on the legality of the segregation laws as requested, the outcome either way is certain to be appealed direct to the Suprme Cour.

City and state attorneys have questioned the panel's jurisdiction, arguing that the Aorney General's office, alhough made a defendant, doesn't exercise jurisdiction over city buses in Montgomery.

A three-judge panel is chosen to test constitutionality of state laws when stae officials enforce hem.

The Negroes contend the panel does have jurisdicion and are asking for an injunction to prevent either the city or state from enforcing bus segregation laws in Montgomery.

If the panel's decision goes direct to the Supreme Court, it probably will get there ahead of the case from South Carolina on which the high court acted April 23, since that case must be tried again on a question of damages.

The ruling two weeks ago was first interpreted as a decision outlawing bus segregation. But some attorneys have contended since then that the Supreme Court dismissed an appeal only because the case was still pending in the lower court.

It began as a calim for damages by a Negro woman forced to give up her seat on a bus in Columbia, S.C. A judge in U.S. District Court dismissed it; the fourth U.S. Circuit Court of Appeals reversed him, holding the segregation laws invalid, and sent the case back for trial.

The South arolina Electric & Gas Co. appealed otthe Supreme Court and the appeal was dismissed.

Lawyers are divided over the effect of the Supreme Court's order. Attorneys for Montgomery City Lines argued last Thursday that the decision merely sent the South Carolina case back for trial and wasn't a ruling on segregation itself.

There is no issue of damages in the case pending here. If the panel rules Alabama city and state segregation laws unconstitutional, for example, the next step would be an appeal to the Supreme Cour for the decision here to be upheld or reversed.

The South Carolina case hasn't been set for trial in distric court, so the issue here may reach the Supreme Court first.

Court's handling caused bus ruling confusion

BY JAMES MARLOW,
Associated Press news analyst

WASHINGTON, April 26—(AP)—There has been confusion this week—but it's hard to see why—on the Supreme Court's action on racial segregation in buses which operate entirely within a state.

Ten years ago the court banned segregation on interstate buses—those which cross state lines—but never had ruled on whether segregation on intrastate buses also was unconstitutional. It faced that question this week.

THE COURT'S ACTION—or the manner in which it acted—was widely interpreted as meaning segregation on intrastate buses is unlawful. Almost at once buslines in 13 Southern cities ended segregation.

Then some lawyers who never have been named were reported as saying this kind of interpretation was going too far, that the court hadn't actually said segregation on intrastate buses was unlawful.

True, the court didn't say that in so many words. But if the English language has any meaning the court in effect ruled that segregation on intrastate buses must end. Some of the confusion is due to the way the court handled the case.

For reasons of its own, the court—ever since ruling May 17, 1954, against public school segregation—has given no reasoned opinions in its subsequent decisions outlawing segregation in other fields, such as public parks. It has simply issued legal orders.

THIS IS the background:

South Carolina, by law, has compelled bus companies operating within the state to make Negroes ride behind white passengers. The buses in Columbia, S. C., are run by the South Carolina Electric & Gas Co.

On June 22, 1954—just a little over a month after the Supreme Court had banned public school segregation—a Negro woman, Sarah Mae Flemming, boarded a crowded, segregated bus in Columbia. Negroes were standing.

When a white passenger got up, Sarah Flemming sat down. This put her in front of two white passengers. The bus driver ordered her out of there. She charged later she not only had to leave the seat but that the driver hit her.

She sued the company in Federal District Court for $25,000 damages, claiming her constitutional rights to equal treatment had been violated.

THE CASE WENT before U. S. Judge George Bell Timmerman. The company asked him to dismiss the suit. There was no trial for damages. The case didn't get that far.

The judge said: Was the segregation law unconstitutional? If not, the woman had no case in his court. He ruled bus segregation was constitutional. The women took her case to the U. S. Court of Appeals in Richmond, Va.

It was this same court which had ruled—and been upheld by the Supreme Court last November—that state laws compelling segregation in public parks were unconstitutional.

The appeals court did the same in this case: It said Judge Timmerman was wrong, that intrastate bus segregation is unconstitutional. It told Timmerman to reverse his ruling, and did so with this language: "The case will be remanded for further proceedings not inconsistent herewith."

THAT MEANT the woman's suit for damages would now have to go to trial in Timmerman's court and Timmerman should tell the jury the bus segregation law of South Carolina is unconstitutional.

The utility company, fighting this ruling, appealed to the Supreme Court. That court dismissed the appeal, sending the case back to Timmerman.

The Supreme Court, in sending the case back, let the Court of Appeals instructions to Timmerman stand unchanged. It had this appeal under consideration for weeks, and could have said something against the Appeals Court ruling, but it didn't.

Now if the woman wins damages, or if the company wins, this case may come back to the Supreme Court several years from now. The Supreme Court then may say more on the subject than it did now.

But since Timmerman is under instructions to tell the jury the Carolina law is unconstitutional, the Supreme Court would be in a strange position if at some later date it ruled it had thought all along the Carolina segregation law was constitutional.

'Sit Anywhere', Riders Told

From AFRO Correspondents

Bowing immediately to the mandate of the U.S. Supreme Court, bus companies in almost a score of southern cities desegregated their intrastate buses this week.

Among those cities are Dallas, Fort Worth, Houston, San Antonio, El Paso and Beaumont, Texas; Richmond, Norfolk and Portsmouth, Va.; Tulsa, Okla.; Louisville, Ky.; Witchita Falls, Kan.; Knoxville, Tenn.; and Durham and Greensboro, N.C.

Although integration has been ordered by officials of bus lines it operates in eight southern cities, the National City Lines, with headquarters in Chicago, has met with resistance of city officials in Montgomery, Ala., and other Deep South states, to changes in racial seating policy. policy.

* * *

THE ALABAMA Pubic Service Commission ordered National City Lines to withdraw its integration order affecting Montgomery or "suffer the consequences."

City and police officers threatened to arrest busline officers and employees or even passengers who try to enforce integration. Sticking to its guns, however, a company spokesman, B. W. Franklin, promised to lend support to any driver arrested for permitting racial integration on a bus in Montgomery.

There, the bus protest movement entered its 21st week when a mass meeting, led by the Rev. Martin L. King, voted to authorize the Montgomery Improvement Association to continue the boycott because of the attitude taken by ciy and state officials.

A summary of the situation reveals that in the border states bus desegregation—like that of the schools — will come about with some immediacy, but that in the die-hard states of Alabama, Georgia Mississippi, South Carolina, Florida and Louisiana, stiff resistance will be encountered.

THE NON-DIXIECRAT states are moving quickly to comply with the mandate of the highest court of the land:

Jim crow on city busses died quietly in Virginia Wednesday.

The policy of segregating the races on intra-city busses had been languishing for the past two years.

The death blow was struck Tuesday afternoon when Warren R. Pollard, president of the Virginia Transit Co., Richmond, announced that his operators were being instructed not to enforce segregation.

* * *

COMING 24 HOURS after the U.S. Supreme Court had summarily dismissed an appeal by a South Carolina transit firm as being "frivolous and without cause," the order ended jim crow on busses in Richmond, Norfolk and Portsmouth.

On Wednesday morning — the first day of the no segregation policy — bus drivers wheeled their vehicles from the terminal slightly apprehensive.

But Virginians of both races took the transition in stride. Almost without exception white passengers—conditioned by custom—took seats in the front of the buses. Colored passengers sat in the rear or middle sections.

Reporters making spot checks of the buses were hardpressed to find incidents worth reporting. On one Broad St. bus a white and colored man sat together and chatted amiably.

On a Chamberlayne Ave. bus two colored women sat on the longitudinal seat in the front of the bus.

Sat. 5-5-56

PUBLIC SCHOOL principals called special assemblies Wednesday to warn pupils against demonstrations on the buses.

Bus drivers in Richmond and Norfolk said they had not enforced the segregation law on their vehicles in recent years, except on the complaint of a passenger.

A tobacco worker, waiting for a bus at a Church Hill intersection told this reporter:

"We don't especially want to sit in the front of the bus, we just didn't like being forced to sit in the rear."

With these words he climbed aboard the bus and took a seat about midway of the vehicle.

* * *

THOUGH VIRGINIA'S major cities ended bus segregation, many smaller communities clung to the old policy.

Spokesmen for bus lines in Martinsville, Danville and Petersburg said they would maintain segregated seating, at least for the immediate future.

It is expected that these companies will abandon the segregated seating policy as soon as opinions are rendered by their attorneys.

Bus segregation has also been ended in Charlottesville, Roanoke and Lynchburg.

Baltimore, Md.

WILLIAM M. CAGE, manager of Fredericksburg's Colonial Transit Co., said "no problem exists." He said the company had not enforced segregation in the past.

A jewelry store messenger who makes a living riding the buses (to deliver small packages) told the AFRO:

"Today was no different from any other. You just couldn't tell there had been a change. I only saw one colored person sitting in the front of the bus during the 15 trips I made today."

IN NORTH CAROLINA, the Duke Power Company immediately announced the desegregation of its lines in Durham and Greensboro. A spokesman said no reaction or opposition was expressed by city officials at either place.

San Antonio, Texas, became the first major southern city to be completely desegregated when city buses were added to the things where segregation could not longer be practiced.

All other public facilities, including schools, were already integrated.

Little opposition was offered to integration in El Paso, Wichita Falls and Tulsa, but in some border states, cities were "dragging their feet" in complying with the mandate of the Supreme Court.

38 * * *

IN LITTLE ROCK, Ark., for example, David Durbin, vice president of Citizens Coach Co., said transit company attorneys would not advise a company policy until the decision had been studied.

General

Frank Smith, state executive secretary of the NAACP, retorted that the association would seek an immediate end of segregation of the buses there. He said the first step would be a request, but declined to say what further steps are planned.

In Birmingham, Ala. too, the bus segregation situation is "being studied," according to city commissioners. Birmingham ordinances require racial segregation on city buses, it was pointed out.

* * *

POLICE COMMISSIONER Charles F. Hackmeyer of Mobile said Tuesday that segregation of bus passengers will be continued despite a decision of the company operating the city buses to desegregate.

Mayor Joseph N. Langan said, however, he felt the city ordinance ordering segregation on buses was invalidated by the Supreme Court's Monday ruling.

"I don't see there is anything the Mobile city government can do about it," Langan said. He proposed that bus segregation be continued on a voluntary basis.

* * *

LESS RECONCILED to the inevitable, however, is Georgia's Gov. Marvin Griffin, who pledged himself to resist the bus desegregation ruling at all odds. He called it "another example of an overt usurpation of the liberties of the people."

The most adamant of the cities resisting the Supreme Court ruling are Montgomery, Ala., where the bus protest movement is underway, and Jackson, Miss., where a White Citizens Council is firmly entrenched.

Mayor W. A. Gayle hinted at a court suit against the National City Bus Line to break its recently renewed 10-year franchise if the company did not rescind its desegregation order.

Said Police Commissioner Clyde Sellers "If the bus company operates in Montgomery, it will have to operate under Montgomery and Alabama laws."

* * *

HORACE CORT, a white photographer for the Associated Press, reported that a white bus driver threatened to kill him if he took a picture of some of the few colored persons who boarded a bus, Wednesday.

In Jackson, Miss., the White Citizens Council, Wednesday, commended Mayor Allen Thompson for his stand the previous day against the Supreme Court decision outlawing bus discrimination.

The mayor had declared that he "saw no reason whatsoever for any change in our policy of segregation on buses..."

No more back seats in Norfolk, Va., and 14 other Southern cities

U. S. Court Rules Out Seating Bias

MIAMI, Fla. — Segregated bus seating in three neighboring Southern states has turned U. S. civil rights "topsy turvy" for the time being.

In one state a boycott has protested and a federal court decision has banned it. In the other two states two boycotts and a civil suit are threatening to wipe it out of existence.

This is the score;

In Montgomery, Ala., a federal court decision last week banned segregated seating, but the bus boycott that started six months ago is continuing. And boycott leaders have given indication that the boycott will continue until their full demands have been guaranteed.

In Tallahassee, Fla., where A and M college students started boycotting city buses two weeks ago over segregation, enough steam was generated to start rolling similar action in Miami.

The president of the Miami chapter of the NAACP, the Rev. Theo R. Gibson, declared last week that Negroes may call a boycott of city buses if segregation in the vehicles is not abolished.

Then in Memphis, Tenn., last week, the NAACP filed a suit attacking the constitutionality of state laws requiring bus segregation and urging "a speedy hearing" before a three-judge federal court panel.

A 2-1 VERDICT

The Montgomery federal court struck down Alabama's segregation laws involving intrastate travel in a 2-1 decision holding that state laws requiring segregated seating were unconstitutional.

Judges Richard T. Rives and Frank M. Johnson held that enforced segregation violates the due process and equal protection clauses of the Federal Constitution. The third judge, Seaborn A. Lynn, submitted a dissenting opinion.

The court gave city and bus officials two weeks to appeal the decision before making the ruling effective.

Southeast of Alabama, in the neighboring state of Florida, the city of Tallahassee has become more unsettled than it was two weeks ago when some several thousand students at A and M college touched off a boycott against city buses over segregated seating.

The Tallahassee boycott, as late as Friday, seemed to be gaining momentum despite improved conditions promised by City and Transit company officials. Negro leaders of the boycott refused a compromise agreement and the city commission responded by not only discontinuing the route near the college but also a route in another section of the city which is predominantly Negro.

The impact of the Tallahassee bus boycott winged its way to Miami, where NAACP and civic leaders organized a special committee to "fight segregation in Miami's buses."

Members of the Miami NAACP said that a possible boycott of the Miami Transit company is being considered. They added that petitions asking that segregation be ended will be circulated among both white and Negro residents of the Florida city.

Just north of Alabama, in Memphis, Tenn., a civil suit aimed at cracking open Tennessee's laws calling for segregated bus seating was filed in District Court by members of the Memphis NAACP.

The suit was filed at the request of O. Z. Evers, 31, one of two men who left a cross town bus April 26 after the driver called police when he and another passenger, G. L. Myers, 46, took front seats and refused to move.

Police gave the men a choice of leaving the bus or being arrested.

Flanked on both sides by anti-segregation forces, Alabama, already reeling from within after being struck with a six-month old bus boycott, attempted to strike back last week by enjoining the NAACP from further activity within the state on grounds that it is a "foreign corporation."

In the same city where the boycott was born, Circuit Judge Walter Jones approved a temporary injunction against the organization which was chartered in New York.

The petition charged that the NAACP failed to file certain documents with the state and pay a "non-residents" fee. The petition also specifically inferred that the organization was behind the Autherine Lucy school riots and the boycott.

In a counter move against the NAACP ban, more than 500 cheering Negroes last week organized a new organization dedicated to wiping out racial segregation. They named it "The Alabama Christian Movement for Human Rights."

The Rev. F. L. Shuttlesworth, elected head of the group, said the organization is not connected with the NAACP.

Thus, in three neighboring southern states, Tennessee, Alabama and Florida a federal court decision, a civil suit, a new human rights organization and two powerful bus boycotts are threatening to not only force bus segregation out of existence, but push forwad the whole civil rights fight in the United States.

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GENERAL

Negroes Sit With Whites On Some Southern Buses

Commercial Appeal
Thurs 4-26-56
Memphis Tenn.

By GLENN ANTHONY
United Press Staff Correspondent

MONTGOMERY, Ala., April 25.—Negroes sat freely with whites on buses in some Southern cities Wednesday but the same hard core of resistance that has delayed school integration kept the races apart in many others.

P. 1

Generally, compliance with the new Supreme Court action foretelling the end of legal segregation in transportation, fell into what is becoming a familiar Southern pattern.

Some cities in Virginia, North Carolina, Arkansas and East Tennessee, where faint beginnings have been made in integrated education, put up no barriers against first-come, first-served seating. But in most cities Negroes continued to take seats toward the rear, reluctant to make the first break from the old custom.

Little Rock Firm Acts

In Little Rock, Citizens Coach Co. announced that Negroes and whites may sit where they like on city buses. A company spokesman said, "We will comply with the law as set down by the Supreme Court."

Word went out late Wednesday afternoon to supervisors and drivers of the company to permit passengers to seat themselves without regard to race.

The unyielding segregation stand was found in South Carolina, Georgia, Alabama and Mississippi, although bus lines serving some of their cities instructed drivers not to enforce segregation further.

Local and state governments simply interposed their own segregation laws over the Supreme Court's implied authority.

more vividly illustrated than in Montgomery, where both state and city have threatened to prosecute the bus company, drivers and passengers — white or black—who try to bring about indiscriminate seating. The feeling persisted despite a 20-week boycott by Negroes of the segregated buses which has bitten deeply into the economy of the city.

Boycott Still On

The Negroes have not called off their boycott so the showdown has been delayed in Montgomery.

Florida and Louisiana lately have taken positions in the ranks of unyielding southeastern states. No changeovers to integrated buses or schools was reported in Florida, where all candidates for governor in a heated campaign have trumpeted continued segregation.

Louisiana, which has made a start toward integration of graduate and parochial schools, was operating under the state segregation law on the question of public transportation. Buses in the three larger cities, New Orleans, Baton Rouge and Shreveport, made no move toward desegregation.

Commercial

Actually, the Supreme Court's terse refusal to interfere with a ruling against segregation in a South Carolina case last Monday did not constitute an immediate order for mixed seating everywhere.

Appeal

Attorneys in Washington said it left considerable room for legal maneuvering and a number of Southern areas were taking advantage of it.

P. 2

Reaction Spotty

Bus lines in Charleston and Columbia, S. C., are operated by the oSuth Carolina Electric and Gas Co., defendant in the suit which reached the Supreme Court. The utility has not issued a formal statement of its intentions and the state insists its owr segregation law still prevails. But it was reported several Negroes have ridden among whites in Columbia recently and the drivers did not interfere.

Some Negroes sat in the front with whites Wednesday in Richmond and Norfolk, Va., where the Virginia Transit Co. formally ended segregated seating and called for passenger co-operation. There were no incidents.

Bus companies in most North Carolina cities reported they have not enforced segregation for some time and that where it continued it was done on a voluntary basis.

In Knoxville Jim Burk, president of the City Transit Line, said the buses have stopped separating white and Negro passengers and added, "I hope they can get along." But in other major cities of the state, Memphis, Nashville and Chattanooga, operators and city officials were awaiting state guidance.

They got little clarification from State Public Service Commissioner John Dwyer who said, "We've got Jim Crow law in Tennessee and I'm not going to tell them to desegregate and violate the law."

In Montgomery, B. W. Franklin, vice president of National City Lines which operates buses in the city and a number of other Southern cities, defended his firm's desegregation order of Tuesday.

Meeting Tonight

"We practiced segregation here (in Montgomery) under state and city laws," Mr. Franklin said. "I will not admit that we are violating those laws now, because the Supreme Court has ruled them invalid."

Mr. Franklin said the company would assist any driver who is arrested under local laws "as long as the driver is carrying out the company's instructions."

The tset in Montgomery may come after Thursday night when the Montgomery Improvement Association, a Negro group, holds a mass meeting. The association's members have been prominently identified with the bus boycott and only a few Negroes in the city, who still take rear seats, are riding the public carriers.

State Not Affected

News & Observer
Thurs. 4-26-56
Raleigh, N.C.

U.S. Bus Ruling Confuses Rodman

By JIM CHANEY.

Attorney General William Rodman can't make sense out of the U. S. Supreme Court's action in the bus case.

The court presumably held compulsory segregation on city buses and all other public carriers is unconstitutional. It didn't say that; it merely dismissed on appeal from a lower court which had held against segregation on Columbia, S. C., buses.

P. 1

All the U. S. Supreme Court really said was: Per Curiam. The appeal is dismissed. Slaker v. O'Connor, 278 U. S. 188."

Rodman was merely puzzled at first. By Tuesday, after he had read what the newspapers had to say of the opinion, he was suspicious. Yesterday he told reporters he was bewildered. He suspected te Supreme Court justices were bewildered, too.

Only one thing seems definite, as he views the case, and that is that the opinion doesn't "blind North Carolina because it is not a party to the suit."

The Washington newspapermen who reported the opinion Monday seemed definite enough. The Associated Press and the other national news services sent out word hat the nation's highest court had uled unanimously against segregated seating on all public conveyances.

"The Supreme Court today," the Associated Press wrote, "extended its ban on racial segreagaton to public transportation within the borders of a state. I did so by dismissing as frivolous an appeal from a U. S. Court of Appeals decision in Richmond, Va., that segregation on intrastate buses violates the federal onstitution."

Decision is Terse.

The Fourth Circuit Court of Appeals had held in its order, "We do not think the separate but equal doctrine can any longer be regarded as a correct statement of the law."

The fact that the Supreme Court had dismissed the appeal from the decision would mean, unless Rodman doubts are proved justified, that the Supreme Curt intended for the lower court order to stand. That's the effect under normal circumstaces when an appeal is dismissed.

Rodman doesn't say that the Washington news agencies made a mistake. His point is that the Supreme Court blundered in citing the case of Slaker v. O'Connor if it meant only to affirm the Fourth Circuit Court of Appeals.

"I feel . . .," he said, "they dont know themselves how they've ruled."

The words "Per Curiam" were clear enough. They mean, to use layman's language, that the court spoke unanimously, as a group and that no single membr of the court signed the opinion. It's in the rest "The appeal is dismissed. Slaker v. O'connor, 278 U. S. 188." — that Rodman finds the mystery.

News & Observer

He looked up the case of Slaker v. O'Connor in the bound copies of U. S. Supreme Court opinions big lawyers have in their offices. He found, he reported to the reporters, that the "headline" over the case said something a bit different than the opinion itself. It's quite possible, he suggested, that the court just made the citation on the basis of the "headline" without bothering to read the text.

The bus case first was heard before Federal District Judge George Bell Timmerman in February, 1955, in South Carolina. Sarah Mae Flemming, the plaintiff, was suing the South Carolina Electric and Gas Company for forcing her to take a seat at the rear of one of its buses. She claimed her civil rights had been violated.

Some Areas Give Up Bus Segregation

Post & Times Herald. P. 15
Thurs. 4-26-56
Washington, D. C.

Negroes sat freely with whites on buses in some southern cities yesterday, but the same hard core of resistance that has delayed school integration kept the races separated in many others.

Generally, compliance with the new Supreme Court action foretelling the end of legal segregation in transportation, fell into what is becoming a familiar Southern pattern.

Some cities in Virginia, North Carolina and eastern Tennessee, where faint beginnings have been made in integrated education, put up no barriers against first-come, first-served seating. But in most of them, Negroes continued to take seats toward the rear, reluctant to make the first break from the old custom.

(Washington legal experts have said that Monday's Supreme Court order, hailed as ending segregation on intrastate transport, was nowhere near so sweeping. They believe the order was merely procedural and the net effect was only to send the appeal back to the lower courts for further proceedings.)

The unyielding segregation stand was ofund in South Carolina, Georgia, Alabama and Mississippi, although bus lines serving some cities instructed drivers not to enforce segragation further.

Local and state governments simply interposed their own segregation laws over the Supreme Court's authority.

Nowhere was this deadlock more vividly illustrated than in Montgomery, Ala., where both state and city have threatened to prosecute bus company, drivers and passengers, white or black, who try to bring about indiscriminate seating. A 20-week boycott by Negroes of the segregated buses here has biten deeply into the economy of the city.

Late News On Bus Segregation

Daily World
Atlanta, Ga.
Thurs. 4-26-56

NASHVILLE MEETING ON BUSSES PLANNED

NASHVILLE, Tenn. -(INS)- The Nashville Transit Authority will meet Thursday to decide whether city buses in the Tennessee city will be desegregated.

P. 7

State Atty. Gen. George McCanless said he sent the Authority yesterday a legal opinion on effect of the Supreme Court decision in Nashville. He did not disclose what his advice was, but it will be considered at today's Authority meeting.

SECRET MEETING IN CHATTANOOGA

CHATTANOOGA, Tenn.- (INS- Chattanooga City officials met yes-

terday in a closed session with officials of the Southern Coach Lines to study effects of the Supreme Court bus desegregation decision.

Officials refused statements after the meeting.

* * * *

NEW THREATS IN GEORGIA

ATLANTA -(INS)- Seizure of local bus systems by the National Guard to maintain segregation in Georgia was suggested.

State Atty. Gen. Eugene Cook said that under the U. S. Supreme Court decision outlawing bus segregation, Georgia would be "defenseless" in a similar federal court action within the state.

Daily Herald

But, Cook said, he thought it would be "the duty" of the Governor to declare limited martial law and seize and operate bus companies to maintain segregation.

The seizure, Cook said might be necessary under state police powers to preserve law and order. He said there had been violence over racial integration in Detroit, Chicago and Alabama and would be danger of violence in Georgia if segregation on public transit vehicles was ordered ended.

Miami Negroes Talk Bus Boycott

Post-Herald
Thom, Fla.

MIAMI, June 8 (U.P.) — Miami has been threatened with a bus boycott by Negroes, the fourth Southern city to come under fire of groups demanding integrated riding privileges. P. 4

Tallahassee, Fla., and Montgomery, Ala., are involved in actual rider strikes. One is threatened in Memphis.

The Rev. Theo R. Gibson, president of the Miami chapter of the National Association for the Advancement of Colored People, said today a special committee will present demands to officials of the Miami Transit Co., to end segregation practices.

Sat. 6-9-56

"If they don't come across we will call a boycott or go to courts or both," Gibson said. "The strategy hasn't been worked out yet."

Segregation is not rigidly enforced on Miami buses but whites customarily sit in the front and Negroes from rear to front. Often Negroes and white passengers sit side by side when buses are crowded.

Segregation On All Transits Wiped Out

Informer Sat. 4-28-56

Houston, Texas

WASHINGTON— The Supreme Court of the United States knocked out segregation in travel on public utilities and just about buried the doctrine of "separate but equal." Specifically, the court ruled out segregation in cities and travel across and inside of the respective states that still had segregation laws.

P. 1

Taken with the Interstate Commerce Commission's decision in November 1955, holding segregation in interstate travel illegal, Monday's decision leaves segregation in travel no place to hide its head. Between the ICC and Monday's decision buses, street cars, trains, air planes, ships, cable cars, and every form of public transportation of whatever nature and wherever situated, are now under the ban against segregation.

The case arose in Columbia, South Carolina, when Mrs Sarah Flemings, who had been subjected to indignities because she refused to accept segregation on the bus filed suit for $25,000. The U S District Court dismissed the suit on the basis of the laws of South Carolina. The Fourth Circuit Court of Appeals, sitting at Richmond, Virginia, reversed the lower court and held that under the Supreme Court's reasoning in the educational cases of 1954, segregation in intrastate and-or city travel was void. Monday the Supreme Court of the United States merely accepted the ruling of the Fourth Circuit Court of Appeals and noted that the bus company's appeal was trivial and a waste of time.

Monday's ruling also brought out in Houston, Texas, the fact that the bus company in the city had not enforced, nor intended to enforce, segregation on the buses since the Supreme Court's educational decision of May 17, 1954.

There were the usual sputters by Attorneys General Cook of Georgia and John Ben Shepperd of Texas et al, but it is generally believed that local segregation is dead along with interstate segregation. Now the city and its officials will be subject to suit for violation of Negroes' rights under color of law and subject to severe damages in addition to possible criminal prosecution.

Informer P. 10

The decision also indicates that the Supreme Court is not modifying its attitude toward the illegality of segregation because the country is now entering a political campaign. Indeed, the decision indicates again the grim determination of the court to strike segregation on every occasion.

The effect of the decision in Montgomery (Ala.), where the boycott has been going on, will be first to kill the action and fine against Mrs Parks, which originally started the whole mess there. The second consequence in Montgomery will be that segregation being void, boycotting it not only is a privilege but is probably impelled. It can be predicted that the suits against Mrs Parks and against the 95 other Negroes will ultimately die.

The fact that the bus company has gone on and given notice of desegregation in Montgomery, contrary to the desire of the city authorities, indicates how anxious the bus company was to get from under that boycott. As to the city's counter-position that it will maintain segregation on buses in Montgomery, it is likely to be more words than anything else, if the transit company sticks to its idea of desegregating the buses. The boycotters have not spoken, and probably won't until they see whether or not the bus company can make good its order against continuation of segregation.

At Houston (Tex.), the NAACP has called a meeting for 6 o'clock Tuesday to determine its policy. It is believed that it will advise the citizenry to take it easy, and not rush in protest of the law, before the NAACP can work out techniques to make it cost anybody who tries to keep segregation going.

Also in Houston it was noticed Tuesday that Negroes going to work were sitting all over the bus and whites were doing the same, in some instances, sitting besides the Negroes.

Unlawful To Segregate By Race On Public Buses

Journal + Guide P. 1

Sat. 4-28-56

WASHINGTON —(INS)—The Supreme Court agreed that Negroes and whites may not be segregated on intrastate buses in South Carolina.

The high tribunal in effect upheld an appeals court ruling that the state's bus segregation law is unconstitutional.

It did so by dismissing an appeal from the lower court decision brought by the South Carolina Electric and Gas Co., in a case involving Mrs. Sarah Mae Fleming, a Negro.

Norfolk, Va.

SHE WAS PUT off a city bus in Columbia, S. C., after taking a seat in the section reserved for "whites."

The woman then brought a suit for $25,000 againsct the transportation utility. A federal district court dismissed the case but the appeals court later reversed its decision.

The Supreme Court had previously ruled that segregation in interstate transportation is unconstitutional, but Monday's decision involved travel within a single state as well.

* * *

THE HIGH tribunal gave no reason for its action but merely handed down an order dismissing the case brought by the Electric and Gas company.

* * *

THIS ACTION by the Supreme Court has significance only a little short of its historic ruling which outlawed segregation in public schools.

Journal + Guide

MONTGOMERY, Ala., for instance, has experinced prolonged turmoil over the segregation-on-transportation question, involving a boycott of the bus line by Negroes. P. 2

In Monday's action, the Supreme Court by inference branded as "frivolous" South Carolina's appeal to it to uphold segregation in transportation.

Its unsigned order cited a case titled Slaker V. O'Conner. In that case, the high court threw out an appeal and said it had been taken "without any authority of law" and "thereby needlessly consumed our time."

FOOTNOTE TO A SUPREME COURT DECISION:

New York Post Wed. 4-25-56 P.4

Bus Ruling DIDN'T Outlaw Jim Crow

New York

By WILLIAM V. SHANNON
New York Post Correspondent

Washington, April 25—It became clear today that the Supreme Court's decision Monday regarding segregation on intrastate buses did not mean what observers north and south of the Mason-Dixon line originally believed.

General

Legal experts studying the decision agreed that it was not nearly as far-reaching as the early headlines indicated.

The court did not rule that segregation on local bus lines violated the Constitution. Instead, it merely followed a long-standing precedent that the court does not hear appeals in any case until a Federal District Court has issued a final order.

Since there was no final order in this instance, the effect of the Supreme Court's order was to return the case to the District Court for trial.

The newspaper and press association reporters who jumped far afield in their interpretation of the Supreme Court's action may have red faces today, but the gentlemen who should really be covered with embarrassment are the attorneys general of Virginia, South Carolina and Texas.

They made the same mistake. Two hours after the Supreme Court announced its ruling these attorneys general issued a joint statement angrily denouncing it as an "invasion of state and municipal rights."

Gov. Griffin of Georgia also rushed into the breach, calling the decision "another example of an overt usurpation of the liberties of the people. We shall oppose this latest decision just as we are resisting the decision in the school segregation case by all legal means."

Post P. 18

It now appears this rhetoric was premature.

The case began when Mrs. Sarah Flemming sued a South Carolina bus company for $25,000 because a driver forced her to leave a bus when she refused to move to the rear section reserved for Negroes.

Wed. 4-25-56

The Federal District Court, without holding a trial, dismissed her suit on the grounds that the Supreme Court's school desegregation decision had not overruled the "separate but equal" doctrine as far as travel within a state was concerned.

Mrs. Flemming appealed to the Circuit Court of Appeals. This court ruled that a substantive issue of constitutional law regarding civil rights was involved and ordered the lower court to hear the case on its merits. The bus company then appealed this ruling to the Supreme Court.

General

There are two ways in which a party to a case can bring the dispute to the Supreme Court. The usual method is to file a petition for certiorari. The Supreme Court can grant this petition or not at its own discretion. In other words, it can choose not to hear a case if it does not think a substantive constitutional issue is involved.

No Final Ruling

The other method is for one side to file an appeal in which the constitutionality of a state law is involved, as it was here. The Supreme Court has no discretion and must rule on such an appeal.

The hitch is, however, that the Supreme Court never takes an appeal unless the District Court has made a final finding in a case. No such final order had been reached in Mrs. Flemming's case because the bus company had appealed before there was any trial on the merits.

The precedent on this procedural point was laid down in Slaker vs. O'Connor in 1929. This is the precedent cited in all the standard works on Supreme Court practice and it was the precedent the court cited Monday. This ruling, therefore, was not a decision on the merits of Mrs. Flemming's case. It merely reaffirmed the Circuit Court's decision that a trial on the matter should be held.

Why Bus Line Acted

This simple technical point should have been clear to the bus company's lawyers even if it was not to the legal giants who serve as attorneys general in the Southern states.

The question arises then—did the bus company lawyers deliberately miss the point of Monday's announcement?

The answer may well be that the bus companies would like nothing better than to have segregation outlawed once and for all; the sooner the better. Segregation is economically wasteful. Disputes over segregation mean that companies lose customers and lose money.

Support for this interpretation can be found in the speedy action of the National City Lines, the Chicago firm which owns the bus company in Montgomery, Ala., in applying the decision on its own lines.

The Montgomery bus company was not involved in the case; but the Negro boycott there has put the firm in the red. National City Lines was obviously eager to use what it thought was the court's ruling as a pretext for escaping its own predicament.

Future Prospect Seen

Legal experts consulted by The Post said it was entirely possible that this case may eventually reach the Supreme Court again, once the District Court has issued a final order. If this or a similar case reaches the Supreme Court in a legal form which would permit the court to rule directly on the merits, there seems little doubt that it would find bus segregation unlawful.

"The Plessy vs. Ferguson decision of 1896 which announced the separate-but-equal doctrine was a Louisiana intrastate railroad case," one lawyer observed. "The Supreme Court has outlawed segregation in schools, on municipal golf courses, and in interstate travel, but it has never directly overturned Plessy vs. Ferguson.

"It is only a matter of time, however, before it will.

"Sometime in the next few years, when it gets the right case, the court will undoubtedly make the decision a lot of people thought it made on Monday."

The Segregation Picture: South Still Hanging On

Journal & Guide Sat. 11-24-56 P.9

Norfolk, Va.

The U.S. Supreme Court's clear-cut ruling against segregation on intra-state buses, directly affecting buses in Montgomery, Ala., had repercussions throughout the Southland during the past week.

At Tallahassee, Fla., Atty. Gen. Richard Ervin and Florida law permits the Railroad and Public Utilities Commission to prescribe "resonable rules" dealing with separation of races on any common carrier. He said the Supreme Court ruling will not affect transportation in Florida" until a direct suit is brought attacking our laws and ordiances."

General

• • •

THIS ECHOED the view expressed by state officials in Georgia, Tennessee, South Carolina and Mississippi. These states are apparently adopting the same policy they followed in resisting the Supreme Court's ruling against school segregation — doing nothing to desegregate until specifically ordered to by direct court attack on each state law.

Colored ciizens of Tallahassee, who boycotted that city's buses, have yet to challenge Florida segregation laws in court. A suit asking an end to segregation on buses in Miami was filed Oct. 12. It has not yet been set for hearing.

• • •

A BUS segregation suit in Columbia, S. C., which the Supreme Court once before sent back to the district court, is still in legal processes.

Other Segregation developments:

A federal judge in Nashville Wednesday took under advisement the city school Board's contention that its plan to integrate first grade classes nxt September is a proper show of "good faith" under the Supreme Court ruling. The court did not indicate when it would rule on whether to permit this, with another grade added each year, or whether to require full and immediate integration as asked by Negro complainants.

• • •

IN GEORGIA, Gov. Marvin Griffin said that southern whites should censure Democratic senators who approved confirmation of present Supreme Court justices and called upon southerners to demand that congressmen speak out on maintaining "southern traditions."

The Georgia State Board of Education Thursday ordered Mrs. Colleen Marie Wiggins, Gwinette (Lawrenceville County school teacher, cleared by the county board of charges that she advocated integration. Mrs. Wiggins, after her vindication, submitted her resignation. She explained that she was expecting a baby.

For December 10

Bus Decree Conference Scheduled By Brownell

WASHINGTON, Nov. 19 (AP) — Atty. Gen. Brownell today summoned federal prosecutors in 14 Southern states to a Washington conference on how to carry out the Supreme Court decree against racial segregation on buses.

He set the date, in a circular letter to the 34 U. S. district attorneys in the 14 states, as Dec. 10.

Brownell's letter said that it is clear from the Supreme Court decision of Nov. 13 on the Montgomery, Ala., bus segregation case, that discrimination against bus passengers on account of race is "a crime against the United States."

A number of state and municipal government spokesmen in Southern states have spoken out against the court's Montgomery ruling. Several have indicated that various state laws against mixing of races on transportation systems would have to be tested in separate court actions. They said that pending such tests, segregation would be continued on buses.

The Montgomery case was marked by a long bus boycott by Negroes.

Counsel for Montgomery Negroes in the case had asked last Saturday that the notification be sent out at once. The request came before Black in his capacity as presiding judge for the 5th U. S. Circuit Court.

Supreme Court aides said the bus case notice now may be mailed about Dec. 12. It will go to members of a special court which sat in Montgomery and handed down the antisegregation decision affirmed by the Supreme Court.

Brownell's letter calling the Justice Department conference went to U. S. attorneys in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia.

Brownell told them the conference "will consider and decide upon measures most appropriate to secure observance of the United States Constitution and laws by carriers and all others who may hereafter require segregation of white and colored passengers on common carriers.'

The attorney general told them copies of state or local laws relating to racial segregation. He said the Nov. 13 court decision, which struck down Montgomery and Alabama statutes, makes it clear "that any such law, statute, ordinance or regulation must be regarded as a dead letter."

"It is also clear," he added, "that the enforcement or observance of any such discriminatory measure by any common carrier of passengers will constitute in the future and in the light of the unmistakable declaration of the federal courts a willful deprivation by the carrier of the constitutional rights, privileges and immunities of those discriminated against and a crime against the United States.

"Anyone who commands, induces, procures, counsels, aids or abets the carrier in the commission of such crime is equally guilty," he said.

Officials of the City of Montgomery announced after the court decision that they would use every legal means available to continue separate seating arrangements for Negroes on Montgomery buses. They said this was required to preserve public safety and promote order.

Nonsegregated operation was attempted last spring by the private bus company which serves Montgomery, but was dropped under a state court order.

Ben Franklin, vice president of the Montgomery City Lines, said today his company is still required to segregate passengers under the state court order which "remains in force until further direct order by the U. S. District Court."

The Supreme Court decision is subject to a 25-day delay pending a possible move for rehearing.

MORE TESTS SEEN OVER BUS RULING

Some Southern States Vow to Keep Segregation Despite High Court

ATLANTA, Nov. 13 (AP)—The United States Supreme Court's latest ruling banning segregation on intrastate buses brought quick reaction today from state and municipal government spokesmen in the South.

Several indicated state laws against race mixing on transportation systems would have to be tested in separate court actions, and pending such tests, segregation would be continued on buses.

Gov. J. P. Coleman of Mississippi said that state would continue to separate the races on public conveyances, despite the Supreme Court decision against segregation on Montgomery, Ala., buses.

'Our attitude about this decision," he said, "will be the same as about the school segregation cases." He added that the Supreme Court ruling was based on an Alabama statute and that Mississippi's newly enacted laws to strengthen segregation "are not involved."

Georgia to Fight Ruling

Georgia's Attorney General, Eugene Cook, said the ruling did not directly affect any Georgia city, but that it would set a precedent by which Federal District Courts would be bound. Gov. Marvin Griffin said Georgia would oppose by all legal means any effort to apply the ruling in the state.

In Florida, Richard Ervin, Attorney General, said bus segregation laws remain in effect in that state and must be enforced in spite of the Supreme Court ruling.

Senator W. M. Rainach, chairman of the Louisiana Joint Legislative Committee on Segregation, said:

"I interpret the Supreme Court's new decision on bus segregation to mean the court plans to outlaw separate but equal facilities in every phase of our life. The original school segregation decision was not Constitutional and this is just another unconstitutional decision but the same court."

Govs. George Bell Timmerman of South Carolina, Frank Clement of Tennessee and Luther hodges of North Carolina withheld comment.

In Montgomery, where Negroes have been boycotting the buses, the Rev. Martin Luther King Jr., one of the boycott leaders, said a mass meeting would be held tomorrow night to decide whether to call off the boycott there in view of the high court ruling. He said Negroes "unquestionably" will decide to end the boycott."

'Glorious Daybreak'

Mr. King termed the ruling "a glorious daybreak to end a long night of enforced segregation in public transportation."

There was no immediate comment from Montgomery bus company officials. The company estimated last week that the boycott by Negroes had cost about $750,000 in revenue.

In Tuskegee, Ala., State Senator Sam Engelhardt called the court ruling "another invasion of a local self-government." Mr. Engelheardt, a leader in the White Citizens Council, a group opposing integration, said that "as far as I am concerned they can move the Montgomery City Lines, Inc., lock, stock and barrel, to Washington, D. C."

"This is another attempt by a group of misguided zealots in Washington to torpedo constitutional government," Mr. Engelhardt said.

Samuel G. Johnson, Mayor of St. Petersburg, Fla., said that city did not have a law calling for bus segregation but the races were separated as a matter of custom an "apparently the City Council is not expecting to make any change in the policy."

N. A. A. C. P. Hails Ruling

Roy Wilkins, Executive Secretary of the National Association for the Advancement of Colored People, hailed the Supreme Court's ruling with the following statement here yesterday:

"Today's Supreme Court decision in the Montgomery bus case is a further step in direction of wiping out all forms racial segregation in public facilities services and institutions.

"Now that the Supreme Court has spoken with clarity we are hopeful that the majority of communities throughout the South will fall in line. The whole matter of bus segregation has been one of the most irritating and humiliating problems confronting the colored people in the South. Often bus drivers have been discorteous and rude to Negro passengers, including women with small children."

Brownell Calls Meeting On Bus Desegregation

U. S. Attorneys of Kentucky, 13 Other States To Discuss Ruling Enforcement Dec. 10

By The United Press

Washington, Nov. 19.—Attorney General Brownell today summoned United States attorneys from 14 Southern and border states to a December 10 meeting to discuss enforcement of the Supreme Court's bus-desegregation ruling.

He told the attorneys State and local laws that call for the separation of white and Negro passengers on intrastate buses now constitute "a crime against the United States."

The one-day conference will consider "those measures most appropriate" for the Justice Department "to secure observance" of the court's decision. U. S. attorneys are charged with upholding federal laws in their areas.

The Supreme Court last week declared local bus-segregation laws unconstitutional. The test case involved separation of white and Negro passengers on the Montgomery, Ala., bus system. State and local laws called for such segregation.

Local officials in several states have said they will not abide by the decision immediately and will fight it by "every legal means." They argued that segregation is in the interest of public safety and necessary to promote order.

Negro groups, headed by the National Association for The Advancement of Colored People, asked the high court Saturday to force local compliance. Negroes also have conducted a boycott of the Montgomery bus system.

However, Supreme Court Justice Hugo L. Black today rejected the Negroes' petition to speed transmission of the decision to a special three-man Federal Court in Montgomery. This means the order will not leave here until about December 12.

The Negroes urged immediate issuance of the order because allied cases are pending in State and U. S. courts

Justice Black said that "after consultation with all members of the court, and finding them in agreement with my views, this motion for forthwith isuance of the opinion and judgment in this case is denied."

Brownell summoned U. S. attorneys from Kentucky, Alabama, Arkansas, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia.

In his letter to them he noted that before the court edict "a number of states, counties, municipalities, and other agencies of local government had adopted discriminatory measures."

"It is now clear that any such law, statute, ordinance, or regulation must be regarded as a dead letter," he said. He added that if the laws are not repealed all local agencies and persons connected with them must be considered "equally guilty."

DIXIE PROSECUTORS CALLED TO SESSION ON BUS SEGREGATION

Commercial Appeal Memphis Tenn

Sun 11-20-56

Brownell Summons 14 To Discuss Enforcement Of Court Decree

BUT SPEEDUP REJECTED

Justice Black Denies Plea For Immediate Order On Montgomery Test Case Decided Earlier

By J. W. DAVIS
Associated Press Staff Writer

WASHINGTON, Nov. 19. — Atty. Gen. Herbert Brownell Monday summoned Federal prosecutors in 14 Southern and border states to a Washington conference on how to carry out the Supreme Court decree against racial segregation on buses.

He set the date, in a circular letter to the 34 United States district attorneys in the 14 states, as Dec. 10.

Mr. Brownell's letter said it is clear from the Supreme Court decision of Nov. 13 on the Montgomery, Ala., bus segregation case, that discrimination against bus passengers on account of race is "a crime against the United States."

Marked By Boycott

A number of state and municipal government spokesmen in Southern states have spoken out against the court's Montgomery ruling; several have indicated various state laws against mixing of races on transportation systems would have to be tested in separate court actions. They said that pending such tests, segregation would be continued on buses.

The Montgomery case was marked by a long bus boycott by Negroes against segregated travel.

Justice Hugo Black of the Supreme Court issued a statement Monday saying that after consulting with all other members of the court, he was refusing to order immediate issuance of the court's notice of the decision.

Calls For Law Copies

Counsel for Montgomery Negroes in the case had asked last Saturday that the notification be sent out at once. Normal procedure takes 25 days. The request came before Justice Black in his capacity as presiding judge for the Fifth Circuit Court.

Supreme Court aides said the bus case notice now may be mailed about Dec. 12. It will go to members of a special court which sat in Montgomery and handed down the antisegregation decision affirmed by the Supreme Court.

Commercial Appeal

Mr. Brownell's letter calling the Justice Department conference went to United States attorneys in Alabama, Arkansas, Florida, George, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia. p. 5

The attorney general told the district attorneys to bring with them copies of state or local laws relating to racial segregation. He said the Nov. 13 court decision, which struck down Montgomery and Alabama statutes, makes it clear "that any such law, statute, ordinance or regulation must be regarded as a dead letter."

Officials of the City of Montgomery announced after the court decision they would use every legal means available to continue separate seating arrangements for Negroes and whites on Montgomery buses. They said this was required to preserve public safety and promote order. 11-20-56

Nonsegregated operation was attempted last spring by the private bus company which serves Montgomery, but was dropped under a state court order.

Ben Franklin, vice president of the Montgomery line, said Monday his company is still required to segregate passengers under the state court order which "remains in force until further direct order by the United States District Court."

Mississippian Calls Action New Federal Encroachment

JACKSON, Miss., Nov. 19.—(INS)—Mississippi Atty. Gen. Joe T. Patterseon said Monday that forthcoming conference of United States attorneys to map desegregation plans on public carriers was "just another example of Federal encroachment of states rights."

Mr. Patterson said:

"If the United States attorney general had any regard for states rights he would also seek to confer in person with state officials who are responsible for state laws."

Mr. Patterson said Mississippi has "statutes on the books" which prohibit the mixing of races on buses and other public carriers and added:

"As far as I'm concerned, they'll stay on the books."

He said:

"This (the high court ruling) is just another instance of the repeal of state laws by court decree without regard to the rights of a state as contained in the Tenth Amendment to the United States Constitution."

cation. He will return to Memphis next Tuesday.

Meanwhile, a challenge of constitutionality of the state's segregation laws on public transportation by O. Z. Evers, Negro postal clerk, continued through legal processes of Federal Court toward a hearing.

A three-judge court headed by Circuit Judge John D. Martin Sr. is trying to reach an agreement on a hearing date which will not conflict with cases already entered on the dockets of Judge Marion S. Boyd of Memphis and Judge William E. Miller of Nashville.

The suit was brought against the City Commission as individuals; Memphis Street Railway Co., an operator, Police Chief J. C. Macdonald and two officers. Evers, a Memphis Negro, contended the segregation laws are in conflict with the 14th Amendment to the United States Constitution.

Mr. Brownell Serves Notice

Montgomery and Tallahassee officials have been given a fair and solemn notice. Afro American

There is no "legal way" by which segregated seating can be maintained on buses in the face of the Supreme Court's clear and unmistakable ruling. Sat. 12-1-56

Attorney General Herbert Brownell's action in calling a Dec. 10 conference of United States attorneys in 14 states must have come as a rude jolt to those governors, states attorneys general and mayors, who felt they could safely thumb their noses at the court's ruling.

Baltimore, Md. p. 4

IN HIS CALL of the conference, Mr. Brownell emphasized three points: 38b General

1. All state laws or local ordinances requiring segregation on buses are "dead" and no longer enforceable.

2. Any bus company or transit authority which attempts to enforce segregated seating on local buses is committing a crime against the United States.

3. Any official who aids, abets or counsels the continuance of segregation on buses or street cars will be committing a crime against the United States.

Of greater importance, the Brownell letter does something else.

It serves blunt notice that cities and states will not be allowed to resort to the usual delaying tactic of compelling an appeal to the Supreme Court on each charge of discrimination.

* * *

THE HEAVY and costly burden of making reluctant cities and bus companies comply no longer rests on the individual or private organization.

That task has now been shouldered by the Department of Justice, whose sworn duty is to enforce Federal laws and protect Constitutional rights.

Facing certain prosecution for committing a "crime against the United States" is not an inviting prospect for any official, even one from Mississippi.

The Brownell action is likely to bring the popular Dixie pastime of hurling defiance at the nation's highest court to a hasty and timely end.

38b 1956

GENERAL

Brownell Calls Conference To Speed Bus Integration

Times P. 30-C

New York

U. S. Attorneys in South to Meet Dec. 10 —Aim Is to Assure State Compliance With Decision of Supreme Court

Times 11-20-56

By LUTHER A. HUSTON

Special to The New York Times.

WASHINGTON, Nov. 19—The first step in a drive by the Administration to wipe out racial segregation in intrastate transportaton was taken by the Justice Department today.

Herbert Brownell Jr., the Attorney General, called a conference here Dec. 10 of United States attorneys in fourteen Southern border states. He said the purpose was to devise measures to assure state and municipal compliance with "the United States Constitution and laws."

The attorneys who will attend the conference come from districts where segregation of passengers by race is required under state laws or local ordinances.

Mr. Brownell's action followed a Supreme Court ruling Nov. 13 outlawing segregation on bus lines in Alabama and Montgomery. The decision was interpreted as voiding similar practices in other states. Some Southern officials say, however, that they intend to maintain segregated bus lines.

The court refused today to expedite issuance of its mandate on the bus ruling. A mandate is an order sent to lower courts. It contains the court's ruling.

Under normal procedure a mandate follows a decision by about twenty-five days. Last Saturday attorneys for Negroes who had brought the case to the court asked that the notice of its decision be sent out at once.

Justice Hugo L. Black received the request in his capacity as presiding justice for the Fifth Circuit Court of Appeals, which includes Alabama. He issued a statement today saying that after consultation with all other members of the court he would refuse to order immediate issuance of the mandate.

Court officials said the notice probably would be mailed about Dec. 12 to the members of the three-judge Federal court that also had held an Alabama law and a Montgomery ordinance requiring segregation on buses invalid under the Federal Constitution. The case was the outgrowth of a lengthy boycott of municipal bus lines by Negroes in Montgocery.

United States Attorneys asked to attend the conference are in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Cklahoma, South Carolina, Tennessee, Texas and Virginia.

Times P. 30-C

All Such Bans Called 'Dead'

The Attorney General called attention to the Supreme Court's decision.

Times 11-20-56

"Prior to the Supreme Court's decision a number of states, counties, municipalities and other agencies of local government had adopted discriminatory measures of this kind," Mr. Brownell wrote. "It is now clear that any such law, statute, ordinance or regulation must be regarded as a dead letter.

"It is also clear that the enforcement or observance of any such discriminatory measure by any common carrier of passengers will constitute in the future and in the light of the unmistakable declaration of the Federal courts a willful deprivation by the carrier of the constitutional rights, privileges and immunities of those discriminated against and a crime against the United States. Anyone who commands, induces, procures, counsels, aids or abets the carrier in the commission of any such crime is equally guilty."

The Federal Attorneys were asked to bring with them the text of any unrepealed discriminatory statues or ordinances enacted in their districts.

"The purpose of the conference," Mr. Brownell said, "will be to consider and decide upon those measures most appropriate for the Department of Justice to take to secure observance of the United States Constitution and laws by the carriers and all others."

Florida Officials Critical

TALLAHASSEE, Fla., Nov. 19 (UP)—Attorney General Richard Ervin of Florida criticized Mr. Brownell today for trying to "force" Southern states to end local bus hegregation.

Mr. Ervin declared that Mr. Brownell's action would "cause more harm than good" and charged that the Federal Government "has no authority to start mass action against our state."

"Mr. Brownell ought to stay out of it and leave it to private litigants," Mr. Ervin said. "Each case should come up individually in the regular way and why Brownell should be sticking his nose into it is something I cannot understand.

"The courts will handle this in the usual way without him coming in with force action."

Segregation Expected to Stand

CHICAGO, Nov. 19 (AP)—An official of National City Lines said today that operation of segregated buses in Montgomery, Ala., probably would continue until a state court injunction against non-segregated operations is lifted.

Ben Franklin, vice president of National City, which operates the Montgomery City Lines, Inc., said:

"We must operate under standing judicial orders directed to us. That means the state injunction remains in force until further direct order by the United States District Court."

Brownell sets parley to plan bus integration

Birmingham Ala.

Mon. 11-19-56

WASHINGTON, Nov. 19 (AP)—Atty. Gen. Brownell today called a conference to plan a course of action for federal authorities in the South under the Supreme Court decree striking down racial segregation on public buses.

Summoned to a meeting here Dec. 10, were the 34 U. S. district attorneys stationed in 14 Southern states.

BROWNELL SAID in a circular letter to them the conference "will consider and decide upon measures most appropriate to secure observance of the United States Constitution and laws by carriers and all others who may hereafter require segregation of white and colored passengers on common carriers."

The attorney general instructed the Southern prosecutors to bring with them copies of any local or state law in effect in their district relating to racial segregation.

Brownell said that in view of the Supreme Court decision of Nov. 13 invalidating Alabama and Montgomery, Ala., statutes on the subject that "it is now clear that any such law, statute, ordinance or regulation must be regarded as dead letter."

The conference here involves district attorneys in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia.

OF THE SEGREGATION statutes, Brownell asserted:

"It is also clear that the enforcement or observance of any such discriminatory measure by any common carrier of passengers will constitute in the future and in the light of the unmistakable declaration of the federal courts a willful deprivation by the carrier of the constitutional rights, privileges and immunities of those discriminated against and a crime against the United States. Anyone who commands, induces, procures, counsels, aids or abets the carrier in the commission of any such crime is equally guilty."

After the Supreme Court decision, Montgomery city authorities announced they would employ "every legal means available" to continue separate seating arrangements for white and Negro passengers on buses in that city. City officials said this policy was based upon preserving public safety and promoting order in the city.

NEGROES BID COURT RUSH BUS MANDATE

Times P. 29-L

WASHINGTON, Nov. 17 (UP)—Four attorneys for a group of Negroes in Montgomery, Ala., urged the Supreme Court today to issue an immediate order implementing a decision that would outlaw segregation on intrastate buses.

Sun. 11-18-56

The court gave no indication when it would act on the request.

It ruled Monday against racial segregation on buses, disputing the view that states can enforce laws for separate but equal facilities. However, the mandate was not sent to the lower courts immediately.

New York

Thurgood M. Marshall, general counsel of the National Association for the Advancement of Colored People, headed the attorneys who asked Justice Hugo L. Black to speed up the order. They picked Justice Black, an Alabamian, because he is the Supreme Court Justice responsible for the Fifth Circuit Court of Appeals, which includes Alabama.

Montgomery Negroes boycotted the transit system for months because they objected to segregation. Their attorneys said that quick issuance of the mandate would settle four pending lower court cases involving the boycott and related issues.

Three of the cases are before the Montgomery County Circuit Court and one is in Federal District Court in Montgomery. One case involves an injunction against the use of Negroes' cars as a motor pool and another is an appeal of the conviction of a Negro leader for violating the state's anti-boycott law.

segregation on Montgomery, Ala., buses.

"Our attitude about this decision," Coleman said, "will be the same as about the school segregation cases." He added that the Supreme Court ruling was based on an Alabama statute and that Mississippi's newly enacted laws to strengthen segregation "are not involved."

Georgia's Atty. Gen. Eugene Cook said the ruling does not directly affect any Georgia city but that it would set a precedent by which federal district courts would be bound. Gov. Marvin Griffin said Georgia would oppose by all legal means any effort to apply in his state a high court ruling aimed at banning bus segregation.

In Florida, Atty. Gen. Richard Ervin said bus segregation laws remain in effect in that state and must be enforced despite the Supreme Court ruling.

Advertiser

Sen. W. M. Rainach, chairman of the Louisiana Joint Legislative Committee on Segregation, said:

"I interpret the Supreme Court's new decision on bus segregation to mean the court plans to outlaw separate but equal facilities in

QUICK REACTION VOICED

Advertiser P. 1

Southern Leaders Will Await Separate Tests Of Bus Laws

Montgomery, Ala.

Wed. 11-14-56

By THE ASSOCIATED PRESS

The U.S. Supreme Court's latest ruling on the explosive issue of race mixing—banning segregation on state and city buses—brought quick reaction Tuesday from state and municipal government spokesmen in the South.

Several indicated state laws against race mixing on transportation systems would have to be tested in separate court actions, and pending such tests, segregation would be continued on buses.

Gov. J. P. Coleman of Mississippi said that state would continue to separate the races on public conveyances despite the Supreme Court decision against every phase of our life. The original school segregation decision was not constitutional and this is just another unconstitutional decision by the same court.

Govs. George Bell Timmerman, South Carolina, Frank Clement, Tennessee and Luther Hodges, North Carolina, withheld comment.

Wed. 11-14-56

Negroes have been boycotting buses in both Montgomery, Ala., and Tallahassee, Fla., in protest against segregation of the races. In Montgomery, the Rev. Martin Luther King Jr., one of the boycott leaders, said a mass meeting would be held tomorrow night to decide whether to call off the boycott there in view of the high court ruling. He said Negroes "unquestionably" will decide to end the boycott.

Bus Segregation Loses–

Sixty years ago the United States Supreme Court considered that racial segregation on railroads was permissible under the Constitution if "seperate but equal facilities were provided. This rule extended into education and other fields until it became increasingly questioned in various tests leading to the school desegregation decision of May, 1954.

A year and a half later the Interstate Commerce Commission ordered an end to discrimination on interstate trains and busses whics implied an "inherent inferiority because of race". Now the Supreme Court has held that a state law and city ordinance which require segregation on passenger bus within a state or city violates the "equal protection of the laws" guaranteed by the Fourteenth Amendment and is unconstitutional.

The logic of more limited decisions involving transportation, schools, recreational facilities, and real estate law has pointed in this direction for several years. Nevertheless, the ruling is one which calls for major readjustments in customs and thinking and in many southern states.

The governors of Mississippi and Georgia have asserted they will resist application of the decision. Further suits therefore may be required in several states, so that compliance will proceed only with something like that "deliberate speed" which the high court prescribed in the school segregation order.

In Montgomery, Alabama, where the case arose and the decision directly applies, the result give victory to an 11-month boycott by Negro bus riders which has cost the traction company an estimated $750,000. This show of economic strength marshaled against discrimination seems to indicate that, while the Supreme Court ruling may be difficult to enforce in some instances, there is also practical as well as constitutional difficulty about enforcing segregation laws.

—The Christian Science Monitor

Bus Segregation Loses

Daily World P. 4

(From The Christian Science Monitor)

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Two Railroads In South Start Integration

Call Kansas City, Mo. 1-13-54

WASHINGTON. — (ANP) — Two railroads operating in the Deep South, — the Southern Railway and the Richmond, Fredericksburg and the Potomac railroad — began operating last Tuesday on a non-segregated basis, complying with an Interstate Commerce Commission order to end jim crow practices by Jan. 10.

The Southern Railway, which operates between Washington, D. C., and the Deep South, announced that "Colored" and "White" signs on its waiting rooms were taken down as far as interstate travelers were concerned.

However, the Southern operates in many states with segregation laws and these would have to be observed with respect to intrastate travel.

In principal, this means separate waiting rooms for Negro and white passengers who start and end their trip within one state. But distinguishing between an interstate and intrastate passenger at any given station seemed to make the segregation impractical.

W. Thomas Rice, president of the Richmond, Fredericksburg and Potomac, said the segregation signs would come down on its waiting rooms between Richmond and Washington. He said his line had no problem concerning interstate and intrastate travelers.

Several other railroads operating in the south said they have had no problem.

The Baltimore and Ohio, which operates in Kentucky and Virginia, said there is no segregation on trains. Officials said conforming with the ICC decree on waiting room facilities and complying with state segregation laws was under discussion.

The Illinois Central railroad, operates from Chicago to Louisiana, ordered integration of its trains and railroad stations shortly after the ICC handed down its decree.

38b 1956 GENERAL

In Miami, Florida

Courier p.3

Third Bus Boycott Looms

Pittsburgh, Pa.

Trouble Zones Watched

Jun. 6-16-56

(By Pittsburgh Courier Press Service)

The Deep South is continuing to rock and roll in time to the ups and downs of the tune of desegregation being played by the NAACP and accompanied by the howls of pro-segregationists.

A third bus boycott was in the making in Miami, Fla., where Negro leaders indicate that they might call for such action if segregation is not ended on that city's bus lines. The owner of the bus company is William D. Pawley, special assistant to Secretary of State Dean Acheson during the Truman Administration and former U. S. Ambassador to Brazil and Peru.

Developments last week were as follows:

1. Betty Jo Johnston of Dade City, Fla., a Fisk University co-ed, refused to move from her seat in a Greyhound bus "white section" until the bus driver pleaded for her to move so the vehicle could leave the Birmingham, Ala., bus station.

2. The City Transit Commission of Tallahassee is seeking to discontinue their routes which feed the predominately Negro areas of the town in face of boycott pressure.

3. The City Commission of Delray Beach, Fla., has asked the state legislature to rule the Negro part of town as being "outside city limits." Negroes are pushing for the right to swim at public beaches.

4. Negro citizens of Sarasota, Daytona Beach, Pensacola, St. Petersburg, Tampa and Miami, Fla., are organizing for an all-out fight for full citizenship.

5. O. Z. Evers, a U. S. postal worker in Memphis has asked for police protection after a cross-burning in front of his home and a series of phone threats.

6. In Charlotte, N. C., six men, including an official of the "States Rights League" were arrested for peddling hate literature.

7. The Miami unit of the NAACP says that it will only use the bus boycott as a "last resort" to break down segregation, but the NAACP state president in Tampa states that other cities might use the boycott as a weapon.

8. The Montgomery Improvement Association, backers of the six-month-old boycott of city buses, has been incorporated as a non-profit organization.

9. Roy Wilkins spoke in Jackson, Miss., and called "meet white Southerners . . . bewildered, frustrated and defiant, when this system is challenged."

10. A white parent who joined in the NAACP suit against the Arlington, Va., School Board has been receiving obscene phone calls.

11. One thousand Alabamans have joined the Alabama Christian Movement for Human Rights which was established at a Birmingham mass meeting.

12. A six-foot cross was burned in front of the home of Dr. Ralph M. Wimbish in St. Petersburg, Fla.

13. In Charleston, S. C., a white citizens council leader is seeking to have a third party placed on the ballot in November.

14. Mobilians are planning to form a new organization since the NAACP has been outlawed in Alabama.

15. The White Citizens Council has organized a chapter in Washington, D. C.

16. Knoxville's civic and community leaders are mapping plans to prevent any new racial outbreaks in the Tennessee town.

17. The Tennessee State Legislature has been asked to ban the NAACP in a "special session."

18. Four Negro students have registered for summer classes at East Tennessee State College's grad school.

19. In Galveston, Tex., the integration of city schools by September has been advised by a special citizens committee which has been studying the problem.

SEGREGATION:

Newsweek

Bus Stop

Mon. 6-11-56

There were only two empty places on the City Transit bus in Tallahassee when the two coeds from Florida's all-Negro A. & M. University stepped aboard. Wilhelmina Jakes, 26, and Carrie Patterson, 20, sat down—in a long seat for three in the front of the bus, already occupied by a white woman. Driver Max Coggins ordered them to move to the back of the bus, where there was standing room only. The two women replied that they would prefer to get off and asked to have their fares refunded. Impossible, said Coggins. In the ensuing stalemate, Coggins drove to the nearest service station, called the police, and the coeds were arrested, charged with "placing themselves in a position to incite a riot." They were released on $25 bond.

Dayton, Ohio

P. 34

The incident in itself was irritating enough to A. & M.'s student body of 2,600. But it took on an uglier aspect the next night when a crude cross was left burning in the yard of the house where the two young women boarded.

The following morning, student-body president Broadus Hartley called for a mass meeting in the campus auditorium. Almost to a person, the students turned out and, amid cheers, resolved to stop riding the buses. "They just didn't want to be humiliated any more," said Hartley.

'We'll Walk': When the next bus for the downtown area passed through the campus, students waved it on, and some shouted: "We'll walk." A moment later, a police car followed, but this, Chief Frank Stoutamire explained later, was just a coincidence.

Within 24 hours, the boycott movement was spreading fast to the rest of Tallahassee's Negro population (more than one third of the total population of nearly 40,000). Although the charges against the two coeds had been dropped by then, a group of Negro ministers and other civic leaders took up the fight. "It's a matter of principles, not personalities," said one of them, the Rev. J. Metz Rollins.

As the boycott quietly widened last week, the nearest thing to an "incident" was the arrest of the Rev. C.K. Steele, a Negro, for passing a stop sign while transporting passengers in his car. "Strictly routine," police said, but the Reverend Steele declared he would fight the case.

By the end of the week, the boycott, then in its seventh day, was close to 100 per cent effective, and the privately owned bus company, which only two weeks ago had reported that it was losing money (with a view to a rate adjustment) was not taking the boycott lightly.

Montgomery's Troubles: The protest in Florida's capital generally paralleled that in Alabama's capital, Montgomery, which lies 175 miles northwest of Tallahassee. In Montgomery (population, 120,000, of which about 50,000 are Negroes), the widely publicized boycott entered its seventh month last week, with the normal daily load of 30,000 to 40,000 Negro passengers reduced to between 300 and 400. The determination of the boycotters had evidently not been sapped by the indictment of 90 of their leaders and the conviction of one, the Rev. Martin Luther King Jr., whose $500 fine is being appealed.

But the antisegregation movement in Alabama got a jolt on a different front late in the week. At the request of Attorney General John Patterson, who accused the National Association for the Advancement of Colored People of organizing and financing the boycott, Circuit Judge Walter B. Jones ordered the NAACP to halt all activities within the state until further notice. Although NAACP officials denied responsibility for the boycott, they promised to abide by the injunction, while their attorneys study it further.

Our Opinions

Defender P. 9

Sat. 6-16-56

Round Two On Bus Segregation

Chicago, Ill.

A Federal District Court in Montgomery has ruled the state laws on segregation in intra-state travel as invalid. The ruling probably covers the laws in other states which require separation of the races.

If so, this clears up the confusion resulting from the recent action of the United States Supreme Court in the case of Sarah Fleming vs. The Carolina Coach Co. when the high court refused to review the appeal of the bus company against a lower court decision which had upheld Miss Flemings petition against segregation.

At first, this decision was widely heralded as meaning the court had decisively barred segregation in travel; but after legal experts had gone over the material, it was found that the question was still up in the air.

Some Southern cities moved right ahead with integration, namely, Richmond, Norfolk, and Portsmouth in Virginia. Not so in Montgomery where the city commissioners said they would arrest anybody who disobeyed the local regulations.

Thus, the Montgomery bus boycott was given further impetus and the stubborn unyielding of the city only widened the breach between the races. With business steadily falling off, we wonder now how long the decent white people will let the bigots speak for them and hurt them economically.

More than likely, the commissioners at the behest of the White Citizens Councils will come up with some kind of interposition to overrule the Federal District Court.

This kind of defiance is going to inevitably end in some law enforcement officer running head on into the law and leaving himself open for prosecution.

Perhaps then, it will be showdown time on who will prevail.

TALLAHASSEE PROTEST GROWS; SUIT IN TENN.

World, Miami, Fla.

Fri. 6-8-56

MONTGOMERY, Ala. — (INS) — A three-judge federal court ruled segregation on Montgomery city buses unconstitutional Tuesday, and Alabama officials announced an immediate appeal to the U. S. Supreme Court.

The decision was hailed as "a victory for Democracy and justice" by the Rev. M. L. King, leader of the six-month protest which has kept virtually all of Montgomery's 50,000 Negroes off city buses.

The Rev. King said, however, that the "protest will continue" while the court decides whether to make its ruling effective immediately, or await appeal to the high court.

TALLAHASSEE PICTURE

A boycott of local buses in Tallahassee, Fla., meanwhile, continued to gain supporters Tuesday, and in Memphis, Tenn., a Negro asked to leave a bus when he refused to move to the rear of the vehicle filed suit attacking that

O. Z. Evers, with legal aid from the National Association for the Advancement of Colored People, asked for a three-judge court in Memphis and "speedy" hearing to stop the Memphis Street Railway Co., and the city from enforcing racial segregation.

20-PAGE DECISION

In the 20-page Montgomery decision, two of the three Federal judges held enforced segregation violates the due process and equal protection clauses of the U. S. Constitution. The court invited views on the form its final decree should take, and on whether desegregation should be ordered immediately. The legal briefs are due in two weeks.

Alabama officials said they would appeal the ruling and ask that its effectiveness be postponed, predicting "racial conflict" if the color bars were let down immediately.

APPEAL PLANNED

C. C. Owen, president of the Alabama Public Service Commission, said the ruling would be "immediately appealed." He said the court would be urged to delay making the decision effective, pending the appeal, because:

"Any other action would invite racial conflict in this state."

The court, in holding enforced segregation violates the due process and equal protection clauses of the Federal Constitution, invited Negroes who brought the action, and the city, state and bus lines to submit within two weeks "views as to the form of judgment to be entered, and whether such judgment should be stayed pending appeal."

COMPLETE AGREEMENT

The majority opinion said the judges were in "complete agreement" with the verdict of the U. S. Circuit Court of Appeals, which held that segregation on buses in South Carolina was violative of constitutional provisions. That case is due for another round in the courts, after the U. S. Supreme Court referred it for further proceedings, without specifically ruling on the question of segregation in public transit systems.

The Montgomery Bus Lines had ordered an end to segregation on its buses when the Supreme Court action in the South Carolina case was held in some quarters to have outlawed segregation in buses. But it was only a gesture. City officials threatened arrest of anyone violating the segregation laws which the court struck down Tuesday. And Negroes continued a boycott against the buses which began months before when a woman passenger was arrested for refusing to move to the rear of the vehicle.

SIMILAR BOYCOTT

A similar boycott of public buses got underway in Tallahassee, Fla., last week, with Negro patrons demanding an end to segregation, more courteous treatment from drivers and Negro drivers on routes predominantly patronized by Negroes. These demands were identical with those made by boycott leaders in Montgomery.

The Alabama Public Service Commission termed Tuesday's dissenting opinion by Judge Lynn "great and learned." Judge Lynn reaffirmed the long-standing "separate but equal" legal doctrine which was upset by the U. S. Supreme Court in the school segregation cases.

"The majority opinion," Owen said, "seeks to overturn the separate-but-equal doctrine . . which has been consistently followed since 1849."

MOTOR BUSES

The 20-page decision refers specifically to "motor buses" . . . in the city of Montgomery and its police jurisdiction, apparently making it necessary for separate legal actions to make the effect of the decision applicable in other jurisdictions.

Until the Supreme Court's school segregation decision, rulings of the high court generally were accepted as legal precedent, and applicable in any similar set of circumstances. The South generally, however, has refused to accept the school ruling as applying anywhere but in the specific areas where the action was brought, making suits in each school district in the deep South region necessary before the ruling could effectively erase the traditional color line.

38b 1956

GENERAL

COMMISSION NOTIFIED

Advertiser

Tallahassee Negroes End 7-Month Bus Boycott

Montgomery, Ala.

Sun. 12-23-56

TALLAHASSEE, Fla., Dec. 22 (UP)—Tallahassee Negroes called off a seven-month-old bus boycott today and served notice they will return to city buses in an "unsegregated fashion."

The Negro Inter - Civic Council, which sponsored the boycott in protest to segregated seating, asked the City Council today for help in "maintaining order and preventing violence of any sort as our people return to the buses in an unsegregated fashion."

City officials declined comment, but Police Chief Frank Stoutamire said he is watching the situation "closely" and will personally handle any incidents if they develop "but there have been none so far."

Mayor John Humphress said only that the City Commission "will have to get together and talk it over."

The Rev. C. K. Steele, president of the council and head of the local NAACP, said a mass meeting will be held Sunday night to discuss the pending return to the buses and set a date for its start. He indicated the council board will recommend protesting Negroes go back to the buses Monday and "sit anywhere they like."

Asked if the boycott was ended in order to lay the groundwork for a court test of Tallahassee's segregation ordinance, Steele said "not entirely. There is always a possibility the City Commission will be wise enough not to force any litigation. I think there is more good will here than in any town its size in the nation."

Cities Transit Manager C. L. Carter said he has had no reports from drivers of Negroes trying to sit in the front of buses or alongside white passengers which is prohibited in his city franchise. Carter said Negro riders are still "far below normal, but we have been noticing a gradual increase in the past month."

The City Commission was notified of the end of the boycott in a letter signed by Dr. M. C. Williams, local dentist and executive secretary of the Inter-Civic Council.

The letter said "in the wake of the federal court order ending bus segregation, our protest against segregated seating in cities transit buses is now ended.

"We seek your unqualified assistance in maintaining order and preventing violence of any sort as our people return to the buses in unsegregated fashion."

Negroes returned to buses in Montgomery, Ala., Friday under a court order ending segregation on buses in that city. No violence was reported.

Advertiser

Arrests Started Boycott

The Tallahassee boycott followed the arrest of two state Negro university coe-eds MMAY 26 for sitting beside a white passenger. The city dropped the charges but the boycott continued.

12-2-

The city repeatedly rejected council demands for fully integrated seating but the bus company provided Negro drivers on predominently Negro runs and many Negroes returned to the buses on the old segregated basis.

Sun. 12-23-56

For one month, the loss of Negro passengers which make up the bulk of bus riders here, forced the company out of business but service was restored after a campaign by the local chamber of commerce increased use of the buses by white persons.

A "car pool" operated by the Inter-Civic Council for boycotters was halted by city court order earlier this month and Steele and 20 other Negro leaders were convicted of operating an illegal public transportation system. The decision is now being appealed to circuit court.

NEGROES CALL OFF TESTS IN 2 CITIES ON BUS BIAS LAWS

Times

Fri. 12-28-56

Tallahassee Leaders Act to Bar 'Trouble'—Birmingham Group Looks to Court

New York

By The Associated Press

TALLAHASSEE, Fla., Dec. 27—A milling group of about forty jeering white teen-agers caused Negro leaders to call off today a scheduled demonstration of desegregated bus riding.

Two hundred white persons were gathered at the main downtown transfer point when the Rev. C. K. Steele, leader of the Negroes' drive to integrate the buses, and sixteen officers and members of the Inter-Civic Council arrived to board buses. The Negroes had planned to take front seats, reserved by law for white patrons.

Although Mr. Steele and his group decided not to ride the buses, smaller groups and individual Negroes were seen riding buses in the front section during the late afternoon.

[At Birmingham, Ala., Negro leaders called off open defiance of a city ordinance requiring segregated seating on public buses. They will await the outcome of a court test on the issue.]

Mr. Steele said the teen-agers had led him to abandon the demonstration. The teen-agers, including ten girls, were garbed in jeans and windbreakers. They did not approach any of the Negroes, but jeered and voiced implied threats of violence.

Not Seeking Trouble

"We are not seeking trouble. Those young people looked as though they might mean trouble. I felt we had nothing to gain by precipitating any disturbance," Mr. Steele said.

More than half a dozen policemen were on hand, but nothing occurred to cause their intervention.

Adults in the crowd appeared drawn to the scene mostly by curiosity.

The Negro leaders have been riding the buses in seats of their own choice since Monday without interference. Today's scheduled rides drew special attention because of the action of the City Commission in suspending the franchise of Cities Transit, Inc. last night as a result of the eforts of Negroes to integrate the bus system.

Buses operated today despite the franchise suspension. The bus company took the position that the surprise suspension was illegal. Charles S. Ausley, the bus company's attorney, said the franchise was revokable only on thirty days notice.

Police Chief Frank Stoutamire arrested Charles L. Carter, general manager, on a charge of operating an illegal transportation system and nine drivers on charges of operating unfranchised buses.

Bonds of $100 were posted by each of the ten and the buses rolled away, about an hour late. The police did not interfere further, although Chief Stoutamire warned the drivers they must enforce segregated seating laws.

Times

Fri. 12-28

Birmingham Defiance Ends

By CLARENCE DEAN

Special to The New York Times.

BIRMINGHAM, Ala., Dec. 27—Negro leaders called off tonight, pending a court test, their open defiance of a city ordinance requiring segregated seating in public buses.

The Rev. F. L. Shuttleworth, president of the Alabama Christian Movement for Human Rights, emerged at 7 P. M. from a two-hour meeting of the executive board and announced:

"Since the issue is properly one for the courts, we now believe that all purposes can be settled in the courts.

"It is not necessary for our citizens to ride unsegregated buses further at this time."

The effort actually had been suspended prior to the statement. Comparative quiet had returned to this industrial city of 330,000, where the Negroes' organized challenge of the ordinance has caused the bombing of one house and the arrest of twenty-two persons.

In contrast to yesterday, when at least forty Negroes took seats in the forward part of buses—reserved under the City Code for whites—only a handful did so today. There were no incidents, and, up to 7 P. M., there had been only one arrest in addition to the twenty-one yesterday.

Mr. Shuttleworth said that yesterday's demonstration had served its purpose and little was to be gained now by further mass action.

Two actions had been achieved, he said: "We showed we had the courage to do it," and a vehicle had been provided for getting the issue before the United States District Court.

The test here followed a Federal court order that went into effect in Montgomery, Ala., last Friday. A similar city ordinance there was declared void.

The persons arrested here were freed under $100 bonds, furnished by a near-by bail bond concern, for trial before Recorder Ralph E. Parker Jan. 3.

Lawyers here said it would be possible to go at once into Federal court and ask for a declaratory judgment that the city ordinance was void.

It was considered probable, however, that the matter would not be taken into this court until after the trial of these twenty-two, and any others who might be arrested, in the Recorder's Court.

Robert E. Lindberg, Commissioner of Public Safety, warned today the police would have to enforce the law as long as it remained in the City Code.

Yesterday's arrests were conducted in an orderly dispassionate manner—as were the deliberate violations by the Negroes.

Mr. Shuttleworth said he expected the defendants would be represented by the law firm of Arthur Shores, Orzell Billingsley and Peter Hall. They participated in the Montgomery bus segregation case. Mr. Shores has been, and is, counsel for Autherine Lucy Foster in her effort to attend the University of Alabama.

The only violence here, so far, has been the bombing of Mr. Shuttleworth's house in a Negro section of North Birmingham on Christmas night. His wife, one of his daughters, and two sisters were injured slightly.

Shots Hit 2 Buses

MONTGOMERY, Ala., Dec. 27 (AP)—Unidentified gunners fired on two city buses last night but no one was injured.

One of the newly integrated buses was peppered by a load of birdshot at close range. The tiny pellets hit the metal part of a window and did not penetrate the glass.

Nine .22 caliber bullets were pumped through windows of the other bus, which was empty except for the driver.

Four Negroes were riding the bus that was struck by the shotgun blast. They refused to give their names to the bus driver and left the scene before investigating officers arrived.

A City Commissioner, Frank Parks, observed that if such acts continued and someone was killed or hurt he would vote to suspend the city transit service.

Associated Press Wirephoto

TALLAHASSEE BUS DRIVER ARRESTED: Police Chief Frank Stoutamire, on step, supervises the arrest of Edgar Richardson by Lieut. John Coggins. Nine drivers and manager of bus line were arrested as they sought to begin service yesterday. The charges concerned the Florida city's efforts to maintain racial segregation on the buses. The defendants posted $100 bonds, and operated their vehicles.

SEGREGATION ON BUSES DIRECTED

Times-Picayune New Orleans, La.

Tallahassee Acts as Negroes Ignore City Law

Tues. 12-25-56

TALLAHASSEE, Fla., Dec. 24 (AP)—The Tallahassee City Commission directed the Cities Transit Bus Co. today to enforce racial segregation on the buses.

The action came as Tallahassee Negroes ended a seven month-old bus boycott by boarding buses and sitting where they pleased.

P 3

The immediate effect of the City Commission's directive remained somewhat doubtful with attorneys for both the commission and the bus company indicating uncertainty as to what will happen in the next few days.

The bus company announced it will seek a court determination as soon as possible on whether the segregation requirements of both its franchise and of state law are valid in the light of the federal court ruling under which bus service in Montgomery, Ala., was integrated last week.

"We're in hopes that pending this decision no one will try to precipitate anything," said James Messer Jr., attorney for the City Commission.

Negro leaders rode the buses today, seating themselves where they pleased an encountering almost no opposition.

Held Prudent Move

The Rev. C. K. Steele, president of the Negro Inter Civic Council which had spearheaded the boycott as a protest against segregated seating, said his first reaction to the bus company's announcement to seek court determination in the matter is that it "seems to be a rather prudent move."

"Momentarily, I think favorably of it," he said.

Steele said he would have to confer with other council members before announcing a decision on what the Negroes will do pending a court ruling on the validity of segregation requirements.

Charles Ausley, attorney for the bus company, said some "careful legal research" will have to be made before he advises the transit firm on what steps it should take.

Asked specifically what will be the results if Negroes continue riding in unsegregated fashion, both Ausley and Messer said they didn't know.

Little Opposition Seen

Messer said city police have been given no specific instructions on the matter.

Most buses were nearly empty Monday with state capital offices and the white and Negro state universities closed for the holidays.

Only two incidents were reported. Manager Charles Carter of the Cities Transit Bus Co. said he pulled a white photographer off one bus as he attempted to take pictures of Negroes seating themselves.

Bans Bus Pictures

Ken Butcher of Radio-TV Station WMBR, Jacksonville, said he was the cameraman. Butcher said, "Carter grabbed my camera but I wasn't pulled off the bus. Carter said 'You can take what you want outside but you can't take any pictures on my bus.'" He said he got no interior shots.

Carter had banned pictures aboard the buses on the ground they might be embarrassing to white passengers.

The Rev. J. Metz Rollins, treasurer of the Negro Inter Civic Council which has spearheaded the bus boycott, reported he and Dan Speed, also a Council officer, were asked by the driver to move to the rear of a bus they were riding.

Rollins said he and Speed did not reply but did not move. The driver made no further attempt to make them give up their seats.

Negro Convicted in Bus Incident

COLUMBUS, Ga., Dec. 24—(INS)—A 25-year-old Negro was today found guilty of misconduct arising after he took a seat in the front of a Columbus bus, beside a white woman.

Ruben W. Waverly, a Negro soldier, was given a choice of a $50 fine or 60 days in jail for public drunkeness, and given a six-month probationary sentence for using obscene language in front of a woman.

According to Fred Edwards, a Columbus bus driver, Waverly got on the bus and took a seat beside a white woman who was sitting behind the driver's seat.

Edwards said when he asked Waverly to move, he began to argue and cursed, but finally took a seat across the aisle.

Miami Negroes to Await Ruling

MIAMI, Fla., Dec. 24 (AP)—Miami Negroes were advised by their leaders Monday to take no action to force immediate integration on city busses.

"We are telling our people not to do anything until our federal court suit is disposed of," said G. E. Graves Jr., attorney for the Miami branch of the National Association for Advancement of Colored People."

The directive was prompted by a move taken by Negroes in Tallahassee, who ended a seven-month bus boycott Monday by riding busses "in unsegregated fashion."

"We aren't going to do like the Tallahassee people," said Rev. Theo R. Gibson, local NAACP president. "We don't want a gentleman's agreement. We want the courts to decide. Until then we aren't going to ask anybody to break the law."

Graves said the NAACP suit challenging the validity of Florida's bus segregation laws will be heard in federal court here Jan. 3.

Woman Reported Beaten in Montgomery

MONTGOMERY, Ala., Dec. 24 (AP)—An unidentified Negro woman was beaten by several white men this afternoon after alighting from a city bus newly integrated by federal court order.

The extent of her injuries wasn't known. Police Chief G. J. Ruppenthal said officers were unable to learn her name.

Ruppenthal said a 15-year-old Negro girl, identified as Ollie Mae Collins, told investigating officers she was standing near the bus stop and saw "five or six men" in two cars attack the Negro woman as she left the bus.

The officers, D. W. Mixon and F. B. Day, quoted the girl as saying the men jumped back into the cars and sped away after the attack.

A white man who said he was riding the bus but declined the use of his name told newsmen he saw the woman on her knees on the pavement with upraised arms trying to protect herself.

TALLAHASSEE LAW ON BUSES IS DEFIED

Times P. 1

Negroes Ride in White Seats —City Orders Company to Enforce Bias Rules

Newyork. Dy

By The Associated Press

TALLAHASSEE, Fla., Dec. 24—Negroes rode city buses in Tallahassee today, seating themselves where they pleased and encountering almost no opposition.

Almost immediately, the Tallahassee City Commission directed the Cities Transit Bus Company to enforce racial segregation laws.

The Negroes' action ended a seven-month boycott of the city bus system.

The immediate effect of the commission's directive remained in doubt. The bus company announced it would seek a court decision on the validity of the segregation requirements of its franchise and of state law in the light of the United States Supreme Court ruling barring segregation on buses in Montgomery, Ala.

The end to a seven-month-old boycott, called to protest segregated seating, came at a time when this state capital's buses were almost empty. State offices and the white and Negro state universities were closed for the holidays.

Photographer Restrained

Only two incidents were reported. Charles Carter, manager of the bus company, said he had pulled a white photographer off one bus as the latter attempted to take pictures.

Ken Butcher of radio-TV station WMBR of Jacksonville said he was the cameraman. He said "Carter grabbed my camera but I wasn't pulled off the bus. Carter said, 'You can take what you want outside but you can't take any pictures on my bus.'"

Mr. Carter banned pictures aboard the buses on the ground they might embarrass white passengers.

The Rev. J. Metz Rollins, treasurer of the Inter Civic Council, which led the bus boycott, reported he and Dan Speed, also a council officer, had been asked by the driver to move to the rear of a bus.

Take Front Seats

Mr. Rollins said he and Mr. Speed had not replied and had not moved. The driver made no further attempt to make them give up their seats, he said.

A vulgar remark insulting to Negroes was written in pencil on a bench at the point where many Negroes boarded buses.

Most of the Negroes who took seats toward the front of buses were council officers, who spent the day riding first on one route and then on another. Some of the buses on which they rode were empty except for themselves.

"The drivers were very nice and so was the bus company manager," the Rev. C. K. Steele, president of the council, said.

Mr. Steele said the bus company's plan to seek a court ruling "seems to be a rather prudent move."

James Messer Jr., attorney for the City Commission, said the police had been given no specific instructions on today's action by the Negroes.

Tallahassee Negroes have been warned by their council not to engage in violence, to "turn the other cheek" if disputes arise and to ignore oral abuse. They have been guaranteed legal assistance by the council if necessary.

The boycott began here May 26, after two Florida A. and M. University co-eds were arrested for taking front seats in a bus. Charges against the Negro students were dropped but the boycott was continued.

Miami Test Awaited

MIAMI, Fla., Dec. 24 (AP)—Miami Negroes were advised by their leaders today to take no action to force immediate integration on city buses.

"We are telling our people not to do anything until our Federal Court suit is disposed of," G. E. Graves Jr., attorney for the Miami branch of the National Association for the Advancement of Colored People, said.

He said the suit would be heard in Federal Court Jan. 3.

It asws that the Miami Transit Company be enjoined from complying with city and state segregation laws.

38b 1956

New Tests Loom on Bus Segregation Laws In The South Despite Supreme Court Ruling

Beach Dispatch P.I. Oklahoma City

WASHINGTON—(ANP) — Further legal maneuvering by Southern states to delay an end to segregated seating on buses seemed likely this week despite the ruling of the U. S. Supreme Court that separate accommodations for white and Negro passengers is a violation of the U. S. Constitution.

Ans. 11-23-56

The high court's decision knocked out segregation on buses in Montgomery, Ala. — setting the precedent for all buses everywhere, within every state.

Immediately after the decision was handed down, several states indicated their laws against racial mixing on public transportation would have to be tested in separate court action and, pending such tests, segregation would be continued on buses.

In unanimously affirming a decision by a special three-judge U. S. district court in Alabama, the Supreme Court left no doubt that it considered laws seeking segregation on public buses to be unconstitutional.

Earlier this year, the court simply dismissed an appeal by a South Carolina bus company from a U. S. Circuit Court of Appeals decision that the state's bus segregation law was invalid.

This action let stand the appeals court decision, but led to confusion as to the Supreme Court's intent.

The decision last week was instigated by a situation arising in Montgomery, Ala., where the majority of Negroes refrained from using buses since December 5, 1955, due to racial segregation.

The suit was brought against members of the Alabama Public Service Commission by four Negro women who had either been required by the bus driver or by the police to comply with segregation laws, and had been arrested and fined for refusing to do so.

These women—Aurelia S. Browder, Susie McDonald, Claudette Colvin and Mary Louise Smith—filed the suit for the purpose of testing the constitionality of segregation laws in the State of Alabama and the ordinances of the City of Montgomery.

The District court found that separate accommodations, even though they are equal, violate the 14th Amendment of the Constitution.

The case was appealed to the Supreme Court which affirmed the decision of the lower court.

The high court based its bus decision on previous rulings abolishing segregation in public schools, in public parks and golf courses.

Since the original bus case was filed, the city ordinances of Montgomery were forced against Rosa Parks, who was evicted from a bus in that city and subjected to police action. Her conviction in the municipal court was appealed to the Circuit Court of Montgomery, County, Ala., where it was pending at the time the original case was brought to the Supreme Court.

The high court ruling this week wiped out the last vestige of legal segregation from public facilities in this country.

Eight other states — Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, Tennessee and Texas — have similar bus segregation laws.

Ans. 11-23-56

The Supreme Court ruling has no bearing on private companies, which still may make their own segregation rules.

Within 24 hours after the decision, rejoicing Negroes participating in the montgomery protest held a meeting and voted to call off their 11-month-old boycott.

Their action came a few hours after a federal court declined to interfere with a state injunction against their use of a car pool to furnish transportation for boycotters.

An estimated 10,000 Negroes attended the church mass meetings in Montgomery, at which time they agreed to start riding the buses again as soon as the Supreme Court's decision is put into effect and the buses are desegregated.

The Rev. Martin Luthed King, leader of the Montgomery Improvement Association, an organization supporting the boycott, was applauded loudly when he told listeners "We will continue to walk or share rides with friends."

King termed the Supreme Court ruling "a glorious daybreak to end a long night of enforced segregation in public transportation."

The car pool, which has transported the estimated 50,000 Negro riders since last December, was ended under a state court injunction.

Negro boycott leaders sought an order in federal court to stop the city's interference with the motor pool operations, but federal Judge Frank M. Johnson, Jr. refused to issue an injunction.

J. H. Bagley, manager of the Montgomery bus company, said the firm has lost more than $650,000 in fares during the past 11 months because of the Negro protest.

Bagley added, however, that his drivers will continue to enforce segregated seating until a state injunction requiring it is dissolved.

GENERAL

Brownell said he called attorneys from those states where bus segregation laws still exist to the meet December 10. The attorneys were ordered to bring copies of their now defunct bus segregation laws.

Brownell said laws in 14 southern states "must be regarded as a dead letter," as he summoned U. S. attorneys to the Washington conference to seek ways "to secure observance of the United States constitution and laws by the carriers and all others."

Brownell's expressions on transit segregation came as the U. S. Supreme Court turned down a request from Montgomery, Ala., bus boycott leaders to make l[illegible] Tuesday's Supreme Court decision effective immediately. Without the court's special action, refused today, the decision cannot become applicable in Alabama for 21 days.

The U S. Atty. Gen. said the Supreme Court decision in the Montgomery case made it "clear" that state laws requiring segregation on carriers are invalid.

He included in his call fo rthe Federal conference the observation that "anyone who commands, induces, procures, counsels, aids or abets the carrier in the commission of any such crime is equally guilty."

The federal officer declared that under the Supreme Court's ruling "state statutes and local ordinances requiring segregation of the white and colored races on common carriers of passengers violate the due process and equal protection" provisions of the constitution.

Call by Brownell

Last week the newly elected Eisenhower administration, securely in the executive saddle for the next four years, moved into the explosive bus situation. Attorney General Herbert Brownell Jr. summoned a Washington conference for Dec. 10 of U. S. Attorneys from fourteen Southern and borderline states. The purpose is to discuss ways to implement "the United States Constitution and its laws." Mr. Brownell cautioned in his invitation that it was "clear" that future disregard of the Supreme Court's decisions would constitute "a crime against the United States."

Three days later the liberal wing of the Democratic party, sensitive to the civil rights situation, also reacted. Six Southern Democratic Senators proposed to curb the South's biggest weapon in the Senate—the filibuster—by introducing a revision of rules to permit limitation of debate by a simple Senate majority instead of the present two-thirds majority. Backers of the proposal claimed this would checkmate the Southern threat to bottle up civil-rights legislation through a talking marathon. Yesterday they were supported by two liberal Republicans, Case of New Jersey and Ives of New York. But the chances of the proposal's acceptance were exceedingly slight. Southern Democrats could easly organize a filibuster against the rule-changing motion itself.

Aiding Bus Bias Termed Crime Against The U. S.

World

Birmingham Ala.

WASHINGTON — Attorney General Herbert Brownell, Jr., Monday declared bus segregation law void, and called a conference of U. S. attorneys from 14 states to consider ways to bring to an end segregation on all carriers.

Ans. 11-24-56

In his summons the federal officer pointed that in the light of the highest court's decision, any person, corporations or local governments that abet bus segregation in any way are "equally guilty" with their actions constituting "a crime against the United States."

The United States Attorney general said the one dav conference will take up those measures most appropriate for the Justice Department to take to "secure observance of the Constitution by the carriers and all others."

An earlier letter to U. S. attorneys had held that "a number of states counties, municipalities and other agencies of local government had adopted discriminatory measures.

"It is now clear that any such law, statute, ordinance or regulation must be regarded as a dead letter."

DESEGREGATION ON BUSES PRESENTS LEGAL PROBLEMS

Conference of Federal Attorneys Called To Tackle Questions of Procedure

By LUTHER A. HUSTON

Special to The New York Times.

WASHINGTON, Nov. 24—The Department of Justice set foot upon a thorny path this week when it began mapping a drive to end racial segregation in intrastate transportation.

Officials of the department are aware of the difficulties sure to be encountered in trying to enforce judicial rulings that separation of passengers by race on common carriers violates the due process and equal protection of the laws clauses of the Fourteenth Amendment to the Constitution of the United States.

The drive is very much in the preliminary stages now and starts with no preconceived plan of action.

The first step was taken by Attorney General Herbert Brownell Jr. when he called a conference of Federal district attorneys from fourteen states to meet here on Dec. 10.

Thirty-four field men were asked to attend the conference. They come from states that have unrepealed statutes and local ordinances requiring segregation of passengers on buses or other forms of public transportation.

Purpose of Parley

Mr. Brownell said that the purpose was to consider measures the Justice Department might take to insure observance of Federal laws and Constitutional decisions of the courts. The conference will deal only with the transportation phase of the segregation problem.

One of the first problems the Government lawyers will face is the extent to which segregation laws are enforced in the states that still have them on the statute books. Maryland, for instance, is one of those states, but segregation on buses and other forms of transportation in the Free State has been virtually non-existent for some time. In Alabama, on the other hand, determined efforts to enforce it brought about the Supreme Court ruling that the Justice Department feels outlawed segregation in transportation everywhere.

The High Court upheld a decision of a three-judge Federal district court that a state law and a Montgomery city ordinance, and the regulations promulgated under them, requiring separation of bus passengers on the basis of color, deprived Negroes of the equal protection of the laws.

In his letter to the district attorneys, Mr. Brownell said that "it is now clear that any such law, statute, ordinance or regulation must be regarded as a dead letter."

Unrepealed Laws

One of the first questions that arises is who can the Government put in jail for requiring segregation of passengers on common carriers? That, again, will depend on a variety of circumstances.

Prosecution will be undertaken chiefly under two provisions of the United States Code. Section 241 of the code covers conspiracy to deprive citizens of their rights. This is a felony and the maximum penalty is $5,000 fine and ten years' imprisonment.

Section 242 provides penalties for action "under color of law" to deprive any inhabitant of any state, territory or district of privileges or immunities protected by the Constitution or laws of the United States. Violation of this section is a misdemeanor, punishable by a $1,000 fine or year in prison, or both.

The weapons of punishment for contempt of court would be available only if a specific court order were ignored. In the Montgomery bus case, for instance, contempt action could follow if the parties involved did not comply with the judicial mandate. A judicial order directed to the parties is prerequisite.

Conspiracy Charge

Under Section 241 a conspiracy might be charged if the evidence indicated collusive action by public officials, transportation companies and individuals to maintain bus segregation. Participants in the conspiracy could incur heavy penalties.

Lawyers know, however, that criminal conspiracy is hard to prove. That is one thorn in the pathway. It is to be expected, therefore, that the Justice Department will not proceed under that section unless it has what it regards as a water-tight case.

"Under color of law" is the most likely basis for prosecutions. There again there are obstacles. The law is specific that there must be "willful" deprivation of rights.

So a problem is to determine when an action is "willful." A bus company might have signs pointing to one section of the bus as reserved for white passengers and another as set aside for Negroes.

Type of Offense

If Negroes boarding a bus voluntarily took seats in the section for Negroes, lawyers question whether that would constitute "wilfull" deprivation. On the other hand, if the bus driver tried to remove a Negro who insisted on sitting in the section assigned to white passengers, that could be a "willful" offense against the law.

The landmark Supreme Court ruling in that field was the case of Screws vs. United States. This was a police brutality case and the question was whether necessary force had been used or whether there had been willful deprivation of rights. The court in effect said that an officer, to be in violation of the "color of law" clause, had first to be aware that his quarry had Constitutional rights and then consciously deprive him of them.

Probably the sharpest thorn, however, is the fact that anyone charged with a crime under the pertinent sections of the Federal code would have to be tried in the district where the crime was committed. Grand juries and trial juries would be composed of citizens who might be more in tune with local laws and ordinances than with Federal laws or policies.

In prosecutions of this sort a change of venue is not available to the Government. Defendants may request transfer of the case to another district if they fear they cannot get an impartial trial but the prosecution may not.

'AT CITIZENSHIP BOULEVARD'

Attorney Believed Bus Segregation Was On Way Out

Globe & Fri. 4-27-56

Nashville, Tenn.

38b General

April 23rd Decision Of Highest Court Reaffirms "Equal Justice Under Law"; Only Delaying Action By Ante-Deluvian Element Can Postpone Date When Order Goes Into Effect; Nashville May Desegregate First In State

While Attorney Z. Alexander Looby was but mildly boasting "I told you so" some other attorneys here seemed ready to file a lawsuit, which in effect would say, "Surely, gentlemen, you all don't mean the ruling applies to our state!

The sum and substance of a new "crisis" about which there may be plenty controversy, is the decision handed down by the U. S. Supreme Court on MONDAY, APRIL 23, 1956. This should be another "red letter day" on future calendars. On this day and date, the U. S. Supreme Court in just 10 words knocked out all state laws and city ordinances that employ racial segregation in the seating of persons who ride buses operating WITHIN states or cities. Relief from this evil was given interstate passengers 10 years ago.

The city of Richmond, Va., furnished the case on which the Supreme Court rendered its sharp decision, saying in effect, "for goodness sake, stop bringing to this court lawsuits on which the court has already ruled very plainly."

EQUAL OF MARSHALL

Attorney Looby who, [illegible] it is kept, is as able a [illegible]er Thurgood Marshall, and i[illegible] edged to be by Mr. Mar[illegible], himself, files lawsuits testing the validy of old customs and traditions for the purpose of bringing about NEW traditions that square with the U. S. Constitution, predicted last fall that eventually the decision rendered by the Supreme Court on May 17, 1954 would become fully the law of the land. That decision wiped out the Supreme Court decision of 1896 which inferred that all Negroes were members of an inferior race and the doctrine of "separate but equal" was sound in dealing with them.

However, it was not a Negro lawyer who was in Washington, pleading to the 19th Century Supreme Court, to avoid misconstruing the plain provisions of the U. S. Constitution. It was Justice John Marshall Harlan, of Kentucky, a strict Constitutionalist. He said the Constitution must be construed as being "color blind" and therefore not amenable to constructions that establish racial discrimination. But back in 1896 the Court with Judge Harlan in dissentin, simplified everything ruling: "They shall take who have the power and they shall keep who can."

Attorneys Looby, Marshall and many other young colored men who have studied law in the past 50 years majored in getting the Supreme Court ot agree with the great John Marshall Harlan in his reasoning on the 14th Amendment. This the Court did on May 17, 1954. Deep down in their hearts, lawyers North and South agree with soundness of the approach Negro lawyers have made to wipe out racial discrimination by getting the Court to establish equal justice under law as a foundation stone of this republic. This the Supreme Court has done. It is only an attempt to get something out of the wreck of the old Pleassy-vs Ferguson decision and same something of anti-deluvian custom, that now causes lawyers Down South to come forward with pretenses that when the Supreme Court makes a decision, it does not always mean that it is legally enforceable in a particular community which is agin' the government.

Banner Fri. 4-27-56

CONTEMPT CHARGE POSSIBLE

There are persons who do not profess to know law, but who feel that a solemn warning was given states and cities on April 23. They believe the Supreme Court is getting ready to handle states and cities that show contempt toward the Court's decisions, and this may take the form of sending to jail attorneys who employ plain delaying tactics where there is no justification for doing so.

Nashville, Tenn.

There is no justification, for instance, in the local transit authority are the local bus company pretending that is not yet clear whether the ruling the Court made in a case from Virginia applies with equal force to the situation in Montgomery, Ala., or even Nashville, Tenn. It surely does. The fact that a ruling from Virginia which outlawed racial segregation on busses got to the Supreme Court on appeal from state authorities, and was dismissed as "frivilous" may prove to be an eye-opener to all who brag about how long they expect to kee pthe Supreme Court edict from being put into effect in their communities.

There is no record of Negroes resorting to delaying tactics to keep the Plessy v Ferguson decision from going into effect. Negroes have known all along that it was dangerous to show contempt for the rulings.

Of course there are some Negroes in the South who may ignore the fact that there is a thing called "due process" in matters of law. They may ignore this and begin sitting where they please before the proper instructions as to when desegregation on busses is to go into effect. But indications are that this will be at a minimum in Nashville.

Thanks to the action of Mayor Ben West, a colored citizen of Nashville is a member of the Nashville Transit Authority, in the person of Dr. E. A. Selby, secretary of the AME Sunday School Union, he is in position to help the authority take a sane position with regard to carrying out the Court order to end segregation on buses. The local bus company must obey what the authorities says, as is well known.

The transit authority can warn bus riders generally to manifest their best behavior in dress and manners in boarding and riding on busses. But riders of both races shoudl see to it that their dress and behavior generally will not be in any sense offensive to fellow-passengers: and remember that where there are RIGHTS, there are also DUTIES and Responsibilities.

HARSH DISCRIMINATION

Segregation on busses in the past, along with risgraceful bus waiting rooms have been offensive to colored customers in the past. Equally offensive have been bus company rules that have made colored passengers confine themselves to the ONE and ONLY back seat on busses even when far more than enough passengers to fill the one seat had bought tickets.

There have been times when colored customers of the bus company here have been discriminated against by being required to stand at the window and wait longer than necessary before being allowed to purchase tickets.

This has been ended, as far as the law of the land is concerned, but it remains to be seen how well agents of bus companies carry out the law.

The behavior of all concerned in this new era should be such as emphasizes the fact that the Athens of the South, in particular, lives up to its reputation of being one of the greatest religious and educational centers in the world.

A Novel Statement

Advertiser 5-4-A

HERE is a rather novel if not eccentric statement:

ATLANTA, June 5 (AP)—A Negro lawyer wants Negroes to launch a counterattack on backers of racial segregation he says are using mass communications in an effort "to divide and poison the minds of Northern whites . . ."

Dr. James M. Nabrit, Jr., secretary of Howard University [Washington, D. C.] . . . said articles by Southerners in national magazines and their appearance on network radio and television programs constitute a "dangerous course of action."

Montgomery, Ala.

In the first place, had some secretary of a white college made a speech contending that Southerners should speak up, it is questionable whether it would have received the generous space apportioned to Dr. Nabrit's speech.

In the second place, it must occur to Southerners in one more spasm of exasperation that national newspapers, magazines, radio and TV have for years made pets of Negro spokesmen.

Now that the South is bewildering the North with what they have failed to behold in their own backyards, we get a bleat like that from Dr. Nabrit.

Bleat 6-6-56

But what arrests the attention is Dr. Nabrit's testimony that the South is striking some telling blows. Northerners are neither fools nor scoundrels, they just haven't been competently informed by their papers, most of which are in hock to the ante-bellum fantasies of Harriet Beecher Stowe.

What is needed above all else is for the Southern people to put their senators and congressmen to work as engines of propaganda. They cannot be ignored and as a class they are more able than the run of the Resistance leaders. We need to get our congressmen wound up, and to dismiss our braying leadership since they weaken and embarrass the Resistance with their Tom Heflin style. Virginia, for one, is stern in its determination, but its leaders are cool and sensible; they command respect.

Negroes Crossing Bus Color Lines

By ED ROGERS
United Press Staff Writer.

ATLANTA, April 26. — Negroes timidly crossed the color line on buses for the first time in parts of the South on this Confederate Memorial Day.

While Dixie orators paid their annual tribute to heroes of the South's lost cause in the Civil War, a few Negroes farther north hesitantly sat with whites on buses.

Bus lines in Petersburg, Va., and Dallas, Tex., joined the handful that has ended observance of local segregation laws in a score of Southern cities since the U.S. Supreme Court seemingly overruled those laws Monday.

A United Press survey showed bus companies had won tacit local approval of integrated buses in more than a dozen cities scattered across North Carolina, Tennessee and Texas.

Negroes were observed sitting with whites on buses in Raleigh, N. C., for the first time yesterday. Slowly at first, and then with greater frequency, they edged toward the front during the rush hour.

In Montgomery, Ala., city and transit officials held a no-decision conference after the city's demands that the local bus company abandon its decision to desegrate Montgomery buses.

Mayor W. A. Gayle issued a statement after the session saying the city was sticking to its position—that Alabama and local statutes forbidding racial mingling on public vehicles will be enforced.

There has been no effort among the few Negroes who ride the buses to take seats in the "white.' section.

Bus Lines Desegregated In 13 Southern Cities

Operators Threatened With Prosecution In Montgomery Unless They Cancel Order

From Wire Dispatches

Bus lines in at least 13 Southern cities abolished segregated seating yesterday.

Operators were threatened with prosecution in the Deep South stronghold of Montgomery, Ala., embittered over a 20-week-old bus boycott by Negroes.

Both the City of Montgomery and the State of Alabama declared their own segregation laws still in effect, though the Supreme Court Monday apparently outlawed the last racial barriers in public transportation.

Other Firms Follow

Other bus firms began to follow the integration policies of National City Lines, which operates in eight Southern or "border" cities, including Montgomery, where segregation has traditionally been practiced.

The Virginia Transit Company said enforced segregation would be discontinued today on its lines in Richmond and Norfolk and "it is hoped . . . that good judgment will be used by all passengers in order to continue to maintain good relations."

Operators Instructed

Operators were instructed last night in Richmond and Norfolk to stop enforcing the State segregated-seating law.

A spokesman for Virginia Transit said the Portsmouth, Va., Transit Company also would adopt the new policy.

In North Carolina the Duke Power Company said it also was complying with the decision, but expects no great change in its bus operations at Durham and Greensboro. A spokesman said no reaction or opposition was expected by City officials at either place.

National City Lines, with headquarters in Chicago, operates subsidiaries in Jackson, Miss.; Tampa, Fla.; Mobile, Ala.; Tulsa, Okla.; Montgomery, and Wichita Falls, Beaumont, and El Paso, Tex.

El Paso Expects No Trouble

No immediate mixed riding appeared in prospect, however, in most of the Deep South cities.

At El Paso the bus company said it had only a few Negro passengers and expected no trouble when the signs denoting the white and colored sections are removed.

Tulsa bus riders have practiced segregation informally, but the company said a change-over was expected without incident there.

Officials at Tampa and Jackson said bus segregation would continue there despite the company's statement.

Firm Told To Reverse Self

The Alabama Public Service Commission ordered National City Lines to withdraw its integration order affecting Montgomery or "suffer the consequences." City and police officials threatened to arrest bus-line officers and employees or even passengers who try to enforce integration. The Montgomery color ordinance provides up to six months in jail for violation.

Although the integration order went into effect at once in Montgomery, and signs marking the colored and white sections came down, there was no immediate mixed riding.

Negroes Meet Secretly

Organized Negroes who stopped riding the buses December 5 in protest against "Jim Crow" treatment by white drivers met secretly for 2 hours.

Their leader, the Rev. M. L. King, who has been convicted of conspiring in an economic boycott of the buses, said no action would be taken to end the boycott before another meeting tomorrow.

Only a few Negroes, who said they had not taken part in the boycott, rode buses yesterday, and they took their customary places toward the rear.

Horace Cort, a photographer for the Associated Press in Atlanta, reported that a white bus driver threatened to kill him if he took a picture as some of those Negroes boarded a bus.

Segregation on Vehicles At 'End of Legal Line'

But South's Reaction to High Court Ruling Indicates Delays in Ending Practice

By ROBERT K. WALSH

Racial segregation aboard public conveyances within as well as between States reached the end of its legal line today.

This was the general view despite angry assertions in Southern areas that a Supreme Court decision yesterday "invaded State and municipal rights and moved closer to "Federal dictatorship."

The decision directly affected a South Carolina situation but had an immediate bearing on a boycott Negroes in Montgomery, Ala., have staged since December against a segregated city busline. The bus company ordered an end to the segregated system today.

The speed and extent of compliance with the Supreme Court's action nevertheless remained uncertain in some of the 12 Southern and border States, including Virginia, with laws requiring segregation on public transportation. In any event, the high court's move seemed comprehensive enough to nullify those statutes.

NAACP Comments

It was regarded in an even broader way by the National Association for the Advancement of Colored People. Robert L. Carter, NAACP assistant special counsel, declared the Supreme Court "made it clear beyond question that racial segregation cannot be constitutionally enforced pursuant to governmental authority in any area of American life."

Mr. Carter claimed that "the long fight to secure a body of constitutional law banning segregation has come to a successful conclusion." But he added that "the task ahead is to secure compliance with the law."

In only four words the tribunal unanimously dismissed an appeal from—and therefore left in effect—a ruling of the United States Court of Appeals in Richmond that mandatory separation of the races on instrastate buses runs contrary to the Federal Constitution.

Affects All Transportation

The unsigned opinion technically dealt with a discrimination complaint that arose in Columbia, S. C. It struck down the State's statute requiring segregation on public carriers. The court's action nevertheless left ltitle doubt that it outlaws segregation on interstate as well as intrasate transportation of all kinds anywhere in this country.

This view was promptly taken by many officials or groups which either attacked or hailed the decision. The Supreme Court was looked upon as delivering the coup de grace to the previously all-but-shattered "separate but equal" doctrine the Supreme Court established 60 years ago.

That 1896 decision in Plessy vs. Ferguson concerned a public transportation segregation case in Louisiana. The Supreme Court in May, 1954, expressly and unanimously knocked it out in the field of public education.

Legal Delays Possible

As in the problem of implementing the court's ban on public school segregation, the reaction of various State officials today pointed up the possibility of some legal delays to putting the bus de-segregation pronouncement into practical and prompt operation.

The Supreme Court spoke yesterday while several Southern law officers were at a regional meeting of the National Association of Attorneys General at Old Point Comfort, Va. Attorneys General J. Lindsay Almond, Jr. of Virginia, T. C. Callison of South Carolina, and John Ben Sheppeard of Texas, declared:

"We are not surprised in view of the trend of the Supreme Court's rulings in recent years. It is another unwarranted invasion of State and municipal rights. It simply means now that the States and cities cannot determine the type of vehicles that operate over their streets, the manner of their operation, or, that based upon the factors of health, safety and morals, that separation of the races is a proper exercise of the traditional police power of a State."

Says Georgia Will Oppose It

The first official prediction of resistence came from Gov. Marvin Griffin of Georgia. He denounced the decision as "another example of an overt usurpation of the liberties of the people." He warned that "we shall oppose this latest decision just as we are resisting the decision in the school segregation by all legal means."

In Montgomery, Ala., however, there were signs or at least hopes that the decision might end the city bus line boycott which Negroes have carried on for five months.

In Columbia, S. C., there was a question whether Sarah Mae Flemming will be able to obtain $2,000 damages in court on a claim that her civil rights were infringed. She brought the case into court in Columbia two years ago on a complaint that a city bus driver required her to occupy a section reserved for white passengers. Officials of the South Carolina Electric Power & Gas Co., operators of the bus line and the defendant in the original complaint, did not comment immediately on the decision.

NAACP Praises Decision

Officials of the National Association for the Advancement of Colored People here praised the decision as logical and inevitable. They said a formal statement would be forthcoming later from national headquarters in New York. They said 13 States, including Virginia, require segregation in transportation within their borders.

The Supreme Court's action was the tribunal's first decision which, in effect, banned public transportation segregation as a violation of the equal protection clause of the 14th Amendment.

In 1946 in a Virginia case the Supreme Court banned racial segregation on public transportation crossing State lines. It said a Virginia law of that kind interfered with interstate commerce.

The Interstate Commerce Commission several months ago ordered an end to segregation in interstate trains and buses and in station waiting rooms used by interstate travelers. That ICC order has not been tested in the courts. The Supreme Court ruling yesterday, however, was widely believed to make such a test unnecessary.

38b 1956 GENERAL

Montgomery Ready To Fight In Court for Bus Segregation; Panel Votes Ike's Rights Plan

Constitution P.1 Thurs. 4-26-56

Atlanta, Ga.

General

House Unit's Southerners Plan Dissent

WASHINGTON, April 25 (AP)—President Eisenhower's civil rights proposals won the approval of the House Judiciary Committee today.

The vote, taken in a closed session, was not announced. Last week, in a temporary setback for the legislation, the committee voted 14-13 to return all civil rights proposals to a subcommittee.

The proposals which were approved today were submitted by Atty. Gen. Brownell April 9. They call for:

1. A federal Civil Rights Commission.

EXPECT LAWSUITS

2. A civil rights division of the Justice department, partly because of an expected flow of lawsuits over racial integration.

3. A new law to "prevent anyone from threatening, intimidating, or coercing an individual in the exercise of his right to vote."

4. Authority for the attorney general to bring action in federal courts on behalf of any aggrieved person.

5. An end to the present requirement that remedies available in the state be exhausted before a civil rights case can be taken to federal court.

The judiciary committee junked some additional proposals by Chairman Celler (D-NY). One called for prohibition of segregation in interstate commerce.

However, the committee agreed that the legislation it approved should bear the name of Celler as the author.

BIG PUZZLE

There remained a big question whether anything would be approved by Congress at this session, but Celler and Rep. Keating (R-NY) expressed optimism about the bill's chances for getting through the House Rules Committee.

Celler said there would be a majority and a minority report; the latter presumably would be the work of Southern members. He said that when these reports are ready, in about two weeks, he would apply to the Rules Committee for clearance to the House floor.

Texas Police Chief, VA Transit Co. Give Orders

World Tri. 4-27-56

B'ham, Ala. P.1

DALLAS, Tex. — (INS) — Dallas police chief Carl Hansor Tuesday ordered his officers to refrain from enforcing segregation on city busses.

RICHMOND, Va. — (INS) — The Virginia Transit Company, which operates city buses in Richmond, Portsmouth and Norfolk, ordered an end to enforced segregation on its vehicles late Tuesday afternoon.

TEXAS ORDER

The police crief's order came in the wake of Monday's U. S. Supreme Court decision voiding state and local laws enforcing segregation of Negroes and whites on local and intrastate busses.

Meanwhile, officials of the Dallas Transit Company, operator of the city busses, said they were awaiting a complete report of the court's decision before changing operating policies.

A spokesman for the Company said drivers of the buses will not be given any special instructions as to desegregation until after a study has been made of the Federal Courts ruling.

VIRGINIA ORDER

The order in compliance with the A. U. S. Supreme Court decision of May which held segregated seating arrangements in Columbna, S. C. unconstitutional, applies in all three cities where Virginia Transit operates.

Warren R. Pollard, President of the company, after a long conference with attorneys, announced the end of enforced segregation effective Wednesday morning. He said, "Seating in buses will be left to discretion of passengers. It is hoped, however, that good judgment will be used by all passengers in order to continue to maintain good relations.

Pattern of seating on city buses in Richmond during the rush hour this evening appeared normal. Negroes by and large boarded buses and moved to the rear seats they have always occupied under Virginia State law.

The Strange Blash Of Climaxes

World Tri. 4-27-56

While bus lines in some 13 Southern states were abolishing segregated seating of the races, Representative Carl Vinson of Milledgeville, Georgia, delivered a blistering attack on the Supreme Court, referring to it as the 3rd House of Congress.

Montgomery, Alabama, because of an extended protest on the part of its colored riders in which it not only curtailed services, but raised fares and sold transfers, possibly takes the spotlight of them all. However, Montgomery operaters while ordered to comply were threatened with prosecution if they mixed the races on the buses, as the state and city declared their own segregation laws. Meanwhile Alabama's Public Service Commissioner ordered the bus lines to replace the color sign it had dropped or "suffer the consequences."

B'ham, Ala. P. 8

The confusion is accelerated in that the operators have one order from the company and another from the Public Service Commission, each in contradiction to the other.

The Virginia Transit Company said enforced segregation would be discontinued Wednesday on its lines in Richmond and Norfolk. Operators were instructed in these cities to discontinue enforcing the state's segregated seating law.

In North Carolina the Duke Power Company said it also was complying with the Supreme Court principle.

At El Paso, Texas, the bus company said it had only a few Negro bus riders and anticipated no trouble when the signs denoting the white and colored sections are taken down.

In Georgia, however, Governor Griffin pledged resistance at all odds.

38b General

Operators of highway buses were noncommittal on what course they will follow.

A state judge at Baton Rouge, La., ordered a permanent halt to activity of the NAACP. The permanent injunction came under a 1924 law that wiped out the Ku Klux Klan. The NAACP won admission for Negroes in the Louisiana State graduate school and then in 3 colleges in the undergraduate field. Federal judges ordered integration in the New Orleans public schools as soon as practicable.

Thus ends a running picture of the varied and swift happenings on the segregation front. All practically one day's net returns, with the suggestion that no one knows what will come on the following nightfall.

The observer is left to opine for himself as to whether segregation is on its way out as to the time the court will decide when defiant declarations will actually become defiant.

But regardless of developments we hope all the citizens will take these changes in a calm manner.

Some of Dixie Obeying Law

Courier P. 3

No Bus Troubles!

Pittsburgh, Pa.

(By Courier Press Service)

Two well-dressed men challenged jim crow on Memphis' railway coaches and took seats right up front until requested to move by police, thus symbolizing the latest frontal assault upon segregation in Dixie's intrastate transportation systems.

Sat. 5-5-56

Warren G. Alexander, the bus driver, said that the pair were polite but insisted on sitting in the front seat because "they said they had paid their fare and had a right to sit where they pleased."

Later, police officers boarded the bus and requested the men to leave their seats.

THIS WAS TYPICAL of the South's reaction to the Supreme Court's most recent anti-segregation edict which, in effect, declared that jim crow was outlawed in intrastate public transportation.

The High Court edict touched off a chain reaction in thirteen Southern cities which resulted in the operators of thirteen bus lines in as many Southern towns striking down color bars and admitting all passengers to all seats regardless of color.

In Virginia, Richmond and Norfolk fell into line with the "new" policy. In North Carolina, bus operations in Durham and Greensboro began operating on an integrated basis. El Paso, Tex.; Jackson, Miss.; Tampa, Fla.; Mobile, Ala.; Tulsa, Okla.; Wichita Falls, Tex.; and Beaumont, Tex. were also numbered among the areas in which compliance with the law was expected.

In Montgomery, Ala., the now famous city-wide bus boycott of Negro riders continued as strong as ever. Here a paradoxical situation existed. Whereas, bus company officials had signified their compliance with the law, the city's "fathers" announced that they were out to see that segregation remained in force.

■

THE BOYCOTT continued as the wary Negro population, with boycott leaders still facing trial and the demands of the boycotters, including a request for the hiring of Negro drivers, still unanswered, continued to walk the streets with a few minor defections here and there.

The High Court's ruling dealt specifically with a situation in Columbia, S. C.

In Little Rock, Ark., the NAACP indicated that it would seek the enforcement of lowered color bars on that city's bus lines.

But, in Houston, Tex., compliance was indicated by Carl Fraser, president of the Houston Transit Company, who asserted, "Whatever the decision is—or whatever the effect of the decision is—we are going to comply, because it is the right and honest thing to do."

■

CHARLESTON, S. C., and San Antonio, Tex., were other towns which immediately took steps to comply with the high court decision.

And, one of the two ladies who started this bus furore, Mrs. Sarah Fleming Brown, 23, whose South Carolina suit was carried to the High Court, made a rather unique observation when she asserted, "I never rode a city bus since they put me off and I never will again. I'll either ride with my husband to work or walk."

South Upset By Ruling On Bus Bigs

Defender P. 1

Sat. 5-5-56

Chicago, Ill.

The disintegrating institution of racial segregation was shaken again last week by a Supreme Court ruling which was interpreted to mean that segregation in intra-state public transportation cannot be enforced.

The ruling, which was as second in importance only to the ruling against public school segregation, caused immediate and varied reaction.

There were of course, the usual denunciations of the court by southern white leaders, and the tired old vows that integration would be accomplished only over the dead body of the South.

There was also the hesitant, "see what happens" attitude taken by many southern officials and bus companies, who seemed to feel that if they ignored the problem it would conveniently go away.

SWIFT COMPLIANCE

But, in some southern states, there was swift and decisive action to end racial segregation on city buses. Many of these cities had long ago ceased to practice strict segregation.

At week's end, this was the picture:

San Antonio became the first major southern city to become completely desegregated when city buses were added to the things where segregation could no longer be practiced. All other public facilities, including schools, were already integrated.

Three cities in Virginia—Richmond, Norfolk and Portsmouth ordered an immediate end to segregation on the buses. A similar order was issued in Dallas, Texas and Knoxville, Tenn.

BUS LINES OBEY

The National City lines of Chicago, which owns bus companies in eight southern cities, ordered immediate integration.

One of the lines is the Montgomery City lines, which has been under boycott by Negro riders for the past five months. Montgomery officials threatened to arrest anyone not obeying the city's jim crow laws.

Other cities affected by the National City lines' order are Jackson, Miss., Tampla, Fla., Mobile, Ala., Tulsa, Okla. and Wichita Falls, Beaumont and El Paso, Texas.

Chicago, Ill.

CONFUSION REIGNS

Little opposition was expected to integration in El Paso, Wichita Falls, Tulsa, but city officials in the other towns have stated they will oppose the company's move.

Generally, the ruling brought much confusion, but little change. Only in a few cities did Negro riders take the initiative and sit in sections reserved for white passengers. For the most part, the old pattern of segregated seating continued.

Southern officials who vowed to fight the latest blow against segregation found considerable comfort in the fact that most legal experts say the court's statement did not call for an immediate end to bus segregation.

THE SUPREME COURT

The Bus Bust

Time P. 36

The bulletins from Washington that were front-paged across the nation one day last week held sensational legal and social implications: the U.S. Supreme Court had ruled that segregation is unconstitutional even on buses operating within single states, on the basis of the Fourteenth Amendment.

Chicago, Ill.

That was enough to send many a major and minor Southern politician, including the governors of North Carolina, Georgia and Virginia, and the attorneys general of Texas, Virginia and South Carolina, into a spate of purple phrases. "I hereby defy the ruling [of] the Supreme Court," snapped C. C. Owen, president of the Alabama Public Service Commission. Yet, elsewhere in the South, *e.g.*, in Richmond, Little Rock, Dallas, many a bus driver calmly removed signs directing Negro passengers to the rear. In the North there was a crackle of excitement: newspapers front-paged the story, and editorial writers pontificated about constitutional law and the new need for wisdom and forbearance on both sides of the Mason-Dixon line.

It all added up to one of the biggest U.S. news snafus in years, triggered by a U.S. Supreme Court order so terse that the entire Washington press corps misunderstood it. "The appeal is dismissed," the Justices said, as they refused to accept an appeal of a case in which a lower court had held South Carolina's bus segregation law unconstitutional. Then the Supreme Court cryptically cited an obscure, 27-year-old Nebraska civil case, Slaker *v.* O'Connor, that touched off the bulletins. Actually, the only relationship between Slaker *v.* O'Connor and the case at hand was that both had reached the Supreme Court improperly, *i.e.*, before being tried in lower courts.

As the last cliché died away, a sheepish realization dawned that about all the U.S. had witnessed was a demonstration of how tautly its racial nerves are stretched. There was, nonetheless, a silver lining: some of the Southern bus lines that prematurely took down their segregation signs found the new arrangement working so well that they decided to leave things that way.

Jim Crow and Buses

Times P. 2-E

When the Supreme Court made its historic decision banning public school segregation in 1954, the court opened the way for legal attacks on segregation in many fields besides education. If separate educational facilities were "inherently unequal," as the Supreme Court had said, then what about separate recreational facilities? And separate transportation facilities?

Sun. 4-29-56

New York, N. Y.

Last year, in cases involving Maryland and Georgia, the court held that segregation was unconstitutional in publicly supported golf courses, beaches, playgrounds and other recreational facilities.

Last year, also, the question of segregation in city buses went to court. In a case involving South Carolina, a Federal District Court upheld the constitutionality of laws requiring bus segregation on the ground that the old "separate but equal" doctrine was still valid. But last summer the Circuit Court of Appeals reversed this ruling. In the light of the Supreme Court's school ruling, said the Circuit Court, "We do not think the separate but equal doctrine * * * can any longer be regarded as a correct statement of the law."

Last week the Supreme Court rejected an appeal from the Circuit Court ruling. First reports gave the impression that the high court had formally banned bus segregation. This was not the case. The court rejected the appeal on technical grounds, and the case now reverts to lower courts. But the effect of its decision was to put the South on notice that it is only a matter of time before segregation in public transport is banned.

In a few Southern cities, buses were promptly desegregated. In Montgomery, Ala., where 90 per cent of the Negro population has been boycotting the buses in protest against segregation, the situation was confused. Bus company officials said the ruling had invalidated segregation, and they ordered Montgomery drivers to cease enforcing city and state segregation laws. But the city commission (whose members belong to the White Citizens Council) countered that they would "use all means available" to uphold the laws. The city commission maintains that there has been no court ruling on Alabama as yet. Next month a Montgomery Negro suit against segregation in buses will go to court. Meanwhile, last Thursday Montgomery's Negroes voted to continue their boycott until the situation has been "clarified."

U. S. Call Meet On Bus Decision

Independent P.6
Chicago Tel

WASHINGTON — (INS) — Attorney General Herbert Brownell, jr., summoned the U. S. attorneys of 14 southern states to map action for enforcing racial desegregation on buses and other public carriers.

Brownell said the action was made necessary by the Supreme Court decision last Tuesday which struck down a city ordinance requiring segregation on city buses in Montgomery, Ala.

Brownell added: "It is now clear that any law, statute, ordinance or regulation must be regarded as a dead letter."

DECEMBER 10 CONFERENCE

The Attorney General asked 34 U. S. attorneys in 14 states "in which discriminatory state or local laws of this kind are unrepealed" to come to Washington Monday, Dec. 10 for a one-day conference.

Sat. 12-1-56

He explained: "The purpose of the conference will be to consider and decide upon those measures most appropriate for the Department of Justice to take to secure observance of the United States constitution and laws by the carriers and all others."

States to be represented at the conference will be Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia.

14TH AMENDMENT

Brownell pointed out that the Supreme Court decision in the Montgomery case held that segregation of passengers on common carriers violates the due process and equal protection of the law clauses of the 14th Amendment of the Constitution.

He added: "Anyone who commands, induces, procures, counsels, aids or abets the carrier in the commission of any such crime is equally guilty."

In Atlanta, Ga., Atty. Gen. Eugene Cook said that Brownell "will have to fight every inch of the way in Georgia" to gain observance of the U. S. Supreme Court decision that bus segregation is illegal.

The Georgia attorney general said, however, that last Tuesday's decision in the Montgomery, Ala., case did not invalidate Georgia's segregation laws.

LAW SUITS NEEDED

He said Brownell, to make the decision applicable throughout Georgia, would have to bring a law suit in every county in the state.

"He'll have to fight every inch of the way in Georgia," Cook said, adding:

Independent

"Just because he says the statutes are void doesn't make it so."

In Jackson, Miss., Atty. Gen. Joe T. Patterson said that the forthcoming conference of U. S. attorneys to map desegregation plans on public carriers was "just another example of federal encroachment of states rights."

Patterson said:

"If the United States Attorney General had any regard for states rights, he would also seek to confer in person with state officials who are responsible for state laws."

Sat. 12-1-56

Patterson said that Mississippi has "statutes on the books" which prohibit the mixing of races on buses and other public carriers and added:

"As far as I'm concerned, they'll stay on the books."

He said:

"This (the high court ruling) is just another instance of the repeal of state laws by court decree without regard to the rights of a state as contained in the 10th Amendment to the U. S. Constitution."

In Tallahassee, Fla., Atty. Gen. Richard Ervin said bus segregation cases should be "brought by the people involved" and that the federal government should "let each case come along on its own like that of Montgomery, Ala."

Erwin said Brownell's action was "precipitant and premature."

South Carolina Atty. Gen. T. C. Callison said that if it was Brownell's intention to hint at prosecution of those who oppose putting the Supreme Court decision into effect "he may have to put all of the people of South Carolina in jail."

Callison said he would not move for compliance with the Supreme Court decision in South Carolina, and he crystalied the views of virtually all southern offcials when he said:

"I'm going to wait until we get to where we have something."

State Bus Laws Face New Attack

Herald Miami, Fla.
P. 4 A Aug. 11-20-56

WASHINGTON — (UP) — Atty. Gen. Herbert Brownell Jr. Monday called a conference of federal officers to force 14 states to scrap local bus segregation laws.

Brownell described such a local law a "dead letter" under a Supreme Court decision last Monday. He ordered U.S. attorneys from the states where bus segregation laws remain on the books to meet here Dec. 10.

BROWNELL

He said the one-day conference will consider "those measures most appropriate" for the Justice Department to take "to secure observance" of the Constitution by the carriers and all others.

The states involved are Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia.

Brownell pointed out that under the high court decision "state statutes and local ordinances requiring segregation of the white and Negro races on common carriers of passengers violate the due process and equal protection" provisions of the Constitution.

He said in a letter to the U. S. attorneys that prior to the decision "a number of states, counties, municipalities and other agencies of local government had adopted discriminatory measures."

"It is now clear that any such law, statute, ordinance or regulation must be regarded as a dead letter," he stated.

The attorney general in his letter to the U. S. attorneys in the 14 states said he was "informed" of unrepealed local laws requiring segregation. He added that it would be helpful if the federal officers bring texts of any local segregation laws to the conference.

Invalid With New Court Edict

Call P.1
Fri. 11-23-56

Brownell Calls Attorneys General To Dec. 10 Meeting

Kansas City, Mo.

WASHINGTON. (ANP) —U. S. Attorney General Herbert Brownell Monday called a conference of attorneys general from 14 southern states to discuss implementation of the Supreme Court's order against segregation on public buses.

Brownell set the conference for December 10 in Washington.

At the same time, he told the attorneys general that laws in their states requiring separation of Negro and white passengers are now invalid as a result of the high court's ruling.

The conference, Brownell added, will determine what action—if any—the Justice department will take in the matter of getting states to desegregate their buses.

Turns Down Request

A few hours after Brownell's announcement, the Supreme Court turned down a bid by Negro leaders of Montgomery, Ala.—the city directly involved in last week's ruling—to hasten the delivery of the court's mandate to the federal district court in Montgomery.

Lawyers for the Montgomery Improvement Association which supports the 11½-month-old Negro bus boycott, had asked that the integration order be effective im-

ON SOUTHERN BUSES

Advertiser P.1

Brownell Calls Meeting To Enforce Integration

Aug. 11-20-56
Montgomery, Ala.

WASHINGTON, Nov. 19 (AP) — Atty. Gen. Brownell today summoned federal prosecutors in 14 Southern states to a Washington conference on how to carry out the Supreme Court decree against racial segregation on buses.

He set the date, in a circular letter to the 34 U. S. district attorneys in the 14 states, as Dec 10.

Brownell's letter said that it is clear from the Supreme Court decision of Nov. 13 on the Montgomery, Ala., bus segregation case that discrimination against bus passengers on account of race is "a crime against the United States."

A number of state and municipal government spokesmen in Southern states have spoken out against the cour's Montgomery ruling. Several have indicated that various state laws against mixing of races on transportation systems would have to be tested in separate court actions. They said that pending such tests, segregation would be continued on buses.

The Montgomery case was marked by a long bus boycott by Negroes.

Brownell's letter calling the Justice Department conference went to U. S. attorneys in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia.

Brownell told them the conference "will consider and decide upon measures most appropriate to secure observance of the United States Constitution and laws by carriers and all others who may hereafter require segregation of white and colored passengers on common carriers."

The attorney general told the district attorneys to bring with them copies of state or local laws relating to racial segregation. He said the Nov. 13 court decision, which struck down Montgomery and Alabama statutes, makes it clear "that any such law, statute, ordinance or regulation must be regarded as a dead letter."

"It is also clear," he added, "that the enforcement or observance of any such discriminatory measure by any common carrier of passengers will constitute in the future and in the light of the unmistakable declaration of the federal courts a willful deprivation by the carrier of the constitutional rights, privileges and immunities of those discriminated against and a crime against the United States."

Aug. 11-20-56

"Anyone who commands, induces, procures, counsels, aids or abets the carrier in the commission of such crime is equally guilty," he said.

Ben Franklin, vice president of the Montgomery City Lines, said today his company is still required to segregate passengers under the state court order which "remains in force until further direct order by the U. S. District Court."

mediately instead of waiting the 25 or 30 days normally required before the notice is sent to the lower court.

In asking the speedup of the mandate, the attorneys stated that a prompt filing of the court's ruling would permit quicker determination of four anti-segregation cases now pending in Alabama.

Filing the petition on behalf of the boycotters were NAACP general counsel Thurgood Marshall, Robert Carter of New York, Fred D. Gray and Charles D. Langford of Montgomery.

Since the Supreme Court had already declared segregation of Negro and white passengers on city buses unconstitutional, it would have required the decision of only one justice to grant the request.

Call P. 4

To Continue Bias

Meanwhile, in Montgomery, the city commission promised to seek every "legal" means of continuing racial segregation on buses.

The commissioners announced that the ancient policy of seating Negroes from the rear and whites from the front would continue "to insure public safety, to protect the people of both races and to promote order in our city . . ."

In a statement released to newsmen, the commission said the laws "are not changed here in Alabama" by the decision of the Supreme Court.

"We recognized no immedia to resolve of the problems which our segregation laws answer . . . it is a time-proven fact that the customs, morals, habits and dignity of a citizenry can neither be established by legislative enactment, nor court decisions."

Negro leaders, however, seem confident that Montgomery buses will be integrated despite the city commission's present opposition.

But Rev. Martin Luther King, leader of the Montgomery Improvement Association which has spearheaded the 11½-month-old bus boycott, indicated disappointment in the refusal of the Supreme Court to speed up delivery of the mandate to Montgomery.

He set the date, in a circular letter to the 34 U. S. district attorneys in the 14 states, as Dec 10.

Brownell's letter said that it is clear from the Supreme Court decision of Nov. 13 on the Montgomery, Ala., bus segregation case that discrimination against bus passengers on account of race is "a crime against the United States."

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The attorney general told the district attorneys to bring with them copies of state or local laws relating to racial segregation. He said the Nov. 13 court decision, which struck down Montgomery and Alabama statutes, makes it clear "that any such law, statute, ordinance or regulation must be regarded as a dead letter."

"It is also clear," he added, "that the enforcement or observance of any such discriminatory measure by any common carrier of passengers will constitute in the future and in the light of the unmistakable declaration of the federal courts a willful deprivation by the carrier of the constitutional rights, privileges and immunities of those discriminated against and a crime against the United States."

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Aiding Bus Bias Termed Crime Against The U. S.

Daily Word P. 1

Tues. 11-20-56 Atlanta, Ga.

WASHINGTON — Attorney General Herbert Brownell, Jr., yesterday declared bus segregation law void, and called a conference of U. S. attorneys from 14 states to consider ways to bring to an end segregation on all carriers.

In his summons the federal officer pointed that in the light of the highest court's decision, any person, corporations or local governments that abet bus segregation in any way are "equally guilty" with their actions constituting "a crime against the United States."

The United States Attorney general said the one day conference will take up those measures most appropriate for the Justice Department to take to "secure observance of the Constitution by the carriers and all others."

Brownell said he called attorneys from those states where bus segregation laws still exist to the meet December 10. The attorneys were ordered to bring copies of their now defunct bus segregation laws.

Brownell said laws in 14 southern states "must be regarded as a dead letter," as he summoned U. S. attorneys to the Washington conference to seek ways "to secure observance of the United States constitution and laws by the carriers and all others."

Brownell's expressions on transit segregation came as the U. S. Supreme Court turned down a request from Montgomery, Ala., bus boycott leaders to make last Tuesday's Supreme Court decision effective immediately. Without the court's special action, refused today, the decision cannot become applicable in Alabama for 21 days.

The U S. Atty. Gen. said the Supreme Court decision in the Montgomery case made it "clear" that state laws requiring segregation on carriers are invalid.

He included in his call fo rthe Federal conference the observation that "anyone who commands, induces, procures, counsels, aids or abets the carrier in the commission of any such crime is equally guilty."

The federal officer declared that under the Supreme Court's ruling "state statutes and local ordinances requiring segregation of the white and colored races on common carriers of passengers violate the due process and equal protection" provisions of the constitution.

An earlier letter to U. S. attorneys had held that "a number of states counties, municipalities and other agencies of local government had adopted discriminatory measures.

"It is now clear that any such law, statute, ordinance or regulation must be regarded as a dead letter."

ON SOUTHERN BUSES

Advertiser P. 1

Brownell Calls Meeting To Enforce Integration

Tues. 11-20-56

Montgomery, Ala.

WASHINGTON, Nov. 19 (AP) — Atty. Gen. Brownell today summoned federal prosecutors in 14 Southern states to a Washington conference on how to carry out the Supreme Court decree against racial segregation on buses.

Civil Liberties Union Lauds Action Of Herbert Brownell

Nashville Tenn. Banner

Fri. 11-30-56

NEW YORK, N. Y. The American Civil Liberties Union today hailed the announcement of Attorney General Herbert Brownell Jr. that the Justice Department will hold a conference with U. S Attorneys in southern states to work out methods of compliance with the United Supreme Court's decision barring discrimination in intra-state bus transportation.

The Union, in a telegram from its executive director, Patrick Murphy Malin, said the Department's action "demonstrates that leadership at the highest government lvel will not be forfeited."

Th full text of the telegram follows:

P. 7

"The American Civil Liberties Union is pleased to read your public announcement that U. S Attorneys will meet to consider means of implementing the United States Supreme Court decision barring discrimination in intra-state transportation. The high court's decision was in keeping with its recent rulings that segregation and discrimination are unconstitutional and have no place in American life. While there are bound to be difficulties to overcome in achieving compliance the Federal Government has an important role to play in assuring that the law is upheld. The conference you have called will provide encouragement to all those who support the court's decision. It demonstrates that leadership at the highest government level will not be forfeited."

High Court Refuses to Spur Order

Herald Tues. 11-20-56 Miami Fla

WASHINGTON (AP) — The Supreme Court refused Monday to speed up its official notice that it has outlawed segregation on local buses.

Denying a plea by attorneys for Montgomery, Ala., Negroes for immediate action, the court in effect decided to treat the case in a strictly routine way.

P. 4

The plea for speedy handling actually was denied by Justice Hugo Black as presiding judge of the 5th U.S. Circuit Court.

Black, however, issued a brief statement saying he had consulted with the eight other Supreme Court justices and found them "in agreement with my views" that the request for immediate issuance of the official notice should be turned down.

As a result, the court's order probably will not be mailed until about Dec. 12. Official notices usually are mailed about 25 days after the court rules.

The official notice, when mailed, will go to members of a special three-judge U.S. District Court which struck down Alabama laws and Montgomery ordinances requiring separation of Negro and white passengers.

Attorneys for Montgomery Negroes filed their motion for quick action Saturday. They said it was "of great public importance that the opinion or order and judgment of this court issue forthwith."

Negroes in Montgomery have conducted a long boycott of buses as a protest against state and city segregation laws.

In another action Monday, the high court agreed to rule on whether a nonstriker prevented from going to his job by picketing union members may collect damages from the union.

The case grew out of a strike in the Decatur, Ala., plant of Calumet & Hecla Consolidated Copper Co., in the summer of 1951. Paul S. Russell an electrician, sued the United Automobile Workers for $50,000. He contended union pickets barred him from entering the plant from July 18 to Aug. 22.

Russell won a $10,000 damage award in an Alabama state court. In affirming the award, the Alabama Supreme Court called it not excessive and spoke of "the necessity of preventing similar wrongs."

Brownell Summons Prosecutors To Push Bus Desegregation

Constitution P. 1

Atlanta, Ga. Tues. 11-20-56

Montgomery Negroes Lose Speedup Plea

By J. W. DAVIS

WASHINGTON, Nov. 19 (AP) — Atty. Gen. Brownell today summoned federal prosecutors in 14 Southern states to a Washington conference on how to carry out the Supreme Court decree against racial segregation on buses.

He set the date, in a circular letter to the 34 U. S. district attorneys in the 14 states, as Dec. 10.

Brownell's letter said that it is clear from the Supreme Court decision of Nov. 13 on the Montgomery, Ala., bus segregation case, that discrimination against bus passengers on account of race is "a crime against the United States."

SEGREGATION STAYS

A number of state and municipal government spokesmen in Southern states have spoken out against the court's Montgomery ruling. Several have indicated that various state laws against mixing of races on transportation systems would have to be tested in separate court actions. They said that pending such tests, segregation would be continued on buses.

The Montgomery case was marked by a long bus boycott by Negroes.

Justice Black of the Supreme Court issued a statement today saying that after consulting with all other members of the court, he was refusing to order immediate issuance of the court's notice of the decision.

ASKED IT AT ONCE

Counsel for Montgomery Negroes in the bus case had asked last Saturday that the notification be sent out at once. The request came before Black in his capacity as presiding judge for the 5th U. S. Circuit Court.

Supreme Court aides said the bus case notice now may be mailed about Dec. 12. It will go to members of a special court which sat in Montgomery and handed down the antisegregation decision affirmed by the Supreme Court.

Brownell's letter calling the Justice Department conference went to U. S. attorneys in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia.

Brownell told them the conference "will consider and decide upon measures most appropriate to secure observance of the United States Constitution and laws by carriers and all others who may hereafter require segregation of white and colored passengers on common carriers."

Constitution

The attorney general told the district attorneys to bring with them copies of state or local laws relating to racial segregation. He said the Nov. 13 court decision, which struck down Montgomery and Alabama statutes, makes it clear "that any such law, statute, ordinance or regulation must be regarded as a dead letter."

"It is also clear," he added, "that the enforcement or observance of any such discriminatory measure by any common carrier of passengers will constitute in the future and in the light of the unmistakable declaration of the federal courts a willful deprivation by the carrier of the constitutional rights, privileges and immunities of those discriminated against and a crime against the United States."

Atlanta, Ga. Tues. 11-20-56

"Anyone who commands, induces, procures, counsels, aids or abets the carrier in the commission of such crime is equally guilty," he said.

Officials of the City of Montgomery announced after the court decision that they would use every legal means available to continue separate seating arrangements for Negroes on Montgomery buses. They said this was required to preserve public safety and promote order.

Nonsegregated oepration was attempted last spring by the private bus company which serves Montgomery, but was dropped under a state court order.

Ben Franklin, vice president of the Montgomery City Lines, said today his company is still required to segregate passengers under the state court order which "remains in force until further direct order by the U. S. District Court."

The Supreme Court decision is subject to a 25-day delay pending a possible move for rehearing.

PSC Asks Hearing On Bus Decision

Advertiser P. 1

Mon. 11-22-56

Papers are being prepared for the Alabama Public Service Commission seeking a rehearing before the Supreme Court on its bus desegregation decision.

Montgomery, Ala.

The commission chairman, Jack Owen, said the attorney general's office is preparing the necessary legal documents to be filed with the Supreme Court within the prescribed 25-day limit.

City officials here had previously announced they would ask the nation's highest court for a rehearing.

"We hope that the Supreme Court will reconsider its decision," the public service commission chairman said, "and render a ruling in favor of the people of Alabama."

Owen earlier issued a statement that the commission would continue to do everything within its power to preserve segregation on public carriers in this state.

HIGH COURT RULES BUS SEGREGATION UNCONSTITUTIONAL

Times P. 1

Wed. 11-14-56

New York

Alabama and Montgomery Laws Held in Violation of the 14th Amendment

SCHOOL DECISION CITED

Case Involves Bus Company Boycotted by Negroes—Some Whites Bitter

By LUTHER A. HUSTON

Special to The New York Times.

WASHINGTON, Nov. 13—An Alabama law and a city ordinance requiring segregation of races on intrastate buses were declared invalid by the Supreme Court today.

The court affirmed a ruling by a three-judge Federal court that held the challenged statutes "violate the due process and equal protection clauses of the Fourteenth Amendment to the Constitution of the United States."

The Fourteenth Amendment provides that no state shall deprive any person of life, liberty or property without due process of law nor deny to any citizen the equal protection of the laws.

In upholding the lower court's judgment, the Supreme Court cited its 1954 decision outlawing racial segregation in the public schools and later rulings banning racial discrimination in public parks and on public golf courses.

[Officials of several Southern states indicated they would continue to enforce bus segregation laws despite the court's decision. Segregationist leaders were bitter in their denunciations of the court and its ruling.]

'Separate But Equal'

Although only Alabama laws were involved today, the ruling was interpreted as outlawing state or municipal enactments anywhere that require separation of the races on public vehicles. It was thought to have placed a headstone at the grave of Plessy v. Ferguson.

This was a case decided in 1896, in which the high court ruled that racial segregation on railroads was not unconstitutional if separate but equal facilities were provided.

The "separate but equal" doctrine later was applied to segregation in other fields, such as education, and generally prevailed until the high court's ruling in school cases.

Since then the doctrine has been discarded in every test that has been brought to the Supreme Court.

Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, Tennessee and Texas have laws that could be affected by today's ruling.

Last term the Supreme Court had under advisement a case from Columbia, S. C., involving a similar issue. The Fourth Circuit Court of Appeals had invalidated South Carolina's bus segregation law. The ruling was interpreted as applying also to bus segregation in Virginia, West Virginia, North Carolina and Maryland, which are in the Fourth Judicial Circuit.

James Gray

In that case, however, the Supreme Court dismissed the appeal on technical grounds, although it did not specifically affirm or reverse the circuit court's ruling.

Today's order left little doubt that a new appeal in the Columbia case, if it again came to the High Court after procedural requirements had been complied with in the lower courts, would suffer the fate of the Alabama statutes.

Grew Out of Boycott

The ruling affirmed today grew out of a boycott by Negroes in Montgomery, Ala., of municipal buses. The boycott began last year and is continuing.

Aurelia S. Browder, Susie McDonald, Claudette Colvin and Mary Louise Smith, Negroes, had been required by bus drivers or the police to comply with segregation laws and had been arested and fined for refusal to do so.

The Montgomery City code required bus operators to provide separate but equal accommodations for white and colored passengers. A state law also required segregation.

The four women did not appeal their convictions, but brought suit to challenge the constitutionality of the city code and the state law.

A court composed of Circuit Judge Richard T. Rives and District Judges Frank M. Johnson Jr. and Seybourn H. Lynne heard the case. Judges Rives and Johnson held the challenged statutes unconstitutional. Judge Lynne dissented.

The Alabama Public Service Commission and the Montgomery Board of Commissioners appealed to the Supreme Court. They asserted that the high court never had overruled the Plessy v. Ferguson decision. They urged the court to hear the case and give a clear-cut, written opinion disposing of the issue.

The court, however, merely granted a motion of lawyers for the Negroes that the lower court decision be affirmed.

John Patterson, Attorney General of Alabama, and Walter J. Knabe of Montgomery presented the appeals of the state and municipal bodies. The Negroes were represented by Thurgood Marshall, Robert L. Carter, Fred D. Gray and Charles D. Langford.

Judge interprets decision—

News P1

Bus ruling is not statewide—Rives

Wed. 11-21-56

Birm. Ala.

MONTGOMERY, Ala., Nov. 21 —(AP)—A Supreme Court ruling against bus segregation applies only to Montgomery and is not automatically effective in the rest of Alabama or the South, a federal judge said yesterday.

U. S. Circuit Judge Richard T. Rives said the Nov. 13 decision that Alabama state and Montgomery city bus segregation laws are unconstitutional would set a precedent for similar cases in other places. But it will result directly in an injunction against enforcement of the laws only in Montgomery, he said.

ON MONDAY Atty. Gen. Brownell called federal prosecutors from 14 Southern states to a Dec. 10 conference in Washington to discuss how to carry out the decision. He said it made clear that racial discrimination on buses is "a crime against the United States."

The Montgomery City Commission announced yesterday it would ask the Supreme Court for a rehearing on its decision. City officials indicated privately they weren't holding great hopes of stopping a court order.

THE DECISION, affirming a three-judge panel's ruling here June 5 in which Rives participated, has not been formally communicated to Montgomery. A court attendant in Washington said that should come about Dec. 12. He gave that date before the commission said it would ask rehearing.

When notice of the decision arrives here, it will instate a now suspended permanent injunction against enforcement of the bus segregation laws in Montgomery. An attempt by leaders of the bus boycott by Montgomery Negroes, now nearing one year old, to speed up delivery of the decision was rejected Monday by Justice Black.

Today the Alabama Public Service Commission said it would join the City of Montgomery in asking for a rehearing.

Chairman Jack Owens, said the papers are being prepared by the attorney general's office to transmit to the court in Washington where they will be filed as soon as possible.

Rives said the fact that the suit decided by the Supreme Court named as a defendant the Alabama Public Service Commission and applied to its segregation laws didn't make desegregation automatic throughout the jurisdiction of the commission.

Mixing Order For Terminal Is Lacking

Constitution Fri. 1-6-56 P. 1

Atlanta officials of the Southern Railway System said Thursday night they had received no instructions regarding abolition of segregated waiting rooms at Terminal Station for interstate railway passengers.

Atlanta Ga.

This was in direct opposition to a report from a spokesman of the railroad at its Washington headquarters that the segregated waiting rooms already had been abolished.

Southern Railway officials here said they were awaiting word from Washington in the matter. One spokesman said he did not know when segregation would end at the station, explaining that no integration order had been received in Atlanta.

He added that the railway spokesman in Washington undoubtedly represented the Southern headquarters.

The Washington spokesman also said a sign designating a separate room for Negro intrastate passengers would be erected to comply with Georgia law.

Separate entrances, waiting rooms abolished in Atlanta

Herald-American Baltimore Md. Jan. 1-11-56

ATLANTA, Ga.—Racially separate entrances, rest rooms and lunch counters at the historic old Atlanta Terminal Station, long a source of irritation to colored passengers, were abolished Saturday.

The station, used by four principal railroads, the Southern, the Seaboard, the West Point and the Central of Georgia, is now open to the public without restriction.

Previously colored passenger were not permitted to enter through the front doors. They were forced into a crowded hovel entered from the side.

YEARS AGO, the station was the scene of an embarassing experience for Marian Anderson, when the Metropolitan Opera star arrived in Atlanta for a concert.

Police grabbed her as she unknowingly sought to make her exit from the station through the front doors reserved for white passengers only.

Atlanta Terminal Is Desegregated

Times Picayune New Orleans La. 1-8-56

ATLANTA, Jan. 7 (AP)—Atlanta's Terminal Station for rail passengers has begun to desegregate.

A Negro sailor took a seat in the white waiting room Friday and stayed there a long time. He apparently was unnoticed by white travelers.

A number of other Negroes passed through the white waiting room instead of using the entrance usually considered the "colored" entrance.

H. A. Debutte, president of the Southern railway system, biggest user of the station, told the Atlanta Journal the system will comply with the law and desegregate interstate travelers by the Jan. 10 deadline set in a recent interstate commerce commission order.

But, a spokesman said earlier, the railroad also will comply with Georgia law requiring segregation of passengers traveling within the state by designating a separate waiting room for intrastate Negro travelers.

Stations Here Given Copies Of Race Laws

Advertiser Montgomery Ala. 1-8-56

Copies of city ordinances requiring separate restaurant and toilet facilities for whites and Negroes were delivered to bus and train stations yesterday by Police Chief G. J. Ruppenthal.

Ruppenthal, acting on orders from Police Commissioner Clyde Sellers, delivered the typewritten excerpts personally to the L & N train station and to Greyhound and Trailways bus terminals.

CHECK MADE

Meanwhile, Sellers said he and city attorneys have not determined whether segregation provisions of the City Code are directly applicable to waiting rooms.

"We are checking to find out if separate seating facilities in waiting rooms are required by law," Sellers said. "If they are, they too will be enforced."

The search of city laws was begun when the Interstate Commerce Commission ruled that companies engaged in transporting interstate passengers must abolish separate facilities for the races.

Signs designating separate waiting rooms already have been removed at local train stations as rail officials indicated they would comply fully with the ICC order.

Stations Comply With ICC Desegregation

Daily World Tues. 1-10-56

Atlanta's two railway passenger stations were preparing to "literally comply" with the ICC's ruling against interstate segregation yesterday, but pointedly were not going any further than law required.

P. 7

Signs, which designated waiting rooms as "Colored" and "White" were taken down Monday morning to meet a Tuesday morning deadline required by the Interstate Commerce Commission.

Atlanta Ga.

But the president of the Atlanta Terminal Co., who identified himself as Mr. Bondurant explained that while signs demanding interstate travel segregation have been taken down, other demanding intra state travel segregation were being put up.

Bondurent said that a sign reading "Colored Intrastate Passengers" had been placed at the door of the former colored waiting room at the Terminal Station.

"We have removed all signs," Bondurant said. "We are literally complying with the ICC's ruling."

This new sign, in effect will open the doors of the main waiting room to Negro passengers who are traveling out of the state, but close them to Negro passengers traveling only in Georgia.

With the dual ticket offices set up here, a Negro passenger will not be able to buy a ticket unless following this split ruling, it became apparent.

Signs had been removed at the Union Station, but spokesmen there refused to comment, other than Bondurant, who is president of the Atlanta Terminal Co., is sole spokesman for both station.

Apparently the Union Station will follow the same practices of the Terminal Company, but feeling there Monday appeared slightly sharper than at the other Station

An unidentified ticket collector was apparently making special attempts to be harsh to Negro passengers who asked questions of him. An unofficial report said that a Negro was put out of the Union Station main waiting room after he attempted to enter. A Negro sailor sat in the waiting room at the Terminal Station, however without incident, it was learned.

Station Waiting Rooms Integrated Here

Constitution 1-8-56

Compiled From Wire Reports

Developments on the segregation front were many and varied Tuesday in the Southern States.

In Atlanta, segregation signs were removed at the Terminal Station and Union Station. At the Terminal Station, a Negro woman who identified herself as Lurlene Barber of West Point, Ga., sat in the former all-white waiting room. Her presence caused no excitement.

Atlanta Ga.

At the Union Station, a Negro man sat for an hour and a half in the former all-white waiting room. However, an attendant at the station said several Negro travelers inquired which was the "colored" waiting room and took seats in the old segregated area.

Tuesday marked the deadline for carrying out the Interstate Commerce Commission's directive to tear down "white" and "colored" designations on waiting rooms at railway and bus stations.

Wed. 1-11-56

But Gov. Robert F. Kennon of Louisiana ordered all state, parish and municipal officials to continue rigid enforcement of state laws requiring separate facilities for the races at such stations.

Neighboring Mississippi also resisted the order, but less dramatically. In Jackson, the capital, railroad and bus officials had taken down the white and colored waiting room designations, but city officials replaced them with their own under local segregation laws. Similar action was taken in other Mississippi cities.

In Birmingham, Ala., the Louisville and Nashville Railroad discarded segregation rules at its stations without incident.

But as at Hattiesburg, Miss., an intrastate waiting room for Negroes was designated at the Terminal Station in Birmingham. Similar action was taken at Charlotte, N.C., and Greenville, S.C.

At Savannah, all segregation signs were removed from the Union Station.

At Columbus, Negro citizens presented a petition to the City Commission asking that they be allowed to play golf on the Lions Municipal Golf Course.

At Columbia, where the South Carolina General Assembly is in session, a resolution offering interposition was presented to the House. It was referred to the Judiciary Committee. The resolution would declare null and void the U.S. Supreme Court's ruling that school pupil segregation is unconstitutional.

Seeks To Take Charters From Non-Bias Cities

Daily Worker Atlanta, Ga. Thurs. 1-19-56

By International News Service

City charters of Atlanta and other Georgia towns that might permit racial de-segregation would be revoked under a bill submitted to the State Legislature Wednesday.

Rep. C. N. Jordan, Jr., of Wheeler County said Atlanta's recent decision to de-segregate its Municipal Golf Courses "might have been different if we had already passed a law like this."

Atlanta took the action on orders of the U. S. Supreme Court.

Jordan's bill provides that "in the event that segregation of the white and colored races is not maintained in any facilities of any municipality in the state . . . The charter of such municipality shall stand revoked."

It lists such facilities as Golf Courses, Parks, Auditoriums, Libraries, Athletic Fields, Swimming Pools, Tennis Courts and Playgrounds.

The bill was sent to the state republic committee.

In Atlanta's case, some pro-segregationists suggested that the city sell or lease its gold courses to private operators to avoid integration, but Mayor William Hartsfield pointed out there is no legal authority for taking such action.

Negro's Home In Disputed Area Blasted

Constitution Atlanta, Ga. Sat. 3-10-56

A dynamite blast early Friday damaged a house at 215 Flora Ave., NE, which had been rented to a Negro family, police said.

The blast damaged the porch, broke the front door glass and damaged the foundation.

Ernest Simomns, Negro, moved into the house two months ago. Detective Supt. Glyn Cowan said trouble had developed in the area —which adjoins white and Negro sections—six months ago.

Sol. Gen. Paul Webb said his office is investigating reports of violence in Atlanta resulting from the sale of homes in white areas to Negroes, and added a special committee of the Fulton grand jury will hear testimony Monday from eight white persons.

The Dixie Hills Bus Comes Through

Daily World Sat. 2-4-56 P. 6

That powerful community of fine homes and wholesome enterprise which sprang up like magic on the westside and to somehow acquire the name — Dixie Hills, is jubilant over the fact that a long struggle for bus line transportation became a reality with the beginning of February.

Where patrons formerly acquired transfers to wait on corners for the feeder bus to come along, they can calmly keep their seats and ride on through with one fare effort. They no longer endure the confused condition of having to scramble through crowded areas for standing room in an effort to get to and from home, market or work. Those responsible for this reality are in for an ovation, while the patrons are ever grateful.

This community has come a long way up the ladder of modern convenience and that consideration due those who pay fares for poor accommodations.

Many of the pioneer residents will recall when one had to get from the nearest car stop the best he could; how little feeder station wagons were the first transportation facilities available and how finally an enterprising citizen devised a mean of bus transportation with broken schedules and uncertain journeys. From these came more modern facilities and regulated schedules.

Property values and home environment are greatly enhanced while little by little the proud westside is gradually coming into the heritage of its deservedness.

With the new Citizens Trust Co. bank and the new Station Post Office, and surrounding hospitals and business and office establishments there might come at last the lost link ,that fire station we have heard so much about. Bully for the Westside.

Georgia Set To Resist High Court Bus Ruling

Advertiser Montgomery, Ala. Wed. 4-25-56

ATLANTA, April 21 (AP)—The sweeping U.S. Supreme Court edict against racial segregation on public buses operating within as well as between states apparently had no effect at all in Georgia today.

State, city and transportation officials were quick to note that yesterday's ruling was on a South Carolina appeal, to which Georgia was not a party. Hence, they reasoned, it will impose no compulsion in Georgia until an action is brought in this state.

Among those taking this view was Gov. Marvin Griffin, who pledged himself to resist the ruling at all odds. He called it "another example of an overt usurpation of the liberties of the people."

No reported efforts were made to break down segregation in buses in Atlanta, Macon, Augusta, Savannah or any other Georgia city. Operators of highway buses, such as the Greyhound system, generally were non-commital on what course they will follow.

The Greyhound manager in Atlanta, R. F. Robinson, along with others, pointed out that he had the state segregation laws to consider. He suggested that these laws and the contradicting federal decree left him in a quandary.

Cook Would Make Enforcing Integration a Capital Crime

Constitution Atlanta, Ga. Thurs. 4-26-56 P. 1

Georgia Atty. Gen. Cook said Wednesday that he will recommend enactment of a Georgia law to make it a capital offense for any public official to assist the federal judiciary in enforcing the U.S. Supreme Court's desegregation rulings.

In view of the high court's decision outlawing segregation on buses in a South Carolina case, Cook said the State of Georgia will be "defenseless" if a bus desegregation case is filed in this state.

However, Cook suggested that Gov. Griffin could maintain segregation on buses in Georgia by declaring limited martial law and calling out the state militia (National Guard) to seize and operate transit companies and bus lines.

The governor would have not only the right but the duty to take such action under the police powers vested in him to protect the public interest in the event of a threat of riot or mob violence, Cook said.

The attorney general warned that there could be violence and bloodshed in Georgia if attempts are made to enforce integration in schools or on buses.

"We have seen violence happen in Detroit and Chicago and in the State of Alabama in recent weeks," he said.

Meanwhile, Georgia's transportation segregation laws are still in effect and the Supreme Court ruling in the South Carolina case is not applicable to this state, Cook said.

But if a bus case is filed in Georgia, there is nothing the state could do in federal court but fight it by defensive pleadings and seeking delays by appeals, Cook said.

BUS CASE

This, he said, is because in the South Carolina bus case the Supreme Court completely overturn the historic Plessy vs. Ferguson doctrine, enunciated in 1896 by the Supreme Court, that permitted separate but equal transportation facilities.

"If such action is brought in Georgia, we are defenseless," he said. "There are no factual or legal means we can take. We can't stop operation of the buses and the whole matter would depend on the operators themselves."

The state would have one recourse and that would be the governor's use of his powers to declare limited martial law and seize the buses and operate them, the attorney general said.

METTER TALK

Cook said he will outline in a speech at Metter Thursday night his proposal for a law to make it a capital offense (penalty of death or life imprisonment) for any Georgia public official or individual not in the federal employ to assist in enforcing the Supreme Court's desegregation rulings.

He said U. S. marshals now depend largely on services of county sheriffs to incarcerate persons charged with violating federal law. The federal government has only one penal institution in Georgia — the penitentiary in Atlanta.

If the Legislature were to enact the law Cook proposes, no sheriff or policeman could assist in arrest or jailing of any bus driver or any school trustee charged with contempt of a federal court in an integration case.

President Eisenhower and potential presidential candidates have said they are not in favor of using federal troops to enforce desegregation, Cook said. Enforcement would be up to the Department of Justice and the federal government would have to build jails in Georgia and hire an army of marshals, he said.

Cook claims Ga. has no JC bus laws

The American Sat. 12-1-56 Baltimore, Md.

ATLANTA — Attorney General Eugene Cook of Georgia week declared that the state has last week declared that the state has no laws on bus or street car segregation, but does have laws requiring segregation in waiting rooms.

He and several other southern officials joined in agreement in denying that state bus segregation laws are "dead letters" as stated by U.S. Attorney General Herbert Brownell.

Cook contended that Georgia laws could not be voided without suit being brought to have them so declared.

Attorney General Richard Ervin of Florida said Mr. Brownell made a mistake in calling a conference of U.S. attorneys and Joe Patterson of Mississippi called the parley a "disregard of rights of states."

Court Rules Out Segregating Any Public Transportation; Griffin Pledges Resistance

Constitution
Atlanta, Ga.

Lwe 4-24-56

Transit Here Remaining Separated

Georgia will resist the U.S. Supreme Court decision outlawing segregation on all public buses, Gov. Griffin declared Monday.

The Atlanta Transit System will continue its policy of segregation while awaiting legal advice on the court ruling, said Robert L. Sommerville, president.

HARTSFIELD COMMENTS

Mayor Hartsfield said the decision would not immediately affect Georgia.

"The decision was made in an out of state case and won't affect Georgia until a case is filed in the state," Hartsfield said.

Atty. Gen. Eugene Cook, attending a regional meeting of attorneys general in Virginia, said, "I will have no comment on the decision until I can study it further." Earlier, in addressing the convention, he said the Supreme Court is "recklessly exceeding its powers."

Griffin declared that the decision—"is in keeping with the court's policy heretofore announced in such cases."

USURP POWERS

He said, "It is another example of an overt usurpation of the liberties of the people.

"We shall oppose this latest decision just as we are resisting the decision in the school segregation case by all possible legal means."

Sommerville said transit officials "haven't seen the court's decision and we won't know whether it applies to all public buses until we have studied it and have gotten legal advice."

OLD POLICY

He said that, in the meantime, the transit system's policy will "remain as in the past."

"We have notices in all the vehicles which state that white passengers will seat from the front and colored passengers will seat from the rear," Sommerville said.

R. F. Robinson, regional manager of Southeastern Greyhound, told a reporter he did not know how the court's decision would affect the company's policy.

"You tell me, since we've got a state law requiring segregation on buses," he said.

He said that Greyhound buses traveling in Georgia on interstate routes have complied with the Supreme Court ruling of 10 years ago that struck down segregation on interstate bus travel.

Cook told the legal officers the Supreme Court "undoubtedly considers itself striking a blow for individual liberty."

"But the theory upon which our government was based in the beginning, and which is responsible in large part for its success, is that individual liberty will be best preserved in the long run by preserving the sovereign status of the states as a buffer for all individuals against encroachment upon their liberties by omnipotent federal government," he said.

Attorneys in the State Law Department said the ruling would not apply in this state because Georgia was not a party to the South Carolina case.

A state law gives conductors "police power" to separate the races "as much as practicable." It also empowers conductors or other employes of railroads, streetcars or buses to assign passengers to seats. The law follows:

"All conductors or other employes in charge of passenger cars shall assign all passengers to their respective cars or compartments . . . and all conductors of streetcars and buses shall assign all passengers to seats on the cars under their charge, so as to separate the white and colored passengers as much as practicable; and all conductors and other employes of railroads and all conductors of streetcars and buses shall have and are hereby invested with police powers to carry out said provisions."

Cook Foresees Bus Boycotts In Race Ruling

Journal + Constitution
Sun. 12-2-56
Atlanta, Ga.

Georgia Atty. Gen. Eugene Cook Saturday said any attempt to invoke the U.S. Supreme Court's bus integration ruling in Georgia probably would result in "sweeping white boycotts" of buses in the state.

He made the comment in a new statement on U.S. Atty. Gen. Herbert Brownell's scheduled meeting with federal district attorneys from segregated states. Mr. Brownell says he wants to talk about means of enforcing the Supreme Court's ruling that city buses in Montgomery, Ala., should be integrated.

"Perhaps Mr. Brownell has overlooked the fact that cities which have granted franchises to municipal transit companies may, if they desire, refuse to renew the franchise of any company which complies with the decision," said Mr. Cook.

* * *

"AND, TOO," he went on, "it is possible that this action will provoke a boycott on the part of a great majority of white people using buses in this state, if drastic action is taken."

He called Mr. Brownell's action an "outrage" and one which "may well invite serious trouble if he has in mind plans to prosecute corporations and public officials on the slightest provocation."

P. 10-E

Our Parks And Our Children

Daily Herald
Atlanta, Ga.
Wed. 6-13-56

Among the pleasures that come with summer are those made possible through the city's parks and recreational facilities. It is a delight to escape the heat and glare of the pavements and the inevitable confinement of urban living by a visit to a park or pool. The grass is green. The scenery is restful and relaxing. Amid the cares and the responsibilities incident to the all-engrossing matter of living, there is a unique and distinctive quality of refreshing reassurance that pervades the out-of-doors, away from the sound and the fury.

It is reassuring too, to all of us who are parents to know that the closing of school does not mean that our children, when away from home, are simply "on their own." The youngsters need a safe place to play and develop twelve months a year. The kind of citizens they will be tomorrow is very largely determined by how their leisure time is spent today. They need supervision and guidance, too. Organized and directed recreation is the only adequate means for wholesome development. When large numbers come together in the absence of adult supervision, trouble and chaos are bound to come. Self discipline, patience, and the respect for the rights and needs of others are qualified which are not always present in the thinking of people who are supposedly mature. It is hardly reasonable to expect more of our juveniles.

Again we stress the point, that it is reassuring to know that our kids have professional supervision and direction when they congregate in large numbers for the purpose of recreation. At Mozley Park, as at the community centers at Pittman and Anderson Parks, and at Central Methodist Church, the Recreation Division of the Atlanta Parks Department carries on a planned and well supervised recreational program for children of all ages and for adults as well. The youngsters who come here for recreation during the scheduled program hours are in the hands of trained personnel — employed by the city of Atlanta for the express purpose of helping our children to play together, or to develop their interests in crafts or other hobby activities. Playgrounds open at eleven-thirty in the morning and close at six. Supervised hobby or craft activities may continue until ten on some nights. At least once each week, there is a planned and supervised "teen canteen" for dancing at each of the centers except Central. Hence, under professional supervision and guidance, boys and girls in every age group may participate in whatever form of recreation fancy may dictate — from softball to ceramics, from model planes to supervised dancing.

We think this matter of professional supervision and planned

activities to be of particular importance in the well-being of our children. Teen-aged dancing at the private concessions is not under the control or supervision of the Recreation Department, even though these concessions are located in the park areas. At Mozley Park, there is dancing in the pavilion every night until 10:30 — without benefit of professional supervision. Large numbers of juveniles from nine or ten upwards, from all parts of the city, and from nearby towns congregate here night after night to dance and to wander in the unlighted areas of the park. Even after the pavilion closes, they linger on, or they create traffic hazards in trying to catch rides up Mozley Drive and Hunter Road. Girls and boys alike, flag down any motorist who will stop for them. There is a potential danger in this situation not at all related to the danger of being struck by a passing automobile as they stand in the street trying to thumb a ride.

We are not against dancing. It is a wholesome and harmless form of recreation when under proper control and supervision. We do believe, however, that unsupervised public dancing in the parks at night is not in the public interest, and is particularly detrimental and deteriorative of the real interests of our youth. When the supervised activities of the day are ended, let the boys and girls go home to their parents. They will have a better chance of avoiding danger. The unsupervised public dancing in the pavilion not only lends the park and the community an atmosphere of bawdiness. It is the potential root and a strong casual factor of many fringe-problems which are already developing. We can prevent some of these problems from maturing. Let the customers have the music, if they like, but let's restrict the dancing to the Teen Canteens which are supervised by the Recreation Department of the Atlanta Park System. Let's stop it now, BEFORE the tragedy.

'Matter of principle'

Afro-American
Baltimore, Md.

FORT BENNING, Ga.—"Well, it was like this . . . For once I thought I'd stand up for principle, or sit down for it. And when it came to a showdown, I just couldn't move. I still had to face myself in the morning."

8-18-56

This was the attitude Pvt. Tilton Brinkley Jr., 23, described as he was discussing his arrest, jailing and $25 fine for refusing to move to a rear seat in a Columbus, Ga., bus on July 24.

The soft-voiced soldier, first person of his race to study at the University of Virginia Law School, being interviewed Saturday, continued:

* * *

"I WAS coming back to the post from town and I sat about three seats back from the front as I've done a dozen times before. So I was a little surprised when the driver said:

"'Hey, you, You've got to move to the back.'

"I said: 'I'm quite comfortable where I am.' And he said: 'What race are you?' And I answered: 'Isn't it obvious?' for I am very definitely colored.

"So he got off the bus and made a telephone call. We were still in the city limits. And pretty soon the cops came driving up."

Brinkley, who was born in Hobson, Va., and whose family still lives in Portsmouth, Va., although he spent several years in Harlem while finishing his pre-law course at Lincoln University, in 1952, paused for a moment and then admitted:

"FRANKLY, I thought the driver was bluffing. He wasn't, so, then I knew I wasn't going to move to the back even if it meant my life. I knew that for once I was going to stand up for principle by sitting down.

"So they dragged me off the bus and took me to jail. They kept me there for three hours and wouldn't let me call a lawyer I knew or nobody else.

"But finally they brought a bondsman around and said I could get out on $100 bond if I paid the $10 bond fee. So I did."

He paused again:

"I was due in court last Thursday, so I had to figure out what I should do. Nobody in the Army said anything to me about it. But I finally made up my mind what I'd do.

"WHEN I came up before the judge (in Columbus Municipal Court), he said that, although I had lived in New York, I had been born in Virginia, and I knew what the laws were.

He said: " 'We've had a law on segregation on transportation here since 1890 and we passed a new one last April.' He said: 'These laws are no reflection on the colored people; they were just passed to keep down trouble between the races.'

"And when I said nothing, he said: 'I'm going to sentence you to 30 days in jail, but I'm going to suspend the sentence. And I'm also going to fine you $25 for breaking the law.'

* * *

"SO I reached into my pocket and paid the $25 fine and walked out.

"For, do you know what I had decided while waiting for the trial?

"I had decided that as a private in the U.S. Army, I couldn't do anything basic about the problem. But as a lawyer, I might be able to do more than just stand up or sit down for a principle.

"So I decided I'd just go on and finish my hitch in the Army and then hasten on back to the University of Virginia to finish my last two years in law there.

"This whole thing is bigger than one private and one Columbus, Ga., bus."

Cook Foresees Bus Boycotts In Race Ruling

Journal & Constitution
Atlanta, Ga.
Sun. 12-2-56
p. 10-B

Georgia Atty. Gen. Eugene Cook Saturday said any attempt to invoke the U.S. Supreme Court's bus integration ruling in Georgia probably would result in "sweeping white boycotts" of buses in the state.

He made the comment in a new statement on U.S. Atty. Gen. Herbert Brownell's scheduled meeting with federal district attorneys from segregated states. Mr. Brownell says he wants to talk about means of enforcing the Supreme Court's ruling that city buses in Montgomery, Ala., should be integrated.

"Perhaps Mr. Brownell has overlooked the fact that cities which have granted franchises to municipal transit companies may, if they desire, refuse to renew the franchise of any company which complies with the decision," said Mr. Cook.

* * *

"AND, TOO," he went on, "it is possible that this action will provoke a boycott on the part of a great majority of white people using buses in this state, if drastic action is taken."

He called Mr. Brownell's action an "outrage" and one which "may well invite serious trouble if he has in mind plans to prosecute corporations and public officials on the slightest provocation."

crites of the first order."

Mr. Brownell sends his children to a private, white school, and Vice President Nixon has enrolled his children in an all-white public school," Cook said.

State Bus Segregation Laws Not 'Dead Letters,' Cook Says

Constitution
Atlanta, Ga.
Wed. 11-21-56
p. 13

Atty. Gen. Eugene Cook and other Southern officials Tuesday denied that state bus segregation laws are "dead letters," as charged by U.S. Atty. Gen. Herbert Brownell.

Cook replied that Georgia laws could not be voided without suit being brought against them.

The attorney general said there are no state laws on bus or trolley segregation but there are laws requiring segregated waiting rooms.

Florida's Atty. Gen. Richard Ervin said Brownell's calling a conference on the matter was a mistake. He "ought to stay out of it and leave it to private litigants," Ervin said.

Atty. Gen. Joe Patterson of Mississippi called the conference "just another instance of utter disregard of the rights of states."

In a speech Tuesday night at the district meeting of the Woodmen of the World in Waynesboro, Cook accused some Washington officials of being "hypo-

Cook Sees State Helpless In Bus Bias Injunctions

Daily World
Thurs. 11-29-56
Atlanta, Ga.

Atty. Gen. Eugene Cook admitted yesterday that bus segregation may be just about at the end of the road, but advocated boycotts by white people as a last ditch means of preserving the old system.

When asked if Georgia had any plans for saving bus segregation short of abolishing transportation systems, the Atty. Gen. said that a negative answer would "give us away," and if the state did have a plan, it would not be wise to let opponents know about it.

When the Supreme Court anti-segregation bus decision becomes official on Dec. 17, Cook said Negroes in a number of Georgia cities are then expected to attempt integration. If, in these test cases, they are made to sit in the rear of the bus, or are put off the vehicle, Cook said they can go straight to Federal District Court and ask for an injunction against the further segregation on the buses.

If the injunction was granted, Cook added, the state could do little or nothing.

He pointed out that bus franchises are between company and the various municipalities, and do not directly involve the state.

However he added:

"I would, if invited, enter the case as a friend of the court."

Cook threw his support behind suggestions that southern officials meet in an attempt to map ways of meeting the threat of forced integration in southern states, he said:

"I'd be highly in favor of such a meeting, but I'd rather we waited until after Atty. Gen (Herbert) Brownell holds his little meeting. He's one of my chief targets and I want him to keep talking."

Cook was referring to Brownell's call of a U. S. Attorneys meeting from 14 southern states for a meeting in December in Washington, D. C. to develop the program for enforcing the Supreme Court bus decision.

Cook said that a boycott by white people was the best means of staving off bus integration in Georgia and he flatly predicted that this would happen in every municipality in the state if Federal courts order an end to segregated seating.

"I personally would (not ride the buses) because of the principal involved, not because I do not like Negroes."

Cook further stated that he believed all Georgia cities would decline to renew bus franchises with companies that are forced to integrate.

Greyhound denies defiance of ICC

Afro-American
Baltimore Md.

NEW YORK — "If Greyhound buses are stopping at bus stations in the South which still display 'white' and 'colored' signs, the Greyhound Company and they are stations not owned by over which the Greyhound has no control."

1-21-56

This was the comment of the traffic control manager of the Greyhound Bus Co. here Friday when an AFRO reporter called his attention to the fact that some bus stations in the South displaying the Greyhound sign have not taken down their "white" and "colored" signs.

THE INTERSTATE Commerce Commission ordered that all such signs be taken down for interstate passengers by Jan. 10.

"We have never gone along with segregating passengers on the Greyhound lines," the bus line spokesman said, "as a matter of fact, we were among the first to try to give this new policy a push.

"All the signs are down in stations operated by Greyhound and we are glad to take them down. We do not, however, control some small stations where our buses stop and I feel that the stations you have in mind must be those."

$500,000 Asked In Bus Bias Injury

World-Telegram & Sun
Tues. 1-31-56

Special to World-Telegram and Sun.

RIVERHEAD, L. I., Jan. 31 —A Negro nurse has brought a $500,000 damage suit against the Pennsylvania-Greyhound Bus Lines, charging she suffered permanent physical injuries when she was beaten by a white man after refusing to move to the rear of a bus passing through Alabama last summer, it was disclosed today.

The action was disclosed after attorneys for the bus company, in a Supreme Court hearing, asked for a clarification of the charges in papers filed by Mrs. Anne Loftis, 63, of 4 S. Emerald Lane, North Amityville, L. I.

The bus company asked Justice L. Barron Hill for a ruling whether the firm is accused of negligence, assault or both.

Sol Horenstein, attorney for Mrs. Loftis, contended the company is guilty of both as well as breach of contract since its ticket guaranteed Mrs. Loftis "a safe, comfortable trip."

Justice Hill reserved decision.

Bus Ride Assault Claimed

World
Fri. 2-3-56
Birmingham

RIVERHEAD, N. Y.—(SNS)— A suit for $500,000 was entered by an aged Negro nurse against a bus company because a white passenger allegedly beat the plaintiff up last summer on a trip between Atlanta and Montgomery, Ala.

The complaint was filed for Mrs. Anne Loftis, 63 of North Amityville. She said she refused to comply with an order by the bus driver to move to a rear seat because of "a doctor's order to avoid bumps and jars."

She said a white passenger then "grabbed me by the arms. He yanked me up, banged my head against a metal bar in a seat in front of me, twisted my right arm behind my back and then threw me into a rear seat."

The suit was filed in the State Supreme Court here against the Pennsylvania Greyhound Lines. The New York Supreme Court is a trial court and not the highest court in the state.

Robert Lee, assistant manager of Southeastern Greyhound Lines in Atlanta, said the case has not been brought to his attention. He said it probably would fall under the jurisdiction of Roy F. Robinson, manager of the district where the woman was allegedly assaulted.

Illinois Central tears down racial designation signs

Afro-American Sat. 1-7-56

CHICAGO (ANP) — The Illinois Central Railroad, acting on an order from the Illinois Commerce Commission, has started putting into effect a plan to end segregation of white and non-white passengers by Jan. 10.

A spokesman for the railroad said it "is in compliance" with the state commission's ruling of last Wednesday and the Interstate Commerce Commission order of Nov. 25 directing railroad and bus companies to cease jim crow practices.

Baltimore, Md.

Illinois Central has already notified agents to integrate passengers on coach trains loaded in Chicago for points south, the spokesman said, and similar notices are being sent to agents in southern states.

* * *

SEVERAL YEARS ago formal complaint was field with the Illinois commission against segregation by Illinois Central, particularly as to its loading of passengers in Chicago.

When the Illinois commission ordered the railroad to cease its loading practices, Illinois Central appealed to the Illinois Supreme Court which held the subject matter was one for the Interstate Commerce Commission to decide.

The railroad then appealed to the United States Supreme Court which refused to review the Illinois case.

* * *

CHAIRMAN George Perrino of the Illinois commission said the integration order, effective immediately, applies to intercity buses, city buses and street cars, and airplanes as well as railroad passengers.

He said the common carriers have indicated they will not appeal either the interstate order of the Illinois order.

Last week, an Illinois Central representative in Mississippi gave notice that he will abide by the order. He ordered the "Colored" and "White" signs removed from train depots throughout the state.

But the Mississippi public service commission and Gov.-elect J. P. Coleman declared the station will not be integrated.

To keep the present segregated waiting rooms, the Mississippi commission plans to fine any public utility $50 a day for disregarding the state law which prohibits mixing of the races.

CITY REPLACES SEGREGATION SIGNS AT LOCAL R. R. DEPOT

Baltimore Afro-American Sat. 1-7-56 p. 2

Acting in compliance with the recent directive of the U. S. Interstate Commerce Commission officials of the Illinois Central Railroad had the segregation signs removed from the depot here Monday, only to have them replaced by a new set of signs on order of the City of Jackson.

The new signs painted white, and set on waist-high pedestals designating the White and Colored waiting rooms were set on the sidewalks in front of the Colored and White waiting rooms and in the corridor of the depot. Each sign bears the inscription, "By Order of the Police."

Jackson

No action was reported at the local bus terminals.

Miss.

In Washington a spokesman for the commission said he was cautiously optimistic that the carriers would comply with the order. The Commission he said had adopted a wait-and-see attitude before deciding whether to crack down on violators. Carriers who refused to comply with the order face fines up to $5000 for each offense.

It was pointed out that one of the complications of the order was that it applied only to interstate passengers. That brought on such a situation as at Charlotte, N. C., where the old signs have been replaced by new ones reading, "Colored Intrastate Waiting Room."

38b 1956

INTERSTATE COMMERCE COMMISSION

Station Signs Come Down

Afro-American
Baltimore Md.

By LOUIS LAUTIER

WASHINGTON (NNPA) "Colored and "white" signs over railroad and bus station waiting rooms and rest room facilities were being lowered through the South during the weekend.

The move is in compliance with a ruling of the Interstate Commerce Commission which gave buses and railroads until Tuesday, Jan. 10 to comply.

Twelve railroads, a rail terminal company and a bus line were affected by the ICC order to cease-and-desist from maintaining and requiring the use of segregated accommodations in railway coaches, trains and station waiting rooms by colored interstate passengers.

Sat. 1-14-56

THE BALTIMORE AND OHIO, which operates in Maryland and West Virginia but was not one of the defendants in the two cases, said it had no problem because segregated facilities over its line had long been abolished.

The Chesapeake and Ohio, which operates in Kentucky and Virginia, but also was not a defendant, said it did not have much of a problem as it carries no segregated coaches.

Compliance with the order by abolishing segregated waiting rooms and complying with the state laws requiring segregation was under discussion, a spokesman said.

* * *

THE SOUTHERN RAILWAY, which operates between Washington and the Deep South, said signs on its waiting rooms would come down as far as interstate travelers were concerned, but segregation laws in the southern states in which it operates would have to be obeyed so far as intrastate passengers were concerned.

Obviously, this means that the Southern plans to follow a practice of nonsegregation as to waiting rooms for interstate passengers, but would still maintain rooms for passengers whose travel begins and ends within a state.

The Southern said segregation on its trains already had been effectively abolished.

W. Thomas Rice, president of the R. F. and P., said segregation signs would come down on its waiting rooms between Washington and Richmond. He said his line had no problem concerning intrastate and interstate passengers.

Afro-American

MR. RICE said, however, that his railroad could take no action with respect to space leased to the Union News Company in the Broad Street Station in Richmond.

The Union News Company operates segregated public lunch rooms in the station. The Broad Street Station is operated by the Richmond Terminal, a corporation jointly controlled by the R. F. and P. and the Atlantic Coast Line.

The ICC dismissed the complaint against the Union News Company on the ground that it had no authority over the lunch room.

* * *

IT COULD not be ascertained here Friday what the Texas and Pacific railroad intends to do. The complaint against it also was dismissed because the record contained no evidence relating to its practices with respect to interstate passengers.

The other railroads affected by the order, whose intentions also are unknown, are: The St. Louis - San Francisco Railway Co., the Louisville and Nashville Railroad Co., the Atlantic Coast Line, Seaboard Air Line, Missouri Pacific Railroad Co., Atchison, Topeka and Santa Fe, Gulf, Colorado and Santa Fe, and the Panhandle and Santa Fe.

Also under orders to cease segregation on its buses is the Carolina Coach Company.

SIGNS OF THE TIMES—Workmen are shown removing jim crow signs from Richmond's Broad Street station, in compliance with the Interstate Commerce Commission's ruling. Such signs were also coming down in bus and railroad terminals throughout the South to meet the Jan. 10 deadline fixed by the ICC.—(Henderson photo.)

2 Dixie Railroads Begin Integration

Baltimore Md. Afro-American 1-10

WASHINGTON — (ANP) — Two railroads operating in the Deep South — the Southern Railway and the Richmond, Fredericksburg and Potomac Railroad — began operating last Tuesday on a non-segregated basis, complying with an Interstate Commerce Commission order to end Jim Crow practices by Jan. 10.

Sat. 1-14-56

The Southern Railway, which operates between Washington, D. C. and the Deep South, announced that "colored" and "white" signs on its waiting rooms were taken down as far as interstate travelers were concerned.

For Non Compliance Of ICC Rule

Informer Sat. 1-21-56 P. 1 Houston, Tex.

RRs, Bus Terminals May Face Action

By LOUIS LAUTIER

WASHINGTON, D. C. (NNPA) — Action will have to be brought against railroads, bus lines and terminal companies which were not covered by the order of the Interstate Commerce Commission to cease and desist from practicing racial segregation of interstate passengers, if they are not voluntarily complying with the order.

This was the opinion of informed sources who were asked Saturday about steps which would have to be taken to compel all railroads, bus lines and terminal companies to comply with the order.

HOUSTON — In Houston the situation was about the same when a check was made Monday. Three passenger terminals were still maintaining their separate waiting rooms and cafes. No signs had been moved at the MK&T (Katy) railroad station, and the Greyhound and the Continental bus stations.

The ICC has original jurisdiction to determine whether a common carrier, engaged in interstate commerce, is violating the Interstate Commerce Act by subjecting any particular person to any undue or unreasonable prejudice or disadvantage in any respect whatsoever, and complaints of such discrimination should be filed with it.

Belford V. Lawson, Jr, an attorney, said he thought contempt proceedings could be brought in Federal district courts against any of the twelve railroads, the rail terminal company and the bus line, to which the ICC issued its order, if they fail or refuse to comply with it.

ICC Decree Defied In La. And In Mississippi

Daily World Atlanta, Ga. Thurs. 1-19-56

WASHINGTON —(ANP)— Traditional separation of Negro and white inter-state passengers in the South, made legal 123 years ago by a Supreme Court opinion, faded away Tuesday in scores of southern cities as railway, bus and airline officials quietly complied with the Interstate Commerce Commission's directive to tear down the "White" and "Colored" designations of waiting rooms.

Signs dividing the races were removed in such strong segregation centers of the south as Birmingham, Ala., Atlanta, Ga., Tallahassee, Fla., Columbia, S. C. and Richmond, Va.

But officials in Mississippi and Louisiana defied the federal order and ordered continued rigid enforcement of state laws requiring separate facilities for whites and Negroes on public travel conveyances within state borders.

Gov. Robert F. Kennon of Louisiana, describing the ICC ruling as illegal, told all state, parish and municipal officials in his state to disregard the integration order.

He said the ICC order directly violated the Supreme Court opinion in an 1883 civil rights case to the effect that the regulation of accomodations and facilities for public conveyanes was reserved to the states under the 10th Amendment. Kennon said that policy had never been amended.

Mississippi also resisted the order, but less dramatically.

In Jackson, Gulfport and Green wood, Miss., railroad and bus officials had taken down the white and colored signs on waiting rooms but city officials replaced them with their own under local segregation laws.

Chief W. D. Rayfield of the Jackson city police said his men will be stationed at the Illinois Central Railroad depot to enforce the city's stand if necessary.

Mayor A. S. Scott of Laurel said train and bus stations will remain segregated. And at Hattiesburg, the Southern Railway put a sign reading: "Colored Waiting Room for Interstate Passengers" over the old colored waiting room.

The ICC had not attempted to regulate segregation of passengers in travel within a state, but the interstate order presented a ticklish problem of separating local from "through" passengers.

Meanwhile, in Washington, the ICC adopted a wait-and-see attitude on the matter of enforcement.

An ICC spokesman said he was cautiously optimistic that the carriers would comply with the anti-segregation order.

Here, state by state, is how the ICC order was met:

ALABAMA—In Birmingham, the Louisville and Nashville Railroad discarded segregation rules at its station without incident. The waiting room for Negroes at the terminal station was marked "Colored Intrastate Passenger Waiting Room" The room reserved for white passengers before the ICC order now is marked by a sign reading simply: "Waiting Room."

Drivers for the Southeastern Greyhound Bus Line were told by company officials that "intrastate passengers may be courteously requested to comply with the law" but that nothing further be done if a passenger declines to do so."

ARKANSAS—An official for the Frisco Railroad said at Little Rock, Ark., that the line was removing "white" signs in rooms formerly reserved only for white passengers.

GEORGIA—H. A. Debutte, president of the Southern Railway System, biggest user of the Atlanta terminal station, said the system is complying with the ICC ruling. A Negro sailor took a seat in the white waiting room and stayed there a long time. A number of other Negroes passed through the white waiting room instead of using their usual entrance.

Atlanta airports and bus terminal spokesmen said segregation always had been "informal" at those places and was continuing on that basis

FLORIDA — The ICC ruling brought little change in Florida's capital city of Tallahassee. The Seabord Airline Railroad took down the white sign over the door of its main waiting room and changed the sign over the former Negro waiting room to read: "Colored Intra-state."

Daily World

A depot official explained if a Negro wanted to buy a ticket across the state line he can come in the old waiting room, buy his ticket and wait for his train. If he wants to purchase a ticket to a point inside Florida, he will be directed to the "Colored Intra-State" waiting room.

There was no change of "white" and "colored" signs at the airport or at either of the city's two bus stations.

LOUISIANA—Gov. Kennon ordered all officials to continue rigid enforcement of state laws requiring separation of the races on public travel conveyances within state borders. He said the ICC order violated an 1833 Supreme Court decision.

MISSISSIPPI—Asst. Atty. Gen. Joe Patterson said it is a misdemeanor to violate the state's segregation laws, punishable by fines of $100 to $1,000. Several Mississippi legislators indicate a bill will be introduced this week to define state authority over waiting rooms and penalties for violation.

Signs dividing the races remained up in rail and bus stations in Jackson, Gulfport and Greenwood, Miss. Police will be used to enforce the city's stand in Jackson, if necessary, officials said.

NORTH CAROLINA— At Asheville, the Southern Railway has removed "Colored Waiting Room" signs and replaced them with "Waiting Room" signs at its passenger terminal. Conductors have been verbally instructed to make no segregation designations on trains carrying interstate passengers.

Separate waiting rooms, rest rooms and eating facilities at Union Bus Station remained although the bus lines have complied with the ICC order.

Rail Segregation Ending For 2; Has Effect Here

Constitution p. 20
Atlanta Ga.

The New York Times News Service

WASHINGTON, Jan. 4—At least two railroads operating in the South intend to comply with an Interstate Commerce Commission order to end segregation on trains, buses, and waiting rooms. The order applies to interstate travel.

Times 1-5-56

Southern Railway and the Richmond, Fredericksburg and Potomac Railroad said they would comply by Jan. 10, the ICC deadline.

Southern Railway, which operates between Washington and the deep South, said the segregation signs on its waiting rooms would come down as far as interstate travelers were concerned. However, the Southern operates in many states with segregation laws and these would have to be observed with respect to intrastate travel.

In principle this would mean separate waiting and rest room facilities for Negro and white passengers who start and end their trip within one state. But distinguishing between an interstate traveler and an intrastate traveler at any given station seemed to make the segregation impractical.

Southern said segregation on the trains already had been effectively abolished.

(Southern Railway is a major stockholder in Atlanta Terminal Co., operator of Terminal Station in Atlanta. Other railways which use and jointly own the terminal are Central of Georgia, Seaboard Air Line and Atlanta and West Point companies.

(S. R. Young, president of A&WP, said, "It is safe to say that Southern's policy will probably be Atlanta Terminal's policy."

(The station's expenses are paid by the railroads according to how much they use Terminal facilities. Southern uses the facilities more than any of the other companies.

("Whatever Southern decides to do, A&WP will have no objection," Young said. W. E. Dillard of Savannah, president of Central of Georgia, said. "We will comply with the law just as we always have.")

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Checkerboard Pattern Seen In ICC Ruling

Daily World
Jan. 2-8-56
Atlanta Ga.

BY ROBERT H. DENLEY
International News Service

The outlook today was for a checkerboard pattern of compliance and defiance when conflicting federal and state regulations governing racial relations bump heads again in the south next week. This time it will be in the fiel dof transportation.

On Tuesday, an Interstate Commerce Commission order barring segregation will go into effect.

Officials of some deep south states however, maintained that state laws requiring that very segregation remain in effect and will be enforced.

Left in the middle are the railroads and bus lines to whom the ICC order was directed.

The order bars racial discrimination among interstate passengers on trains and buses and at the train and bus terminals.

The order does not bar discrimination among travelers within the borders of a single state.

Some railroad terminal officials thought they would try to maintain the customary "white" and "colored" waiting rooms for passengers in intrastate travel, while discarding such designations for those traveling interstate. A poll failed to uncover any who had a specific plan for accomplishing that.

The Southern railway announced it would comply with the ICC order concerning interstate passengers and with state laws as far as intrastate passengers go.

The Louisville and Nashville Railroad announced racial segregation will end for all interstate passengers over its 4,700-mile system next Tuesday. Separate coaches, however, will be providd for Negroes in intrastate travel.

SEGREGATION ABOLISHED

Commercial Appeal

Waiting Room Signs Removed At Atlanta Terminal

WASHINGTON, Jan. 5.—(AP)—Segregated waiting rooms for interstate rail passengers at the Atlanta, Ga., terminal station have been abolished in compliance with an Interstate Commerce Commission order, a spokesman for the Southern Railway System said Thursday.

Fri. 1-6-56

Signs designating white and Negro waiting rooms for interstate passengers have been removed, the spokesman said.

Memphis

He told a reporter, however, that a sign designating a separate room for Negro intrastate passengers will be erected shortly to comply with Georgia laws.

The official admitted that distinguishing between intrastate and interstate passengers would be a problem. Specific details on operation of the new waiting room setup apparently remained to be worked out.

Action mixed in ICC order to end segregation

News p. 1
Birmingham Ala.

By The Associated Press

An order by the Interstate Commerce Commission to end segregation on railroad and bus facilities and in waiting rooms became effective yesterday.

Some Southern officials began at once to comply with the order. Others voiced strong opposition.

Wed. 1-11-56

In Louisiana, Gov. Robert F. Kennon gave orders for continued segregation of white persons and Negroes on public carriers within the state's borders.

STEPS WERE ALSO taken in Mississippi for continued enforcement of segregation laws in rail and bus stations; signs separating the races remained posted in rail and bus stations at Jackson, Gulfport and Greenwood.

Police stood by to enforce segregation measures at the Illinois Central Rail Station at Jackson, if necessary.

ICC Race Order Defied in South

Post and Times Herald p. 11
Washington, D. C.

ATLANTA, Jan. 10 (UP)—The Governor of Louisiana today branded as illegal a Federal order to integrate public waiting rooms, but many Southern cities quietly complied with it.

Today was the deadline for carrying out the Interstate Commerce Commission's directive to tear down the "White" and "Colored" designations of waiting rooms at railway and bus stations and airports.

But Gov. Robert F. Kennon of Louisiana ordered all officials in his state to continue rigid enforcement of state laws requiring separate facilities.

He said the ICC order directly violated a Supreme Court opinion in an 1833 civil rights case to the effect that the regulation of accommodations and facilities for public conveyances was reserved to the states under the 10th Amendment.

Neighboring Mississippi also resisted the order. In Jackson, the capital, railroad and bus officials had taken down the white and colored waiting room designations but city officials replaced them with their own under local segregation laws. Similar action was taken in other Mississippi cities.

At Hattiesburg, Miss., the Southern Railway put up a sign reading: "Colored Waiting Room for Intrastate Passengers' at the old "Jim Crow" waiting room. The ICC had not attempted to regulate segregation of passengers in travel within a state, but the intrastate order presented a ticklish task of separating local from "through" passengers.

There was no report, however of any Negroes using the former all-white waiting room at Hattisburg.

In Birmingham, Ala., the Louisville & Nashville Railroad discarded segergation rules without incident.

A "intrastate" waiting room for Negroes was designated at the terminal station in Birmingham as in Hattiesburg. The same action was taken at Charlottle, N. C., and Greenville, S. C., also points in the Southern Railway system.

At Atlanta, one Negro woman, who identified herself as Lurlene Barber of West Point, Ga., sat today in the former all-white waiting room at the big terminal railroad station. She said she missed her train and would wait until 9 p. m. for another. Her presence caused no excitement.

At the Atlanta Union Station signs were taken down, but an attendant said several Negro travelers inquired which was the "colered" waiting room and took seats in the old segregated area.

(In Washington, the ICC said it had received no complaints yet on possible violations of its order. A spokesman said the Commission plans no action on possible violations until reports are received from field employes.)

Official Mum On Dropping Of Jim Crow Car

Informer p. 1
Houston, Tex.
Sat. 1-14-56

HOUSTON — An official of the Southern Pacific Railroad's Houston office neither confirms nor denies a report published in a Los Angeles newspaper that the SP's "Car No. 20," the Jim Crow car attached to the Sunset Limited, had been dropped in compliance with the Interstate Commerce Commission. The crack Sunset leaves Los Angeles daily for Houston and New Orleans.

H G Carter, public relations officer with the Houston SP office, when asked to confirm the report, said another SP official, a Mr Gray, would call The Informer and make a statement. That was Monday afternoon. At presstime today, no one from the SP office had called.

The California Eagle, a Los Angeles newspaper, stated in its January 5, edition, the paper had learned that SP officials had ordered the all Negro car (which usually accommodates Negroes traveling from California to Texas and Louisiana) be dropped as of Sunday, January 8.

The Eagle said it learned that henceforth all passengers loading in Los Angeles will be seated on a first come, first-serve basis, regardless of the traveler's destination or racial identity.

This action, if valid, is in harmony with the Interstate Commerce Commission's ruling last November 25, which directed that a person traveling inter-state on trains and busses could not be segregated because of his color. The ICC also directed that Southern train depots and bus stations remove all "Colored" and "White" signs from waiting rooms, cafes, and wash rooms.

South Shows Varied Reactions To Transit, Other Bias Issues

By PAT J. McDONNELL
For International News Service

Two Southern states resorted to police powers Tuesday to enforce racial segregation at Terminals serving interstate travellers, while other states generally ignored the order of the Interstate Commerce Commission.

The ICC order to end seperaae facilities in airline, railroad and Bus terminals went into effect at midnight Monday. But there was no

Meanwhile, there were other developments in the South touching upon segregation in the schools and public recreational facilities.

Gov. Thomas B. Stanley and Virginia pro-segregation leaders moved ahead with plans for a constitutional convention to authorize a "private" school system supported by tax money. Virginians approved the plan by a 2 to 1 majority in a statewide referendum, in a rejection of the Supreme Court's school segrega- general effort in the South to comply.

tion order.

COLUMBUS GOLF CASE

In Columbus, Ga. Negro citizens formally asked the city commission for authority to use the municipal golf course, which is operated under lease by the Lions Club. Negroes had been turned down in an effort to play on the course earlier.

This Commission accepted the petition and advised a 20 man degelation: "You will hear from us in due time."

A. L. Haden, Jr., Director of the county States Rights Council of Georgia told the Commission it should not consider itself bound by the recent Federal decision which opened Atlanta Municipal Golf Courses.

Louisiana and Mississippi resorted to police powers to preserve segregation in disregard of the Interstate Commerce Commission order

In Jackson, Miss., where railroad and Bus lines removed "for Colored Only" signs in waiting rooms, city police put up new ones, and extra uniformed police were on duty at terminals to "preserve order." Similar action was planned in Laurel, Gulfport and Greenwood.

LOUISIANA ACTION

In Baton Rouge, La. Governor Robert Kennon termed the ICC order "unconstitutional" and ordered police of all levels to enforce the State's segregation laws.

There were no reports of attempts by patrons to cross the segregation lines.

Elsewhere in the South, the picture was one of transportation companies trying to observe conflicting Federal and State directives.

Bus terminals said they would not enforce segregation in Nashville, but the traditional "white" and

Lee Garner, 6-11 center-guard, Many, La.; and Willie Thomas, 6-4 forward, Tennessee State, Nashville, Tenn.

Turmon, in his irst year as a Globetrotter, appears well on his way to making all predictions pounds, a good shot, ball-handler come true. He is fast for his 225- and passer and uses his height to good advantage on rebounds. He is being carefully groomed in the Globetrotter organization, for they eye him as a valuable piece of property for years to come in team spangles.

Southern R Rs Make Move To End Bias

WASHINGTON — Indications here are that the Southern railroads are moving toward the end of racial bias on interstate trains. Among those heard from prior to January 10 were the Southern Pacific, the Baltimore and Ohio, the Maryland and West Virginia, the Chesapeake and Ohio, and the Fredericksburg and Potomac. All expressed the intention to comply with the Interstate Commerce Commission's ruling, ending bias in interstate travel on January 10.

Some roads, such as the Baltimore and Ohio, the Maryland and West Virginia, and the Chesapeake and Ohio, operating on the Eastern seaboard, indicated that they would have very little trouble. Some had already ended segregation on the trains and only had the question of the waiting rooms.

Some few were trying to comply with the ICC ruling and also with the local state laws. In such cases the roads were taking down the signs "For Colored" generally, and putting up signs saying, "For Colored Intrastate Passengers" over the original room that was for colored altogether.

It is believed generally that this will not have very much effect because of the difficulty of telling who are intrastate and who are interstate passengers. It is more or less a gesture toward the state laws against the mixing of races, and will permit the respective roads to prove that they are complying with state law by putting a sign up.

However, since the segregation laws are generally enforced by the roads themselves, rather than the local police force, it is believed that the roads will ignore where Negro passengers sit and not inquire too closely as to whether they are interstate or intrastate.

Some of the roads are taking the attitude that they will do nothing about lunch counters, because they are leased. It is anticipated that this will settle itself in some instances by the lessees permitting the Negroes to eat, and in other cases by lawsuits.

In the case of the Missouri Pacific at Houston, they have one large section, or alcove sort of room for Negroes. It is believed that this road will solve the problem by removing the "For Colored" sign up over the alcove section.

In the case of the S. P. station at Houston, there is less trouble. The S. P. has colored and white waiting rooms, but they have moved the ticket window over to the white side exclusively, and Negroes have already been sitting over there.

For many it has been surprising that there has been such little hubbub or protest made over this ruling of the ICC on the part of the Citizens Committees. If this lack of noise continues, the problem will settle itself by the roads refusing to take any official notice of where people sit.

The S. P. gave notice last week in California that they were pulling off the special car that they had run on their crack train, called Car No 20, in which they had been putting Negroes.

ICC Order Not Enforced In Atlanta Yet

Officials of local common carriers will await direct orders from the Interstate Commerce Commission before abolishing racial segregation in railroad and bus stations catering to interstate travelers. The deadline was placed at January 10.

Meanwhile a Southern Railway spokesman said in Washington Thursday that segregated waiting rooms for interstate railway passengers is forbidden at Atlanta's Terminal station. The order has not been officially received here, local officials claimed.

A local railroad spokesman indicated that something "would probably be done" after he was informed that a Washington official heralded the end of segregation in stations in compliance with an order by the Interstate Commerce Commission.

A local spokesman for the Greyhound Bus Company revealed that he would not make a move to desegregate until official word is received from ICC. However, he would abide by the decision would not be his, he indicated.

The vice-president of the Southern Railway Co. and president of Atlanta Terminal Co., H. W. Bondurant, was away on business and could not be reached for comment. Bondurant's subordinate, however, said he doubted if anyone here could comment until the order is received from Southern headquarters. He theorized that the spokesman in Washington represented Southern headquarters.

The Washington spokes told reporters that signs designating separate waiting rooms for white and Negro interstate passengers have been removed from Terminal Station, but that signs to segregate Negro intrastate passengers would be erected in order to comply with Georgia's conflicting segregation law.

Most Waiting-Room Bias Ends

Louisiana, Defying I. C. C., Cites 1833 Court Decision

By The United Press

ATLANTA, Jan. 10. — Gov. Robert F. Kennon of Louisiana today branded as illegal a Federal order to integrate public waiting rooms, but many Southern cities quietly complied with it.

Today was the deadline for carrying out the Interstate Commerce Commission's directive to tear down the "white" and "colored" designations of waiting rooms at railway and bus stations and airports.

But Gov. Kennon ordered all state, parish and municipal officials in his state to continue rigid enforcement of state laws requiring separate facilities for the races at such stations.

He said the I. C. C. order directly violated a Supreme Court opinion in an 1833 civil rights case to the effect that the regulation of accommodations and facilities for public conveyances was reserved to the states under the 10th Amendment. Gov. Kennon said that policy had never been amended.

Neighboring Mississippi also resisted the order. In Jackson, the capital, railroad and bus officials had taken down the "white" and "colored" waiting-room designations, but city officials replaced them with their own under local segregation laws. Similar action was taken in other Mississippi cities.

At Hattiesburg, Miss., the Southern Railway put up a sign reading: "Colored Waiting Room for Intrastate Passengers" at the old colored waiting room. The I. C. C. had not attempted to regulate segregation of passengers in travel within a state, but the interstate order presented a ticklish task of separating local from "through" passengers. There was no report, however, of any Negroes using the former all-white waiting room at Hattiesburg.

In Birmingham, Ala., traditionally one of the strongest pro-segregation centers of the South, the Louisville & Nashville Railroad discarded segregation rules at its station without incident.

An "intrastate" waiting room for Negroes was designated at the terminal station in Birmingham as in Hattiesburg. The same action was taken at Charlotte, N. C., and Greenville, S. C., also points in the Southern Railway system.

In Atlanta, one Negro woman, who identified herself as Lurlene Barber, of West Point, Ga., sat today in the former all-white waiting room at the big Terminal Railroad Station. She said she missed her train and would wait until 9 p. m. for another. Her presence caused no excitement.

At the Atlanta Union Station signs were taken down, but an attendant said several Negro travelers inquired which was the "colored" waiting room and took seats in the old segregated area. One Negro man, however, sat for an hour and a half in the former white waiting room. Atlanta airport and bus terminal spokesmen said segregation had always been "informal" at those places and was continuing on that basis.

No Complaints to I. C. C.

WASHINGTON, Jan. 10 (UP.)—The I. C. C. said today it has received no complaints yet on possible violations of its order to end racial segregation in trains, buses and waiting rooms.

Probe of N. A. A. C. Asked

ATLANTA, Jan. 10 (UP.)—Georgia officials asked the state Legislature today to scrutinize the National Association for the Advancement of Colored People for possible subversive influences.

State Attorney Gen. Eugene Cook sent 350 pages of photostatic reports to leaders of the state General Assembly and in a letter to each member accused the N. A. A. C. P. of "fomenting strife and discord." Mr. Cook, unable legally to propose legislation, said he was submitting results of Georgia's months-long official investigation for "appropriate action."

Gov. Marvin Griffin in his message to the legislature on the State of Georgia's affairs formally asked for adoption of a long-proposed "private-school" plan to combat the United States Supreme Court decision outlawing public school segregation.

"The hour for action is here," Gov. Griffin said. "Unless we act, and act decisively, we will see, one by one, the reserved powers of the sovereign states trampled under foot."

Dispute in Virginia

RICHMOND, Va., Jan. 10 (UP.)—A spokesman for the N. A. A. C. P. said today that legal recourse will be taken if necessary to block any Virginia maneuver that would keep segregation in the schools.

Virginians voted two-to-one yesterday in favor of a program designed to sidestep the Supreme Court's order to integrate the races in public schools.

With 1,762 of the state's 1,861 precincts reporting, unofficial tabulations showed 300,172 votes for the program and 143,106 against.

Oliver W. Hill, N. A. A. C. P. attorney, said that if Virginia does not show good faith toward the Supreme Court's order, legal steps will be taken. N. A. A. C. P. officials did not say what those steps would be, however, and indicated they would await further developments before deciding.

Segregation Must Remain, APSC Orders

MONTGOMERY, Jan. 13 (U.P.)—The Alabama Public Service Commission ordered segregation to remain in interstate transportation facilities today, a direct countermand to an earlier ruling by the Interstate Commerce Commission.

PSC President C. C. (Jack) Owen reported his office is sending out letters to all interstate carriers in Alabama, directing them to maintain segregation in all vehicles and waiting rooms. He said similar letters will be distributed to all city law enforcement agencies over the state.

The PSC's order was in direct opposition to the earlier ICC ruling ordering an end to segregation in interstate carriers.

It was the second Alabama rebuff to the ICC order in as many days. A Barbour County grand jury yesterday reported it would continue to recognize Alabama segregation laws and blamed a breakdown in race relations on court actions that have ordered integration.

Owens said, "We are directing all public carriers to keep segregation signs in their stations in compliance with Alabama law. It is the law of the state and we intend to uphold it to the best of our abilities as long as it is on the books."

Owens said the letters were being directed to all "the presidents of all bus and train companies operating in Alabama."

Patterson said he moved enough wreckage to get into the room to help firemen get her through the window covered with burglar bars, which had to be pried apart.

He said the two dead men, plus Jimmie Jenkins and Foreman W. M. Taylor, had gone to work on the boiler because they did not have enough steam to operate the plant.

He said Taylor had stepped back into another department just before the blast occurred.

Jan. 10 'D' (Down) Day For Travel Bias Signs

By ROBERT H. DENLEY

ATLANTA,—(INS)—The outlook this week was for a checkerboard pattern of compliance and defiance when conflicting federal and state regulations governing racial relations bump heads again in the South. This time it is in the field of transportation.

On Tuesday, an Interstate Commerce Commission order barring segregation was to go into effect.

* * *

OFFICIALS OF some deep South States, however, maintained that state laws requiring segregation in that field still stand and will be enforced.

Left in the middle are the railroads and bus lines to whom the ICC order was directed.

* * *

THE ORDER BARS racial discrimination among interstate passengers on trains and buses and at the train and bus terminals.

The order does not bar discrimination among travelers within the borders of a single state.

Two railroads operating in the Deep South,—the Southern Railway and the Richmond, Fredericksburg and Potomac Railroad—began operating Tuesday on a non-segregated basis, complying with an Interstate Commerce Commission order.

* * *

THE SOUTHERN Railway, which operates between Washington, D C. and the Deep South, announced that "Colored" and "White" signs on its waiting rooms were taken down as far as interstate travelers were concerned. However the Southern operates in many states with segregation laws and these would have to be observed with respect to intrastate travel.

In principle, this means separate waiting rooms for Negro and white passengers who start and end their trip within one state. But distinguishing between an interstate and intrastate passenger at any given station seemed to make the segregation impractical.

* * *

W. THOMAS RICE, president of the Richmond, Fredericksburg and Potomac, said the segregation signs would come down on its waiting rooms between Richmond and Washington. He said his line had no problem concerning interstate and intrastate travelers.

Several other railroads operatnig in the South said they have no problem.

* * *

THE BALTIMORE and Ohio, which operates in Kentucky and Virginia, said there is no segregation on trains. Officials said conforming with the ICC decree on waiting room facilities and complying with state segregation laws was under discussion.

The Illinois Central Railroad, operating from Chicago to Louisiana, ordered integration of its trains and railroad stations shortly after the ICC handed down its decree.

38b 1956

INTERSTATE COMMERCE COMMISSION

Survey On ICC Ruling Shows Lagging Response

Defender Sat. 1-21-56 p.1

BIRMINGHAM, Ala. (NNPA) — An on-the-scene survey shows spotty compliance here with the order of the Interstate Commerce Commission for abolition of racial segregation of interstate passengers in railroad coaches, buses, and waiting rooms.

The survey, made by the Birmingham World, reveals that:

At the Terminal Station all racial signs have been removed except one. There are signs over one waiting room reading "Colored Intrastate Passenger Waiting Room."

SIGNS DOWN

All racial signs are down at the Louisville and Nashville shed except one indicating "Colored Lunch Room."

One racial sign was on display at Trailways Bus depot saying "Colored" with an arrow pointing to the colored waiting room.

GREYHOUND OBSTINATE WORLD OVER

No racial signs have been removed at the Greyhound bus terminal, with seven in open display saying "Colored Waiting Room," two saying Colored Baggage Room," and four with one word "Colored" on the four doors of the two entrances to the colored waiting room.

There is no waiting room at the Terminal Station designated for white intrastate passengers.

The deadline for compliance with the order was Jan 10.

The Louisville and Nashville Railroad, one of twelve railroads which were defendants along with a rail terminal company and a bus line in proceedings brought before the ICC by the NAACP, discarded segregation rules at its station without incident.

Informer

COMPLAINT DISMISSED

The Commission dismissed the complaint involving separate lunchroom facilities for white and colored persons in the Broad Street station at Richmond, Va., and, therefore, no cease-and-desist order was issued against the operation of segregated lunchrooms.

The Louisville and Nashville had announced earlier that it was ending racial segregation of interstate passengers on its lines and waiting rooms, except at Memphis where the Union Station is operated by two Tennessee corporations.

R. C. Parsons, vice president of the L. and N., announced in Nashville that racial segregation of interstate passengers throughout the L. and N. system was ended as of Jan. 10.

He said separate coaches would still be provided for colored passengers in intrastate travel.

He pointed out that separate waiting rooms will stil be maintained and, theoretically, colored and white intrastate passengers will use different waiting rooms, but he did not know how they would be separated.

Houston Tex

SEE HOW IT WORKS

"You can't ask every individual there whether he's traveling inside the state or across state lines," he said. "We'll just have to live with it a while and see how it works out."

In other developments on the deadline for carrying out the ICC order, Governor Robert F. Kennon of Louisiana ordered all state, parish (county) and municipal officials in his state to continue rigid enforcement of state laws requiring separate facilities at railway and bus stations.

"OLD MISS"

Mississippi also resisted the order. In Jackson, the capital, railroad and bus officials had taken down the white and colored waiting room signs. But city officials replaced them with their own under local segregation laws. Similar action was taken in other Mississippi cities.

At Hattiesburg, Miss., the Southern Railways put up a sign reading: "Colored Waiting Room for Intrastate Passengers" at the old waiting room formerly used by all colored passengers.

The sign at the colored waiting room at the Broad Street Station in Richmond, which formerly read "Colored," was changed Tuesday to read "Colored Intrastate Passengers."

A survey by the Wilmington Journal of steps taken here to comply with orders of the Interstate Commerce Commission that racial segregation be ended of interstate passengers in railroad coaches, buses and waiting rooms showed:

The Atlantic Coast Line Railroad took down racial signs in waiting rooms. The Seaboard Air Line has one waiting room designated "Colored Intrastate," and a second waiting room has no sign over it.

The Union Bus Terminal has made no changes in its racial signs.

South Obeys, Balks Travel Bias Ban

Defender p.1 Sat. 1-21-56 Chicago, Ill.

Conflicting federal and state regulations governing segregation bumped heads this week in the deep South.

An Interstate Commerce Commission order barring segregation went into effect Jan. 10 but officials in some southern states maintained that state statutes requiring segregation still stand.

The railroads and bus lines affected by the ICC order were left in the middle, so to speak.

The ICC order bans discrimination among interstate passengers on trains and buses and at railroad and bus terminals. It does not bar, however, separation among travelers within the borders of a single state.

Before the order became effective, some railroad terminal officials expressed belief they would attempt to maintain the customary "white" and "colored" waiting rooms for passengers in intrastate travel while abandoning such designations for those traveling interstate.

A survey this week showed no incidents. Its results follow:

ATLANTA — Signs designating separate facilities removed in the railroad terminals. Some Negro travellers use formerly white waiting room without incident but most Negro travellers continued to use former faciilities.

BIRMINGHAM— Separate designations abandoned. No outward signs of discrimination now but no general acceptance immediately by Negro travellers to freely use former white facilities. No disturbances.

COLUMBIA, S. C. — State Commerce Commission reaffirms will continue to enforce state law requiring segregation. Signs removed in railroad terminals.

MEMPHIS — Situation remains the same as before ICC ruling. Segregation still in effect at railroad and bus terminals. Airport never segregated. City fathers apparently will ignore ICC ruling and let things stand as they are, observers say.

p. 2

OKLAHOMA CITY — Jimmie Stewart, local president of the N. A. A. C. P., terms compliance with the ICC order fair. Says few isolated instances where "integration being discouraged." But he believes, he adds, that full compliance can be worked out without need for any court action. C. C. Dillars, station master at Union Railroad Station, reports, "No sign of any kind" restricing colored travellers to certain waiting rooms or rest rooms. Signs taken down Monday but had not been enforced for several years.

HOUSTON — Segregation signs still stand in bus and railroad terminals so far. Transportation company representatives as the local level apparently awaiting instructions from higher eschelon. But apparent little attention is being made by travellers to the ICC ruling.

ARKANSAS — An official for the Firsco Railroad said at Little Rock, Ark., that the line was removing "white" signs in rooms formerly reserved only for white passengers.

FLORIDA — The ICC ruling brought little change in Florida's capital city of Tallahassee. The Seaboard Airline Railroad took down the white sign over the door of its main waiting room and changed the sign over the former Negro waiting room to read: "Colored Intra-state."

There was no change of "white" and "colored" signs at the airport or at either of the city's two bus stations.

LOUISIANA — Gov. Kennon ordered all officials to continue rigid enforcement of state laws requiring separation of the races on public travel conveyances within state borders. He said the ICC order violated a 1833 Supreme Court decision.

MISSISSIPPI — Signs dividing the races remained up in rail and bus stations in Jackson, Gulfport and Greenwood, Miss. Police will be used to enforce the city's stand in Jackson, if necessary, officials said.

NORTH CAROLINA — At Asheville, the Southern Railway has removed "Colored Waiting Room" signs at its passenger terminal. Conductors have been verbally instructed to make no segregation designations on trains carrying interstate passengers.

Separate waiting rooms, rest rooms and eaitng facilities at Union Bus station remained although bus lines have complied with the ICC order.

SOUTH CAROLINA — Waiting rooms at the Union Railway station at Columbia have been partly desegregated. The rooms formerly reserved for white people only show signs saying "Waiting Rooms". The waiting rooms for Negroes have signs reading "'colored Intrastate Passengers".

A similar sign is in evidence at the Seaboard Airline Railroad station several blocks away. Bus stations are also complying with the ICC directive.

TENNESSEE—Nashville, Knoxville and other cities discarded segreagation rules at stations without incident.

VIRGINIA — Richmond's three railroad stations took three different courses of action.

All signs pertaining to racial segregation were removed at the Broad Street Station which serves the Atlantic Coast Line and the Richmond, Fredericksburg and Potomac Railroad.

At the South Richmond station, the "white" sign was changed to "Waiting Room". The "colored" sign became Waiting Room for Colored Intrastate Passengers."

At the Main Street station, used by the Seaboard Airline Railroad and the Chesapeake and Ohio, the traditional signs designating separate waiting rooms were left in place. C &C officials, who control the station, said they are "studying the matter."

38b 1956

INTERSTATE COMMERCE COMMISSION (GALLUP SURVEY)

Southern Negroes Back Integration 3-2 in Poll

Herald Tribune 2/14
New York City, N.Y.

Gallup Survey Shows 6-1 Vote For I. C. C. Segregated Travel Ban

Lives. 2-28-56

By John M. Fenton

Gallup Poll Staff

PRINCETON, N. J., Feb. 27.—The Supreme Court's historic integration decision has directly confronted the forty million people of the South with a problem as grave and unsettling as they have ever had to face.

On the one hand, an overwhelming majority of the South's thirty million whites—as reported yesterday—are bitterly opposed to the idea of integration with the Negro.

On the other hand, there are the South's ten million Negroes. How do they feel on this vital issue? Do they really want to be integrated?

The Negroes in the South share a common desire to give their children the best possible education and to obtain for their race the treatment which they consider to be in keeping with "the American way of life."

Fear Repercussions

But thoughts of integration with the South's vehemently anti-integration whites have caused many a Negro to view with misgivings the possible repercussions when and if the time comes to "mix in."

In addition, just the idea of such a radical departure—for both races—from an accepted Southern way of life has left many Negroes honestly perplexed, confused and wary of precipitate action.

Recently, this reporter spent some time in the Southern states, talking to persons from all segments of the Southen population and working with local reporters from the institute's field staff. We were seeking to determine the "why" of the South's feelings on the segregation problem.

Favors Integration, 3 to 2

What does the Southern Negro want? Results of our interviewing show that by a 3-to-2 ratio he wants to have an integrated educational system. About one Negro in nine at this time is undecided.

Negro sentiment is more strongly in favor of ending segregation in waiting rooms, buses and trains. The recent Interstate Commerce Commission ruling which outlawed segregated travel between states is approved today—among Negroes—by a vote of 6 to 1. Only about one Negro in twenty-five is undecided on this point.

The questions that we asked and their results:

"The United States Supreme Court has ruled that racial segregation in the public schools is illegal. This means that all children, no matter what their race, must be allowed to go to the same schools. Do you approve or disapprove of this decision?

SOUTHERN NEGROES ONLY	P.C.
Approve	53
Disapprove	36
Undecided	11

"The Interstate Commerce Commission has ruled that racial segregation on trains, buses and in public waiting rooms must end. Do you approve or disapprove of this ruling?"

SOUTHERN NEGROES ONLY	P.C.
Approve	82
Disapprove	14
Undecided	4

Idealism and Practicality

Behind the opinions on each side of the picture—the case for integration as well as that for continued segregation—there is a mixture of idealism and practicality.

Those Negroes who favor integration do so mainly for what one might term "idealistic" reasons—the idea that "all men are created equal" or that "We were all made alike, weren't we?"

Other Negroes who favor integration have the opinion that such a move would help their children get a better education or generally increase the Negro's material comforts. Their viewpoint, by and large, is based on "practical" reasons.

"I'm for it," stated a sixty-four-year-old chauffeur from Charleston, S. C., "I think the children will get a better education. As it is now in the South, the colored children don't get as good as the white."

A fifty-two-year-old Atlanta furniture assembler had the following to say about segregation in trains, buses and waiting rooms: "I travel a good bit and some places you go there are no places for colored people. Why, it's a terrible pressure. Our street car service is an example of what we have to go through. There just seems no sense to it."

The case for continued segregation in the schools—a view held by roughly one Negro in three—again has this mixture of idealism and practicality somewhere in its background.

Fear for Children

The main difference is that in the vote for integration, the idealism predominates, whereas in the vote for segregation, practicality is the prime reason. In other words, the possibility of Negro children receiving unequal treatment from white teachers, the threat of trouble and violence when the schools are mixed, and—in some cases—the good chance that most Negro teachers would lose their jobs.

"I wouldn't like it," said a sixty-two-year-old widow from Raleigh, N. C. "Why? Because it would be dangerous—we've never mixed before. I like our way of schools and I think the white people would rise up against it. I think the whites seem to have something against us."

Fear Loss of Jobs

"I think it would throw the colored teachers out of work," commented the wife of a T. V. A. employee in Tuscumbia, Ala. "I just don't think the mixed races would get along together."

Behind the vote for the status quo there is also a small amount of idealism—a desire to "keep things as they always was"—which is seen in the following viewpoint of a school teacher from Augusta, Ga.:

"I'm against it. I have never lived in any other section of the country—I was born and reared here. There are certain things I'm accustomed to and I feel we have done pretty well so far."

I. C. C. Ruling

As the results indicate, the opposition to integration comes primarily in the matter of mixed schools. On the question of ending segregation in waiting rooms and on public conveyances, only one Negro in seven is opposed to such a move. Again, this opposition is provoked mainly by what might result from such action and not because of any principle involved.

Basic to the difference in the size of the disapproval vote on the two questions is the fact that on the two questions is the fact that on the first count, the children are involved, wheras on the second, it is mainly an adult problem. Negroes feel that they can cope with integration difficulties when they are on the scene, but fear the treatment their children might receive in school when they are away from parental guidance and influence.

Age, Education Factors

The stand that a Southern Negro takes on integration depends to some extent on his schooling, his age and whether he lives on a farm or in a city.

Roughly nine out of ten Negroes between the ages of twenty-one and twenty-nine and about the same proportion with college training favor an end to school segregation. Those with grade school educations, those living on farms, and those fifty years of age and over are considerably less in favor of integration.

An indication of the problem facing the Southern white, however, is that in every group of any size in the Negro population and in all parts of the South, there are more persons wanting to be integrated than wanting to remain segregated.

L. & N. Sets Integration Of Interstate Riders

Courier-Journal
Sat. 1-7-56

Changes Due by Tuesday To End Segregation In All but Coaches for Intrastate Travel

"White" and "Colored" signs in Louisville & Nashville Railroad trains will be removed before Tuesday, marking the end of racial segregation of interstate passengers.

This was one of several changes announced by the L. & N. yesterday in conformity with an order from the Interstate Commerce Commission which takes effect Tuesday.

Louisville, Ky.

R. C. Parsons, L. & N. vice-president and general manager, yesterday instructed railroad employees that:

1. All signs designating passenger space by race will be removed from trains.

2. The practice of requiring Negro interstate passengers to change from one coach to another when entering "Jim Crow" states will be discontinued.

3. Interstate passengers will no longer be seated on the basis of their race.

To Meet State Conditions

However, separated sitting places will be provided in at least one coach for Negro passengers traveling within the state, he said.

This must be done, Parsons said, to comply with Kentucky law which requires racial segregation of interstate passengers.

"We're in the middle on this thing," commented Parsons. He noted that the I.C.C. order applies only to passengers traveling from one state to another.

There will be "no change in our present practices" in dining facilities at stations, said Parsons. These eating places are run by a concessionaire, Union News Company, and are not subject to I.C.C. regulations, he said.

A spokesman for the news company said it will continue to operate separate dining facilities for whites and Negroes at the 10th Street Station, Greyhound Bus Terminal, and the Suburban Bus Terminal, Second and Liberty.

There'll be no change in conditions at the Greyhound Bus Terminal here, said Southeastern Greyhound Lines president H. Vance Greenslit, Lexington.

"We make no attempt to enforce segregation now" in either buses or in the terminal waiting room, he said. Present signs on the two waiting rooms labeled "White" and "Colored" will remain.

Bus Lines Not Affected

Unlike the railroads, bus companies have not been specifically ordered by I.C.C. to take down such signs.

"We will not try, and we have not tried, to maintain segregated waiting rooms," said Greenslit. However, in practice, persons using the bus terminal "have segregated themselves," he commented.

The last sign of segregation disappeared six months ago at the Illinois Central Railroad's station at Fort Knox, its agent, W. M. Beard, said yesterday.

At the request of Army authorities at Fort Knox (where no segregation is permitted), a sign designating a separate waiting room for "colored" was removed, and the room closed, Beard said.

2 Others To Comply

At least two other railroads operating in the South said they intend to comply with the I.C.C. ruling by Tuesday.

The Southern Railway and the Richmond, Fredericksburg, & Potomac Railroad said they would comply.

The Baltimore & Ohio, which operates in Maryland and West Virginia, said it had no problem; that segregated facilities had long been abolished.

The Chesapeake & Ohio, which operates in Kentucky and Virginia, said it did not have much of a problem. There is no segregation on the trains. The mechanism of conforming with the I.C.C. decree on waiting room facilities and complying with State segregation laws was under discussion, a spokesman said.

The Southern Railway, which operates between Washington and the Deep South, said the segregation signs on its waiting rooms would come down as far as interstate travelers were concerned. However, the Southern operates in many states with segregation laws and these would have to be observed with respe to intrastate travel.

Bus Driver Given Beating By 2 Soldiers

Courier-Journal
July 2-28-56
Louisville, Ky.

In Serious Condition At Fort Campbell

Fort Campbell, Ky., Feb. 27 (AP)—A Southeastern Greyhound bus driver was reported in "very serious" condition at a military hospital today after an attack by two passengers.

Witnesses told military authorities that Hugh Everette Williams, Jr., 32, Nashville, was beaten by two Negro soldiers who boarded the bus at nearby Hopkinsville, Ky. The bus driver was on the way from Evansville, Ind., to Nashville.

The provost marshal's office here said the investigation has been turned over to its Criminal-Investigation Division. No arrests were made immediately

Officials said several soldiers boarded the bus at Hopkinsville yesterday morning and that two of the group attacked Williams as he stood outside the door at the Fort Campbell bus stop.

One of the assailant knocked the driver to the ground and the other "stomped" him, witnesses said. The two then left the scene in a taxicab.

NEGROES ARE SOUGHT FOR BEATING DRIVER

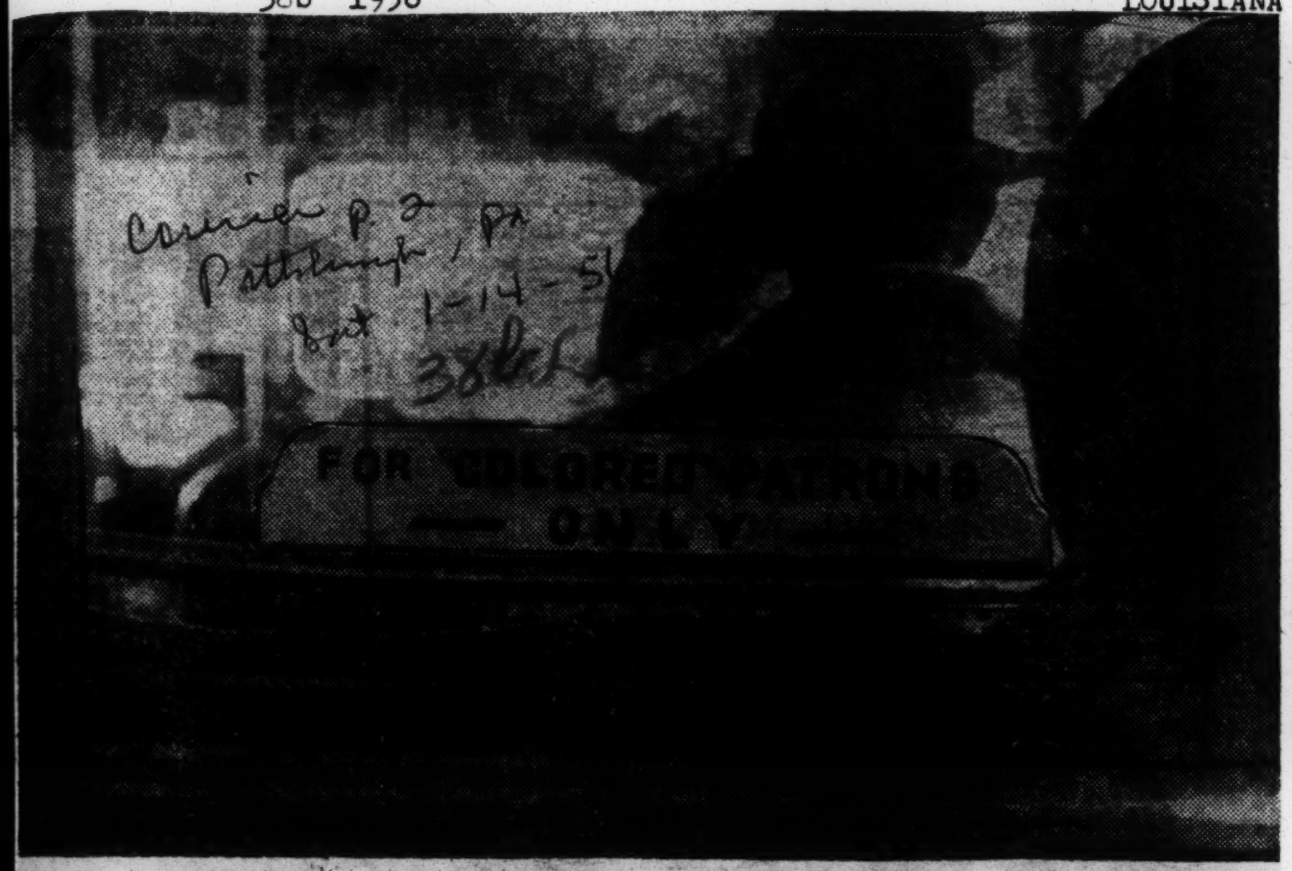
Commercial Appeal
Fort Campbell Soldiers Are Accused Of Attack
Lucas 2-28-56

FORT CAMPBELL, Ky., Feb. 27.—(UP)—Civil and military officials investigated Monday the beating of a white Southeastern Greyhound bus driver by several Fort Campbell Negro soldiers Sunday. Memphis Press

The driver, Hugh E. Williams Jr., 32, Nashville, was assaulted as he stood by the door of his bus to let passengers off at Fort Campbell. He is listed as in a serious condition.

Police said they were informed the third or fourth soldier to get off the bus knocked Mr. Williams down and at least one other soldier jumped on him with both feet.

Officers quoted other passengers on the bus as saying the soldiers had boarded the bus at Hopkinsville, Ky. They said the soldiers "rushed" the bus and Mr. Williams had asked them to stand back and be orderly in boarding.



Caused 72 Arrests—An insulting wooden partition, "For Colored Only," which relegates non-whites to an inferior position, caused the arrest of seventy-two Dillard and Xavier University students from a New Orleans Public Service bus. The students were returning from a basketball game at Xavier Stadium when one removed the partition.—Lunnon Photo.

72 Taken Into Custody

Courier p. 2
Pittsburgh, Pa.
Sat. 1-14-56

Students Freed After Ignoring Dixie Bus Law

38b

By JOHN E. ROUSSEAU

NEW ORLEANS—Municipal Judge Andrew G. Bucaro Thursday night found all seventy-two Dillard and Xavier University students not guilty of disturbing the peace on a public service bus. Four white attorneys, Charles Denechaud Jr., Leon Cambon, Robert E. LeCorgne Jr. and Ralph N. Jackson, pleaded the case.

Bus Driver Francis Roux and white passenger James J. Serpas refused to testify against the students saying, "Theirs was just a normal reaction after a basketball gime." Patrolman Edgar Rodriquez volunteered to sign the affidavit but was unable to identify a girl whom he said led the disturbance caused by removing a jim-crow seating sign.

* * *

STATE JIM-CROW LAWS coupled with the presence of the one white passenger on a public service shuttle bus Wednesday night caused the arrest of three students and their friends who were en route home from a basketball game between Dillard and Xavier universities. All were charged with "disturbing the peace by being loud and boisterous" except one Dillard student, who was charged with "inciting a riot."

All were paroled to Dr. Albert W. Dent, president of Dillard University.

According to police, the students boarded the bus on South Carrollton Avenue, one-half block from Xavier University where the game was played. The driver, Francis Roux, 36, 606 Tucker Street, and one white passenger, James J. Serpas, 631 North Alexander Street, were on the bus.

Roux told police one of the students removed the jim-crow "screen," a small wooden partition which divides white and Negro passenger seating areas, and other Negro students took seats in all parts of the bus. He quoted the state law that if there is one white passenger on a bus, the races must be separated.

* * *

POLICE SAY Roux complained that his remonstrations with the students led to general cat-calling and confusion and their refusal to comply, so he stopped the bus near South Carrollton and Tulane and contacted his supervisor.

Five patrol wagons went to the scene and transported the students to the Third District police station.

Records disclosed that fifty were female and that sixty-one were listed as Dillard students. A check with Xavier University brought information that four students from that institution were involved.

This is the second mass arrest of Negroes in New Orleans for disregarding the jim-crow seating signs on buses. It is recalled that in 1946 some twenty-five Negroes were hauled off to jail while en route home from an East-West baseball game in Pelican Stadium.

'Back Seat' Treatment Resented

call
Sat. 1-13-56 P. 1
Kansas City, Mo.

Xavier Group In Disturbance Over Segregation

NEW ORLEANS.—(INS)— Seventy-three college students who were arrested Wednesday night, Jan. 4, after a disturbance on a New Orleans bus have been cleared of all charges. 38b

The students, from Xavier college and Dillard university, were arrested after a dispute involving the removal of a sign in the bus which designated where Negroes were to sit.

The driver of the bus, Francis Roux, called police when the students failed to heed his request to make room for a white passenger.

Four officers were sent to the scene, but their efforts to quiet the students were met with loud guffaws. They closed the doors of the bus and called for reinforcements.

The students were taken to a station and booked for disturbing the peace and loud and boisterous conduct. They were paroled several hours later to Dr. Albert W. Dent, president of Dillard.

One of the students, Fanny Carver, 17, was charged with inciting a riot, but Judge Andrew G. Bucaro said he found no evidence that any one person was responsible for the disturbance.

The judge remarked that the incident was the result of a "frolicsome mood" brought on by a basketball game between the two schools. The students had just left the game when they boarded the bus.

The disturbance was touched off by an argument over a segregation law requiring Negroes to sit in the rear of public vehicles.

Police arrested the students following the altercation between them and a white bus driver and a white passenger Wednesday night. The students were returning from a basketball game between Xavier and Dillard university.

All but one of the students, Frannie Travis, 17, were charged with disturbing the peace and being loud and boisterous. She was accused of inciting a riot.

The bus driver, Francis Roux of (606 Tucker St.) Jefferson parish told police that the argument started when the white passenger, James Serpas, took one of several signs reading "colored patrons only" and moved it back to another seat.

The signs are moved according to the number of white and Negro passengers on a bus and the seats available for them.

Roux reported that when Serpas moved the sign behind him. "Several of the students just laughed at him and took the sign and threw it on the floor."

The bus driver said he asked the students to refrain from doing so because removal of the signs is contrary to company policy but they laughed at him and created a general disturbance.

Roux added that he stopped the bus at a filling station and called police.

Patrolman Edward Kennedy, one of four officers who responded to the call, reported he tried to question the students but was met with "riotous laughter."

Kennedy said that Miss Travis made a remark which was unintelligible to the officers but which caused the students to laugh and create an uproar.

Kennedy said he then called for police reinforcements. Four squads of officers were sent to the scene and they herded the students off the bus into patrol wagons.

Bus Driver, Lone White Rider Refuse To Sign Affidavits

Weekly Sat. 1-14-56 p. 1

New Orleans, La.

Justice refused to bow here last week when police officers investigating reasons for a flooredlegiate students and their friend "Jim-Crow" sign subjected 72 col-to criminal confinement following a "harmless" laugh which they classified as an attempt to incite a riot aboard a city bus.

Leaving the heated excitement of a basketball game between Xavier and Dillard universities just a half block away at the XU gym to board a Public Service bus at S. Carrollton and Washington, it was evident that the excitement of an athletic conquest is not so quickly forgotten.

Although all but one were paroled more than two hours after being carted away in five patrol cars around 10:30 p. m. last Wednesday in full focus of rolling television cameras, the sad and tragic beginning of a policeman's sworn vengeance to make a guest of the "laughing lady" ended on a happy note some 24 hours later when a municipal district court judge dismissed charges of boisterousness, disturbing the peace and inciting a riot, realizing that such was a normal reaction after a basketball game.

Those arrested after what was considered an aftermath of Xavier's stunning 84-45 defeat of Dillard, were mostly Dillard students with about six from XU and the remainder their friends. Several of the students were out-of-towners. Names and comments were withheld by officials of both universities.

The lone person not immediately paroled was identified as Miss Fannie Carver, 17, co-ed, who was booked with inciting a riot as well as disturbing the peace when the humorous and ticklish situation got the better of her nature, and she laughed.

The entire group emerged from Judge Andrew G. Bucaro's court Thursday night acquitted of any wrongdoing. Said he: "Last night you probably had a reason to behave in such a manner after the game, but kindly refrain from doing the same tonight."

First reports of the incident which brought a wave of indignation from Negro leaders and citizens, revealed that words were exchanged between bus driver Francis Roux, 36, and several of the Negro passengers over the racial divisional sign, although only one white passenger was on the bus at the time. From all indications, the driver lost the vocal warfare and reported the incident to a bus line dispatcher, who in turn summoned police. One source held that the driver allegedly wanted to have Miss Carver arrested, and a loud chorus rang out: "You'll have to take all of us."

When the officers arrived and began questioning Miss Carver among others, she began to laugh, causing the entire group to respond in unison. Sources related that the annoyed officer said that she would become their special guest.

The group was placed in jail cells, according to reports, with the exception of several juveniles, who sat in chairs throughout the unusual ordeal. It marked one of the few times in the history of the city that students were routed to jail like criminals for apparently failing to be humble and submissive. Observers felt that the incident was one which could have been handled without the fanfare and notoriety it received if clear thinking had been exercised. It is believed that the action was done in a more demanding tone rather than the police informational method.

The bus driver admitted at the trial that there was no disturbance, "just the normal reaction after a game" until the police officers arrived. This statement obviously points up the tactics employed in probing for the origin of what actually took place. Equally as prominent was the comment of James J. Serpas, the only white passenger aboard the bus at the time, who said: "I didn't bother anybody, and nobody bothered me."

Although both refused to sign affidavits accusing the defendants, Patrolman Edgar Rodriguez and two other officers volunteered to swear to the affidavits.

The group was represented by a battery of four white attorneys.

Freed By Judge In New Orleans

Defender Sat. 1-14-56 p. 6

Chicago, Ill.

NEW ORLEANS — (INS) —Sev- who were arrested last Wednesday after a disturbance on a New Orleans bus have been cleared of all charges.

The students, from Xavier college and Dillard university, were arrested after a dispute involving the removal of a sign in the bus which designated where Negroes were to sit.

The bus driver, Francis Roux, called police when the students failed to obey his request to make room for a white passenger.

Roux of Jefferson Parish, testified that the argument started when a white passenger, James Serpas, took one of several signs reading "colored patrons only" moved it back to another seat.

THROW SIGN DOWN

The signs are moved according to the number of white and Negro passengers on a bus and the seats available for them.

Roux said when Serpas moved the sign behind him, "several students just laughed at him, took the sign and threw it on the floor."

The bus driver said he asked them to refrain from doing so because removal of the signs is contrary to company policy, but they laughed at him and created a general disturbance.

Four officers were sent to the scene, but their efforts to quiet the students were met with loud guffaws. They closed the doors of the bus and called for reinforcements.

PAROLED TO DENT

The young people were taken to a station and booked for disturbing the peace and loud and boisterous conduct. They were paroled several hours later to Dr. Albert W. Dent, president of Dillard.

One of the students, Fanny Carver, 17, was charged with inciting a riot, but Judge Andrew G. Bucaro said he found no evidence that any one person was responsible for the disturbance.

The judge remarked that the incident was the result of a "frolicsome mood" brought on by a basketball game between the two schools. The students had just left the game when they boarded the bus.

Laugh At Police; 72 Jailed At NO

Informer Houston, Tex. Sat. 1-14-56

NEW ORLEANS — Laughing at policemen in the presence of whites by Negroes can be a "very" serious offense, or so it appeared here last Wednesday night when 72 city bus-riding collegiate students and their friends were arrested shortly after leaving a basketball game at Xavier university and boarding the public transit a half block away.

Although all but one were paroled almost two hours after being carted away in five patrol cars around 10:30 p m, the story had a happy ending about 24 hours after the incident when a municipal district court judge dismissed charges of boisterousness, disturbing the peace and inciting a riot, realizing that such was a normal reaction after athletic games.

Those arrested after what was considered an aftermath of Xavier's humiliating 84-45 defeat of Dillard were mostly Dillard students with about six from XU and the remainder their friends. About four of the students hailed from Houston, Texas, but names and comments were withheld by officials of both schools.

The lone person not immediately paroled was identified as Miss Fannie Carver, 17-year-old DU co-ed, who was booked with inciting a riot as well as disturbing the peace when the humorous and ticklish situation got the better of her nature, and she laughed.

The entire group emerged from Judge Andrew G Bucaro's court Thursday night acquitted of any wrongdoing. Said he: "Last night you probably had a reason to behave in such a manner after the game, but kindly refrain from doing the same tonight."

Informer

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Houston Tex

When the officers arrived and began questioning Miss Carver among others, she began to laugh, causing the entire group to respond in unison. Sources related that the annoyed officer said that a game was normal. The [illegible] she would become their special white passenger said that no one [illegible] guest. bothered him and he did not bother anyone.

All were paroled by Dr Albert W Dent, DU president.

The group was represented by a battery of four white attorneys.

At the trial, the driver commented that such reaction after

Riotous Laughter

Afro-American Baltimore, Md.

NEW ORLEANS — It's no crime to laugh, even in New Orleans, policemen discovered Thursday.

This determination was made after New Orleans police arrested 71 college students for "general disturbance" and one girl student for "inciting to riot."

Dr. Albert Dent, president of Dillard University, gave the AFRO the following version of the "laughable riot:"

Xavier University and Dillard University, two city rivals, had played a basketball game, which Xavier won 84-45.

Seventy-two students from the schools leaving the game, streamed onto a bus that had only one passenger, James J. Serpas, white.

The students were gay and in a festive mood and they were jammed into a bus that had a capacity of 41 passengers.

Hence, many of the students were seated and standing in a section "reserved for whites."

The driver, Francis Roux, stopped the bus and called for his supervisor, who called the police.

The police arrived. Their statements caused the students to laugh.

MISS TARVER, 17, a Dillard student, police charged:

"Said something that made the others laugh."

The police called for the patrol wagon and took the students to a station where 71 were booked for "disturbing the peace."

Miss Tarver was charged with "inciting to riot."

* * *

DR. DENT was called to the station where all but the Tarver girl were released immediately in his custody by City Councilman Glenn P. Glasser.

Later, a judge ordered the girl's release.

A night court hearing was held in which the white passenger, Serpas, testified that "the student were doing nothing wrong and certainly didn't disturb me."

The policemen insisted that the students "laughed" at them.

The magistrate laughed, too, as he ordered all charges dismissed.

Senate Passes Race Measure In Louisiana

Advertiser Montgomery, Ala.

BATON ROUGE, La., June 11 (AP)—Without debate or opposition, the Louisiana Senate today voted final legislative passage of a five-bill program designed to weave a protective web around racial segregation.

The segregation bills passed would:

1. Withdraw permission for suits against such public agencies as state parks commission, city and parish park commissions, the state board of education, Louisiana State University Board, and parish school boards, as a constitutional amendment it would be subject to popular vote in November. Passed 37-0.

2. Place public parks and recreation facilities under the police power of the state. Passed 36-0.

3. Guarantee segregated travel waiting rooms, requiring a segregated system for intrastate passengers and lumping interstate passengers with colored intrastate. Passed 36-0.

4. Require applicants for entrance at state college and universities to submit certificates from their school and parish superintendents, proving eligibility and good moral character. Passed 36-0.

5. Eliminate compulsory school attendance requirements at any school forced to integrate. Passed 36-0.

Times 6-12-56

Senate Passes Race Measure In Louisiana

Advertiser Montgomery, Ala.

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5. Eliminate compulsory school attendance requirements at any school forced to integrate. Passed 36-0.

National Ruling Ignored

Courier Pitts. Pa.

By JOHN E. ROUSSEAU

Sat. 8-11-56

NEW ORLEANS—Some 587 new laws in Louisiana went into effect Aug. 1, one of which openly defied the clear-cut ruling of the Interstate Commerce Commission, outlawing racial segregation of railroad, bus and airplane passengers in waiting rooms and in terminals.

Nine hours before the state law became effective, jim crow signs were hung in this city's new Union Passenger Terminal Station!

The new law, based upon what Louisiana legislators believed to be a loophole in the ICC ruling, separates white intrastate from Negro intrastate passengers by providing waiting rooms for each race. However, all interstate passengers—Negro and white — are placed together in the same waiting room designated for "Negro Intrastate Passengers."

■

FOLLOWING THE ICC's ruling which set a January, 1955, deadline for removing jim-crow signs and for eliminating segregated waiting rooms and facilities, the Union Passenger Terminal which serves all railroads entering New Orleans, removed its signs, but Negro and white passengers, with few exceptions, continued segregating themselves.

The Louisiana Legislature in May passed a state law which was signed by Governor Earl K. Long and signs were replaced last week.

■

JIM-CROW SIGNS now hang in the waiting rooms, over the rest rooms, over the drinking fountains and even over facilities provided for UPT employes in the yards where coaches are cleaned and trains are made up.

Efforts to contact UPT Manager Clarence J. Wallace by telephone before press time were futile. However, an attache, Carl J. Lawyer, told the Courier, "I am not authorized to make statements to newspapers."

A check of the UPT discloses that 60 benches are provided for white intrastate passengers and 39 for all interstate and Negro intrastate passengers.

White Man Beats Lads With Screen

Pittsburgh Courier 8-11-56

Two New Orleans teenagers said they were brutally assaulted by a white passenger aboard a St. Claude bus while the driver allegedly held them to be beaten with a seating sign last week.

The two youths--John Larson, 13, 5807 N. Galvez and Lawrence Carter, 15, 5921 N. Galvez--were still showing visible signs of the beating when interviewed by a Louisiana Weekly newsman several days later.

Both admitted to being taken off the bus later by police from the Fifth District. According to one of the arresting officers at the Fifth District the white man involved was booked with disturbing the peace and another Negro was arrested for interfering with officers. He refused to give the names of the men involved.

According to one of the boys' parents, both of the youths were hospitalized. The Carter boy suffered an ugly cut under the right eye, a large knot on his neck, and bodily bruises. The other youth suffered a cut on the arm and bruises about the body.

The case was reportedly thrown out of Municipal court when the youths failed to appear. Both were undergoing treatments at the time of the trial a parent told a reporter.

The youths said that they boarded the St. Claude bus in the downtown section heading for home about 7 p.m. Sunday, Aug. 26. They said that a white man who appeared to have been drinking began calling them unspeakable names while the bus driver and another white passenger laughed.

When the youths showed resentment over the filthy name calling, the passenger allegedly began beating them. And the bus driver, they said, came back after stopping the bus to give assistance in the assault. The boys said that two Negro women passengers in the bus began screaming. And were not permited to get off the bus when they attempted to get off. They said the bus passed up several passengers as the white man kicked and attempted to throw them out of the window of the bus.

Files Claim Against Bus Co. Who Stranded Child

Times-Pic. New Orleans, La.
Oct. 6-16-56

A claim has been filed by Attorney Louis Berry of New Orleans and Alexandria against the Continental Trailways Bus company in behalf of Mrs. Ella Mae McCain growing out of the actions of a bus driver who put her 11-year-old daughter off the bus miles away from her ticketed-destination, it was learned here this week.

According to Attorney Berry, Mrs. McCain's daughter, Margaret Rose McCain, boarded the bus at Houston, Texas bound for Glenmora, La. When the bus reached Starks, La., the lawyer said, the bus driver called the child to the front of the bus, putting her off there claiming that she was making noise on the bus.

Berry explained that the child was left stranded at Starks without money and without knowing what to do. However, he continued, a colored man observed the child on the highway crying. After hearing the child's pitiful story, the man drove her to her nearest relative some 40 miles away.

Attorney Berry is now preparing a lawsuit to be filed against the bus company for damages arising out of this horrible experience.

Oct. 6-16-56

Louisiana Defies Order For Depot Desegregation

Courier-Journal
Louisville Ky

Governor Says I.C.C. Ruling Is Illegal; Other Southern Places Comply Quietly

Wed. 1-11-56

From Wire Dispatches

The Governor of Louisiana yesterday called a federal order to integrate public waiting rooms illegal under a 123-year-old United States Supreme Court opinion. But many Southern cities quietly complied with it.

Yesterday was the deadline for the Interstate Commerce Commission's directive to tear down the "White" and "Colored" designations of waiting rooms at railway and bus stations and airports.

Cites 1833 Case

But Governor Robert F. Kennon of Louisiana ordered all State, Parish, and municipal officials in his state to continue rigid enforcement of State laws requiring separate facilities for the races at such stations.

He said the I.C.C. order directly violated a Supreme Court opinion in an 1833 civil-rights case to the effect that the regulation of accommodations and facilities for public conveyances was reserved to the states under the 10th Amendment. Kennon said that policy had never been amended.

Mississippi also resisted the order, but less dramatically. In Jackson, the capital, railroad and bus officials had taken down the white and colored waiting-room designations, but City officials replaced them with their own under local segregation laws. Similar action was taken in other Mississippi cities.

Segregates Intrastate

At Hattiesburg, Miss., the Southern Railway put up a sign reading: "Colored Waiting Room for Intrastate Passengers" over the old colored waiting room. The I.C.C. had not attempted to regulate segregation of passengers in travel within a state, but the interstate order presented a ticklish task of separating local from "through" passengers. There was no report of any Negroes using the formerly all-white waiting room at Hattiesburg.

In Birmingham, Ala., traditionally one of the strongest pro-segregation centers of the South, the Louisville & Nashville Railroad discarded segregation rules at its station without incident.

Atlanta Has No Trouble

An "intrastate" waiting room for Negroes was designated at the Terminal Station in Birmingham as in Hattiesburg. The same action was taken at Charlotte, N. C., and Greenville, S. C., also points in the Southern Railway system.

In Atlanta one Negro woman, Lurlene Barber, West Point, Ga., sat in the formerly all-white waiting room at the big Terminal Railroad Station. She said she missed her train and would wait for another. Her presence caused no trouble.

At the Atlanta Union Station, signs were taken down, but an attendant said several Negro travelers inquired which was the "colored" waiting room and took seats in the old segregated area. One Negro man, however, sat for an hour and a half in the formerly white waiting room. Atlanta airport and bus terminal spokesmen said segregation had always been "informal" at those places and was continuing on that basis.

Courier-Journal

Washrooms Desegregated

In Richmond, Va., the sign at one of the two waiting rooms in Richmond's Main Street Station used to read "Colored." Yesterday it was "Colored Intrastate Passengers."

The same procedure was adopted with respect to the colored washrooms. In the waiting room formerly reserved for whites, signs designating it as such were taken down. The word, "white," also was removed from the signs over washrooms.

At Richmond's Broad Street Station, all "white" and "colored" signs were removed. All passengers using that station are presumed to be interstate passengers, officials said.

Teacher Firing Approved

Montgomery, Ala., Jan. 10 (AP) —Segregation-minded legislators voted today to give school boards in three Alabama counties power to fire teachers who advocate racial integration.

LOUISIANA DEFIES SEGREGATION BAN

Times

Governor Calls I.C.C. Order to End Separate Rail-Bus Waiting Rooms Illegal

Wed. 1-11-56

ATLANTA, Jan. 10 (UP)—The Governor of Louisiana branded as illegal today a Federal order to integrate public waiting rooms, but many Southern cities quietly complied with it.

Today was the deadline for carrying out the Interstate Commerce Commission's directive to tear down the "white" and "colored" designations of waiting rooms at railway and bus stations and airports. P.19-C

However, Gov. Robert F. Kennon of Louisiana ordered all state, parish (county) and municipal officials in his state to continue rigid enforcement of state law requiring separate facilities for the races at such stations.

New York

He said that the commission's order directly violated a Supreme Court opinion in an 1833 civil rights case to the effect that the regulation of accommodations and facilities for public conveyances was reserved to the states under the Tenth Amendment. Mr. Kennon said that policy had never been amended.

The Tenth Amendment provides that powers not delegated to the Federal Government by the Constitution are reserved to the states.

Mississippi also resisted the order, but less dramatically. In Jackson, the capital, railroad and bus officials had taken down the white and colored waiting room resignations. But city officials replaced them with their own under local segregation laws. Similar action was taken in other Mississippi cities.

At Hattiesburg, Miss., the Southern Railway put up a sign reading: "Colored waiting room for intrastate passengers" at the old Negro waiting room.

The I. C. C. has not attempted to regulate segregation of passengers in travel within a state, but its interstate order presents a ticklish task of separating local from "through" passengers.

In Birmingham, Ala., traditionally one of the strongest pro-segregation centers of the South, the Louisville & Nashville Railroad discarded segregation rules at its station without incident.

An "intrastate" waiting room for Negroes wa sdesignated at the terminal station in Birmingsame action was take nat Charlotte, N. C., and Greenville, S. C., also points on the Southern Railway System.

In Atlanta, a Negro woman, who identified herself as Lurlene Barber of West Point, Ga., sat today in the former all-white waiting room at the big Terminal Railroad Station. She said that she had missed her train and would wait until 9 P. M. for another. Her presence caused no excitement.

At the Atlanta Union Station signs were taken down, but an attendant said that several Negra travelers had inquired which was the "colored" waiting room and took seats in the old segregated area.

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went into a tavern and "talked to some people."

Mrs Alexander said the driver returned to the bus with a group of men, and a white woman told her, "You're going to get killed," and advised her to move from the seat, which she did.

Mrs Alexander related, a white man got on the bus with a gun in his hand and asked, "Where is that bad woman?"

She said the bus driver told her, "We're going to burn your body up. You obey our laws down here." The bus driver referred to the Emmett Till lynching to make his point clear as to how defiant Negroes are treated in the south.

Mrs Alexander said she will file charges against the Greyhound Lines. The Interstate Commerce Commission rule bans segregation in interstate travel.

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72 Negro Pupils Freed After Row On Louisiana Bus

Commercial Appeal
Sat. 1-7-56

NEW ORLEANS, Jan. 6.—(UP)—Seventy-two Negro basketball students Friday were freed of charges they disturbed the peace in a protest over segregation on a public bus. P.7

Municipal Judge Andrew G. Bucaro Thursday night found the Negroes, almost all Dillard University students, innocent.

The incident occurred Wednesday night following the Dillard-Xavier University basketball game. The white bus driver said he ordered the Negroes to replace the dividing sign but was answered with jeers and catcalls.

Memphis, Tenn.

Regulations of the New Orleans Public Service, Inc., require that the dividing sign remain in place if there is one white passenger. Negroes must sit behind the sign.

Judge Bucaro, in acquitting the Negroes, said they probably had reason to be in a lightheartened mood following the Dillard-Xavier University basketball game Wednesday.

"Kindly refrain," he said, "from doing the same tonight."

The bus driver, Francis Roux, 36, testified there was no disturbance, "just the normal reaction after a game," until police arrived. Mr. Roux had stopped the bus and called his dispatcher who notified police.

The only white passenger aboard at the time, James J. Serpas, said, "I didn't bother anybody and nobody bothered me."

Three policemen testified that when they attempted to question some of the Negroes, a girl began laughing which set the others into guffaws.

"They were all laughing and joking like it was a circus or something, like the police were out there to help old ladies across the street," said Patrolman Joseph Madere.

Judge Bucaro agreed with the four white defense attorneys that there was no conclusive proof that any single person was responsible for setting off the disturbance.

Evangelist's Life Threatened Over Bus Seat In Louisiana

Informer
Sat. 4-7-56 P.8

Houston Tex

ST LOUIS, Missouri — A former St Louis woman, Mrs W M. Alexander, now a Detroit Evangelist, charged that her life was threatened when she refused to give up her seat while traveling as an interstate passenger in Louisiana.

According to Mrs Alexander, she was riding a Greyhound bus when the driver ordered her to give up her seat at a stop between New Orleans and Hammond.

She said she was seated over half way to the rear of the bus when she was ordered to move, but she refused.

She said the driver of the bus noticed an NAACP pin on her coat and told her to remove it, saying, "That don't mean a damn thing to us here." She said the driver then became angry and cursed her, he then got off the bus and

Mother Of Victim

Times-Picayune
New Orleans, La.
Sat. 11-17-54

Files $3050 Damage Suit In State Bus Incident

ALEXANDRIA - A $3,050 damage suit was filed against the Continental Bus System here last Friday in the Ninth Judicial District court by the mother of a 11-yer-old girl allegedly forced from the bus before reaching her destination.

The suit was filed by Mrs. Ella Mae McCain of Houston, Texas through Attorney Louis Berry, her legal counsel. The legal action was taken in behalf of Mrs. McCain's daughter Margaret Rose.

The plaintiff said that her daughter boarded the bus in Houston for Glenmora, La., last May 31. The petition contends that the child remained seated in the rear of the bus until the bus reached Starks, La. when the bus driver summoned her to the front of the vehicle and ordered her off the bus claiming that she was noisy and disturbing the peace.

According to the legal document, the young child was left stranded on the highway in spite of the ticket which gave her the right to transportation to Glenmora. The child became hysterical and began running behind the bus when a man in a truck realizing the plight of the girl drove her to the home of a relative in DeQuincy, La., the petition stated.

Pointing out that this was the first time the child had traveled alone from her home, the petitioner said the experience caused her illness and required the services of a doctor.

The damages were itemized as; medical expense, $50; and pain suffering and emotional upset, $3,000.

Miss. commission vows to maintain travel segregation

Afro-American 1-13

JACKSON, Miss., (AP)—As "White" and "Colored" signs were being removed from waiting rooms at railroad and bus stations throughout the state, Mississippi Public Service Commission declared it will defy an order of the Interstate Commerce Commission to integrate by Jan. 10.

Sentiment among lawmakers indicates an attempt will be made this week to pass such a law.

The question may boil down to this: Does the state or the ICC have control of depots within the state? Can Mississippi enforce tradition segregation laws despite the ruling?

In Laurel, Mayor A. S. Scott said if railroads and bus officials pull down the segregation signs, the city would put up its own, as Jackson plans

The Jackson order against integration will apply to all passengers, whether interstate or intrastate.

Illinois Central workers in Jackson scraped away and painted over "colored" and "white" signs today on waiting rooms and rest rooms.

City police put up their own—large white signs with black letters, attached to heavy metal stands. The signs read:

"Waiting room, white only," or "Waiting room, colored only." They are signed "By order police department."

It may boil down to the question: Does the state or the ICC have jurisdiction over the stations.

Depots to Stay Segregated, Says Jackson Police Chief

Times Picayune 1-10

New Orleans La.

JACKSON, Miss., (AP)—Police Chief W. D. Rayfield said Monday the city will enforce segregation at railroad and bus stations in Jackson despite a federal agency ruling knocking out segregated waiting rooms for interstate passengers.

Times 1-10-56

The city is painting its own "white only" and "colored only" signs to replace signs which railroad officials plan to pull down late tonight.

The situation among bus companies was uncertain. Trailways officials declined comment. An official of Greyhound said he had no order to change segregation signs and would do nothing unless an order was received.

The Interstate Commerce Commission ruled that interstate passengers — those traveling between states—cannot be segregated in waiting rooms. The order did not affect passengers traveling only within Mississippi.

Chief Rayfield said his segregation enforcement would apply to all passengers, regardless of their destinations.

Policemen will be stationed at the Illinois Central Railroad depot to enforce segregation, he said.

IC officials said today its signs designating separate waiting rooms for Negroes and whites would be taken down late tonight. The ICC ruling goes into effect tomorrow.

Rayfield's action apparently had approval of the Jackson city council. Mayor Allen Thompson said he would have a statement later today.

A number of Mississippi legislators have demanded laws requiring segregation in railroad and bus stations despite the ICC ruling.

Miss. Stations To Stay Segregated, Towns Say

Constitution Tues. 1-10-56

JACKSON, Miss., Jan. 9 (AP)—Officials of several Mississippi towns said today their railroad and bus stations will remain segregated despite a federal ruling against segregating interstate passengers.

Atlanta Ga.

Jackson police put up segregation signs in the railroad station and a bus station today to enforce Mississippi's segregation laws.

Policemen will be stationed at the Illinois Central Railroad depot to enforce the city's stand if they are needed, Police Chief W. D. Rayfield said.

P. 3

Some other Mississippi city officials said they would take similar action if necessary.

Laurel, Gulfport and Greenwood are among cities which said train and bus stations will remain segregated.

The Interstate Commerce Commission ordered an end to segregated waiting rooms for interstate passengers. The order goes into effect tomorrow. It does not apply to passengers traveling only within a state.

(Union Station in Atlanta has already taken down segregation signs, according to Station Manager J. N. Neal. Atlanta Terminal Station still had the signs up Monday night. President Herbert W. Bondurant of Terminal could not be reached for comment.

(Both the Greyhound and Trailways bus stations still displayed waiting room signs. "We are still waiting on instructions," a Trailways spokesman said.)

Miss. Police Defy ICC; Replace Segregation Signs At Depots

Daily World Tues. 1-10-56

JACKSON, Miss—(INS)—City police Monday swiftly replaced signs at the Jackson Railroad depot calling for segregation in waiting agreas which were removed by the Illinois Central Railroad.

P. 1

The railroad removed the signs in compliance with a recent order of the Interstate Commerce Commission which instructed common carriers in Interstate Commerce to abolish racial segregation on carriers and in waiting rooms used by Interstate passengers.

Atlanta Ga.

The Mississippi Public Service Commission had ordered that railroads and bus lines in the state continue to enforce waiting room segregation in compliance with state law.

Monday, Illinois Central workers removed the "For Colored Only" signs at the depot, but Jackson police followed them and put up new signs. The police also put up segregation signs at the railways Bus Depit. The line had removed its signs several days ago. Original signs calling for waiting room segregation had been left in place at the Greyhound bus depot.

The Jackson Police Department said it would keep two policemen at the railroad depot and at the bus stations when the ICC "nonsegregation" order went into effect at midnight last night. The police assignments were ordered, the Department said, to "prevent any disturbance."

RACIAL MIXING BANNED

Commercial Appeal Memphis Tenn.

Signs Posted At Bus, Train Depots At Hattiesburg

HATTIESBURG, Miss., Jan. 27.—The city commission has passed an ordinance which bans mixing of whites and Negroes in waiting rooms at the local train station and bus terminal.

Violation of the new law would be a misdemeanor.

The ordinance, adopted Thursday afternoon by Mayor Moran Pope and Commissioners N. V. Carpenter and Fewell Thompson, states that minimum punishment for a violator would be a $10 fine. Maximum penalty is $100 and 30 days in jail.

Friday morning police installed large black-and-white signs at the bus terminal and the Southern Railway System depot. The signs, with painted black arrows, mark clearly the separate waiting rooms for colored and white travelers.

RACE SEGREGATION IN WAITING ROOMS AIM OF NEW BILLS

Commercial Appeal Memphis Tenn.

Mississippi Measures Would Apply To Intrastate Passengers

Sat. 1-28-56

HOUSE VOTES UNANIMOUS

Legislation Will Go Before State Senate Next—Joint Session Set Monday For Budget Message

By KENNETH TOLER

From The Commercial Appeal Jackson, Miss. Bureau

JACKSON, Miss., Jan. 27. — Racial segregation in waiting rooms would be retained among passengers traveling intrastate—notwithstanding the Interstate Commerce Commission's desegregation order—under terms of three bills passed unanimously Friday by the Mississippi House of Representatives.

Their immediate transmittal to the Senate, which was in weekend adjournment, was prevented when Representative George Rogers of Warren County entered a reconsideration motion to determine whether the proposals include airports, as well as railroads and buses.

Broad Application

One of the measures covers a broader field than intrastate passengers in that it applies to "any person"—white or Negro—who "shall enter, frequent, occupy or use waiting rooms" for other than his own race.

Representative Luther Sims of Lowndes County handled the bills in the absence of Representative Hervie Hicks of Yazoo County, chairman of the Railroads Committee.

Railroads, bus companies or other common carriers of passengers would be subject to a daily fine of $1,000 for failure to provide segregated waiting rooms for intrastate passengers, and the same fine, plus one year in jail, for non-conformance with the proposed statute requiring separate toilet facilities for those passengers. It is assumed that additional facilities for interstate passengers would be left to the carriers to conform with the ICC order.

The broader bill is a two-pronged affair.

One section carries a fine of $1,000 and up to 60 days in jail for intrastate passengers who enter or attempt to enter waiting rooms not marked for their race.

Fines And Jail

The other section applies to "any person," passenger or visitor to a depot or terminal, who enters, frequents, occupies or uses the waiting room set aside for other than his own race. The violation is a misdemeanor and on conviction carries a maximum fine of $1,000 and imprisonment in jail for up to one year.

A bit of laughter ran through the House when Representative Dennis Baker of Panola County pointed out that the original draft of the first section would force a person to use a waiting room whether he wanted to or not. It would have applied to "any person who fails or refuses to enter" a segregated waiting room.

The bill was corrected by Representative Joel Blass of Stone County, to apply to "any person who enters or attempts to enter a waiting room not designated for his race."

Representative Chris Faser of Montgomery County, chairman of the Public Health Committee, steered to passage a House bill permitting oral prescription procedure for non - habit-forming narcotics.

The House concurred in a Senate amendment to its bill lowering from 20,000 to 15,000 the population of municipalities authorized to construct and operate municipal parking lots. It is designed to affect Columbus.

CHICAGO NEGRO IS FINED

Commercial Appeal Memphis Tenn.

He Takes Seat In Front Of Jackson Bus

JACKSON, Miss., Sept. 27. — (UP)—Robert Smith, a 48-year-old Chicago Negro was fined $15 here Wednesday for violation of Mississippi's iron-clad segregation laws, by taking a seat near the front of a bus.

Smith was arrested by Jackson police when he took a seat at the front of the bus after a rest stop here. He left a $15 cash bond on the charge of disturbing the peace and resumed his trip.

Miss. warned

Afro-American

VICKSBURG, Miss.—A group of New England newspaper editors ending a tour of the state Saturday were in agreement that "Mississippi is in the process of evolving toward integration, begrudgingly."

Racial barriers will eventually fall, they said, "by one of two methods — evolutionary or revolutionary." Industrial expansion in the state makes the coming of integration inevitable, they predicted.

Coleman Says Segregation Will Continue

Advertiser
Montgomery, Ala
Wed. 11-14-56

ACKERMAN, Miss., Nov. 13 (AP) —Mississippi will continue to segregate the races on public conveyances despite today's U.S. Supreme Court ruling, Gov. J.P. Coleman declared.

"Our attitude about this decision will be the same as about the school segregation cases," said the governor, who was spending the day at his farm home.

Mississippi's public schools are still entirely segregated despite the high court's ruling. The legislature has provided for abolition of public schools if necessary to prevent erasure of color barriers there.

Coleman, who as attorney general drew up Mississippi's new segregation laws and then signed them when the people elected him governor, said he did not think today's ruling "will bring any change in Mississippi practices."

"This decision is based on the Alabama statute," he said. "Mississippi has an entirely new set of statutes, enacted in 1956. They are not involved."

Asked if he thought anyone would try to enforce the ruling against segregation on buses in Mississippi, Coleman said "anticipation would be a waste of time; we'll meet the situation as it arises."

Mississippi Defies ICC On Jim Crow

Defender Sat. 1-7-56 P. 1

JACKSON, Miss. — With trains, busses and waiting rooms scheduled to become integrated on Jan. 10, the Interstate Commerce Commission is busy removing "colored" and "white" signs from waiting rooms, but Gov.-elect J. C. Coleman says it will never happen in Mississippi.

Chicago Ill.

In conjunction with him, the Mississippi public service commission said: "We cannot prevent them from removing the signs, but we can and will prevent them from mixing the races in the depots.

The public service commission can fine any public utility $50 a day for defyng any order it issues and it plans to issue one on integration daily to prevent deseg-regation.

To back it, the state has a criminal law which prohibits mixing the races.

Coleman told the commission that the ICC order of integration is limited to the authority of the federal agency in that its rulings are administrative and not judical.

In Mississippi—

Many segregation bills await action

News Fri. 1-13-56

BY SAM JOHNSON

JACKSON, Miss., Jan. 13—(AP)—A barrage of segregation bills waits today for action of the Mississippi Legislature.

Birmingham, Ala.

One bill would place a fine of $1000 a day against any railroad or bus company which failed to keep segregated waiting rooms for intrastate passengers. P. 3

Another bill is designated to prevent outside lawyers from handling segregation cases in state courts.

38b

THREE BILLS, taken together, apparently would form an attempt to prevent all integration in railroad and bus stations, whether passengers were traveling only within Mississippi or were crossing state lines.

Passengers who refuse to wait in rooms marked for their race could be fined a maximum of $1000 and sent to jail for one year.

Some of the bills were introduced to combat the Interstate Commerce Commission ruling that interstate passengers cannot be segregated in waiting rooms. The ICC order went into effect Jan. 10.

SEVERAL CITIES moved without waiting for further legislative action. State laws already require segregation, but enforcement of the laws is left to the Public Service Commission or to the cities.

Bills introduced during the last two days would allow the attorney general or any district attorney to seek indictments against violators.

Jackson police put up segregation signs after Illinois Central Railroad officials erased theirs. The City Council backed the action yesterday with an ordinance requiring segregation, regardless of the passenger's destination. Any person violating the ordinance could be fined $25 to $100 and sent to jail for 30 days.

THE RAILROAD and bus bills:

1. Would require carriers to provide separate accomodations for the races traveling intrastate. The waiting rooms would be marked "colored waiting room, intrastate passengers" or "white waiting room, intrastate passengers."

2. Would require railroads and bus companies to maintain separate waiting rooms and rest rooms, marked "colored" or "white" for intrastate passengers.

3. Would require all persons in intrastate travel to use rooms marked for them. The same bill also provides that "no white person . . ." and "no colored person . . ." can enter a room marked for the other race. This section does not differentiate between intrastate and interstate passengers.

TWO RELATED bills would:

Make it a misdemeanor to breach the peace in a place of business or in a public place and empower owners or managers of a business or a public place to refuse to serve, wait on or sell to any person for any reason the owner or manager thinks sufficient.

The proposed law against outside attorneys replaces a short section of the Mississippi Code which says:

"Any attorney or counselor at law of another state, in good standing, shall be permitted to appear and plead in any special cause in the courts of this state."

In the proposed new laws, the board of bar admissions would screen all out-of-state lawyers before allowing them to enter a case in Mississippi.

THE BILL STATES it to be the "public policy of the State of Mississippi that the practice of law before any court or administrative agency is a matter of privilege to be granted or refused by the state board of bar admissions and is not a matter or right . . ."

Before an out-of-state lawyer could enter a case, he would have to file with the board of bar admissions a sworn application setting out the cause of action and the nature of the case. He also would have to present evidence of good moral standing" . . . and shall further present evidence of his familiarity with the ethics, principles, customs, and usages of the legal profession of the State of Mississippi. . . ."

JACKSON TO SUPPORT SEGREGATION ORDERS

Commercial Appeal 38b Fri. 1-14-56

Fines For Violations Set In City Ordinance

JACKSON, Miss., Jan. 13. — (AP)—The Jackson City Council has backed up its police department by setting fines for anyone violating segregation laws in railroad and bus stations.

Jackson police put up new segregation signs Tuesday after Illinois Central Railroad and Trailways bus workers took theirs down, obeying an order of the Interstate Commerce Commission against segregation of passengers traveling between states. P. 3

The city council's action sets fines of $25 to $100 or a 30-day jail sentence, or both, for violating segregation laws.

The council said "a sudden intermingling of the races necessarily involved in the common use of such waiting rooms and rest room facilities would likely result in disturbances, breaches of the peace, disorder and confusion.

Memphis

The ordinance passed by the council requires separate waiting and rest rooms at transportation stations for the two races. The ordinance went into effect Thursday.

Jan.

"The council of the City of Jackson owes the duty to its citizens, regardless of race, color, creed or station in life, to maintain good order and to prevent breaches of the peace," the council said.

Post-Herald Birmingham, Ala. Wed. 1-11-56

Mus 38b

JACKSON DEFIES SEGREGATION BAN—Police Lt. Beavers Armstrong places a segregation sign in front of the Illinois Central Railroad station at Jackson, Miss., after the railway removed segregation signs in waiting rooms in compliance with an Interstate Commerce Commission order. Police Chief W. D. Rayfield said he will assign policemen to the railway station if necessary to enforce state laws requiring segregated waiting rooms in railroad depots and bus stations.

WAITING ROOM DESEGREGATION ORDER DEFIED

Daily Tribune
Art. 1-28-56
p.4

Jackson, Miss., Jan. 27 (AP)—The Mississippi house of representatives today passed three bills designed to keep Negroes out of white waiting rooms and rest rooms in railroad and bus stations.

Chicago

The bills apply to all passengers, intrastate and interstate, despite the interstate commerce commission decision ruling out segregated facilities for interstate passengers—those traveling between states.

The bills received votes of 104-0, 103,0, and 104-0. The senate must act on them.

Ill.

Provide for Injunctions

The bills also require railroad and bus companies to maintain segregated rooms for intrastate passengers. This section of the bill does not apply to facilities for interstate passengers.

Failure or refusal to provide the segregated facilities could bring fines of $1,000 per day. And injunctions could be sought to force compliance.

To obey the proposed laws and also the ICC order, railroad and bus companies would have to provide there waiting rooms and six rest rooms.

One waiting room and two rest rooms would be for interstate passengers. This waiting room presumably would not be segregated. There also would be segregated waiting and rest rooms for intrastate passengers.

Held a Misdemeanor

Any person entering a room not marked for his race could be fined $1,000 and sent to jail for one year.

"It means there must be separate rest rooms for the races," said Rep. Luther Sims of Lowndes county, who steered the bills to passage.

"Anytime a colored man enters a whie rest room, he is [would be] guilty of a misdemeanor."

"The ICC has ruled we cannot have segregation . . .," Sims said. "We introduced these bills for the purpose of keeping our segregation . . . regardless of the ICC."

Two Negroes Arrested At Depot Here For Obeying ICC Ruling

Associated
Art. 2-7-56

JACKSON, Miss., Jan. 30 (DSN)—Obeying the recent decision of the interstate Commerce Commission which caused the removal of segregation signs from the Illinois Central Railroad Depot, two Negroes were arrested here Saturday night.

Jackson, Miss.

The two Negroes were listed as Laverne Ephriam, a 24-year-old man from Detroit, Michigan, and 55-year-old, Mrs. Susie Ramsey, of Yazoo City, Mississippi.

Following the removal of the signs from the doors of the depot, the City of Jackson placed its own signs on the sidewalks facing the entrance of the depot with the sign before the former White Waiting room reading for White Only, and the one before the former Negro waiting room reading For Colored Only, with each sign having the additional words, "by order of the Police Department."

According to reports, the police said the woman paused, read the sign, "For White Only", smiled and entered the former White waiting room. The man read the sign then entered to take a seat.

The two Negroes were arrested and charged with violating the City Jimcrow Law. Both were released after posting cash bonds of $25 each.

BUS DRIVER CLEARED OF MOLESTING GIRL

Commercial Appeal

Clarence Hall Fined $110 For Slapping Boy

From The Commercial Appeal Greenville, Miss., Bureau

GREENVILLE, Miss., March 31.—A charge of molesting a minor was dismissed against Clarence Hall, 39-year-old school bus driver, in City Court Friday.

Mr. Hall was fined $110 for assault and battery on Roy Burch, 12, and for disorderly conduct on the school bus. The disorderly conduct charge was sustained after passengers on the bus testified that Mr. Hall allowed children to steer the bus.

City Judge Earl Solomon dismissed the charge of molesting a minor, brought by Susan Dykes, 12-year-old seventh grader, after witnesses said the incident occurred outside the city limits and outside City Court jurisdiction.

Memphis
Sun. 4-1-56

The charges against Mr. Hall were brought March 26, after students said he had been drinking.

Roy Burch, seventh grade pupil at Bass Junior High School, said Mr. Hall slapped him after telling him to move back on the crowded bus. The bus driver denied slapping anyone and said that he did not know the boy.

Iris Walter, a Greenville High School student, said she smelled alcohol on Mr. Hall's breath and that he yelled at her after she told him "Anyone with common sense could tell that you have been drinking."

Another passenger, Carol Thompson, testified that she saw Mr. Hall allow an eighth grade pupil to steer the bus.

Capt. Marl Wilkinson, who arrested Mr. Hall, testified he smelled alcohol on the bus driver's breath. Mr. Wilkinson said a drunkometer test given Mr. Hall showed alcohol, but not sufficient to bring charges for driving while intoxicated.

James McIntyre, owner of Delta Coaches and Mr. Hall's employer, testified that he had spent more than an hour with the defendant before he left to pick up the school children. Mr. McIntyre said he had not smelled alcohol on Mr. Hall's breath.

Judge Solomon fined Mr. Hall on the two counts and told him "he should not have had one drop to drink before driving the bus."

By the Associated Press.

JACKSON, Miss., Jan. 10.—Signs dividing the races in railroad and bus stations remained in several cities today as officials insisted facilities would remain equal, despite a contrary ban by the Interstate Commerce Commission.

38b 1956

MONTGOMERY IMPROVEMENT ASSOCIATION

Group Formed To Support Bus Boycott Incorporates

Advertiser

A Negro organization formed six months ago to support Montgomery's bus boycott has been incorporated as a non-profit corporation to "improve the living conditions in the community."

The Montgomery Improvement Assn., whose primary function thus far has been to keep the boycott going and operate a motor pool to provide transportation for Negroes, has filed incorporation papers in Probate Court here.

Montgomery Ala.

Its directors are the Rev. Martin Luther King Jr., president; The Rev. Ralph Abernathy, the Rev. J. W. Bonner, E. D. Nixon, the Rev. S. S. Seay, Dr. Moses Jones, Erna Dungee, the Rev. R. J. Glasco, the Rev. H. H. Hubbard and the Rev. H H Johnson.

Thursday 2-23-56

The incorporation papers mentioned the bus boycott only indirectly. Listed among the MIA's objectives was "respect for the individual in the use of public facilities."

The organization also aims to "improve the living conditions in the community and particularly in the area of housing health, education, sanitation and recreation."

It seeks to "encourage individuals to become first class citizens by securing the ballot and using it wisely," and to support "any and all other acts which will generally improve the city and county of Montgomery so that all of its citizens will receive all of the rights and privileges" guaranteed by the state and federal constitutions.

38b 1956

NEW YORK

Bus Ride Assault Claimed

Daily World Thurs. 2-2-56 Atlanta, Ga.

RIVERHEAD, N. Y.—(SNS)— A suit for $500,000 was entered by an aged Negro nurse against a bus company because a white passenger allegedly beat the plaintiff up last summer on a trip between Atlanta and Montgomery, Ala.

The complaint was filed for Mrs. Anne Loftis, 63 of North Amityville. She said she refused to comply with an order by the bus driver to move to a rear seat because of "a doctor's order to avoid bumps and jars."

She said a white passenger then "grabbed me by the arms. He yanked me up, banged my head against a metal bar in a seat in front of me, twisted my right arm behind my back and then threw me into a rear seat."

The suit was filed in the State Supreme Court here against the Pennsylvania Greyhound Lines. The New York Supreme Court is a trial court and not the highest court in the state.

Robert Lee, assistant manager of Southeastern Greyhound Lines in Atlanta, said the case has not been brought to his attention. He said it probably would fall under the jurisdiction of Roy F. Robinson, manager of the district where the woman was allegedly assaulted.

Urban League Wants Airlines To Drop Bias Against Negroes

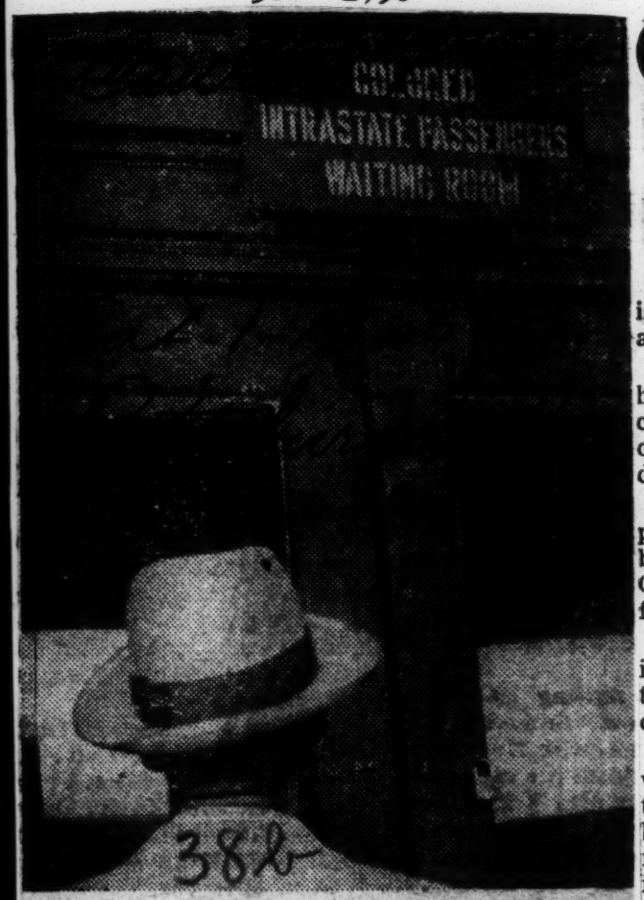
Daily World Atlanta, Ga. Sun. 2-5-56

NEW YORK — The Urban League of Greater New York (Thursday, February 2) called upon the New York State Commission Against Discrimination to put into effect a never-beforeused section of the state's ani-bias law in order to curb alleged discrimination against Negroes by airlines operating in New York State.

The League asked for the creation of a statewide citizens' advisory agency or conciliation council to investigate the airlines' alleged refusal to hire qualified Negroes in flight positions, such as pilots, flight engineer, steward or stewardess.

If the Commission acts favorably on the League's application, it will mark the first time that the Commission agreed to set up machinery for an industry-wide investigation of discrimination. Previously, it had acted solely on complaints of individuals that they were discriminated against.

The League's application was presented personally this afternoon to Commission Chairman Charles Abrams by Mrs. Sophia Yarnell Jacobs, League president; Theodore W. Kheel, chairman of the League's Committee on Employment Opportunities for Negroes in the Airline Industry and impartial chairman of the city's private transit industry;



Confusion—This sign now appears in a railroad station in Raleigh, N. C. It merely replaces the old sign that read: "Colored Waiting Room." The new sign, "Colored Intrastate Passengers Waiting Room," is confusing and appears to be an attempt to evade the Supreme Court ruling.—Rivera Photo.

N.C. bus companies agree to wait-see on integration order

Greensboro Daily News
Sat. 1-21-56

RALEIGH, N.C. — The four major bus lines operating in interstate commerce in North Carolina held an informal meeting with representatives of the State Utilities Commission last week to determine their action on the ICC's order that segregation on common carriers must be stopped.

The consensus of the meeting was that the interstate carriers would operate as usual and "wait and see" what happens.

The bus companies at the meeting were Greyhound, Seashore Transportation Co., Carolina Trailways and Southern Bus Co. Utility commissioners at the meeting were E. H. McMahan, Harry Westcott, Ralph Moody and Sam Worthington.

Once Busy Bus Industry Fighting a Losing Battle

News and Observer P. 18

By JIM CHANEY.

The bus transportation business is fighting a losing battle with the auditors.

Unless conditions change somehow in the next few years, many companies in North Carolina and over the nation will be forced to disband.

Many already have. Within the past two years at least a dozen bus lines holding State Utilities Commission certificates have failed. Others are failing.

The once busy and promising industry is the victim of the automobile and the housing development.

Raleigh

People who a generation ago would have ridden buses and trains now travel almost entirely by private auto. The railroads repeatedly have pointed this out in petitions for discontinuance of passenger schedules.

Mon. 10-1-56

The housing development is a symptom of a change in living.

People no longer live in compact collections of apartments and houses in fixed districts or along key streets and main roads. They are scattered for miles around their cities in surburbanite ranch houses and split-levels.

The bus companies which attempt to serve them must provide ever longer and more numerous routes. To do that, of course, means to increase costs usually without materially increasing revenues.

The trend toward decentralization has resulted, too, in scattered shopping centers, big office buildings and industries both within and outside city limits.

The end result is that a bus line serving a city like Raleigh must be prepared to move people between many widely separated areas. It's no longer enough to have buses ready to haul the going-to-work mob downtown in the morning and the going-home mob back to the residential districts in the afternoon.

The troubles plague both intercity and city operators. Practically every company with a North Carolina certificate, from the smallest to the nationally known, has cancelled routes, or reduced service within the past two years.

THINNER AND THINNER—The bus transportation business, "the victim of the automobile and the housing development," is fighting a losing battle due to thinner crowds at bus stops and increased costs entailed in longer and more numerous routes. (Photo by Ed Chabot).

Some have merged. The Norfolk Southern Bus Company is an example. It was absorbed about a year and a half ago by Carolina Coach. Others have died slowly, route by route.

The Utilities Commission, granting the intercity lines a recent increase in package and express rates, brought out that extra revenue must be found to keep buses moving.

Raising fares is not a solution. Nor is cutting schedules. Each is followed by a drop in patronage. Each drives more passengers to autos.

Raleigh's city bus operator, White Transportation Company, has been "in the red" to the point that the expression has ceased to be amusing.

Winston-Salem's operator, Winston-Salem City Bus Lines, Inc., which took over from Duke Power Company last year, already is fighting to discontinue night and Sunday service.

Murphy - Franklin Bus Line of Shooting Creek gav eup the ghost in March, 1955, Burke Transportation Company of Morganton the following June. (Morganton now is served by Suburban Coach Coach Company Inc.)

Last January, as the deadline fell for purchasing new licenses, five companies collapsed—Henderson, City Transit Company of Elkin, Ricks Bus Line of Greenville, Saxapahaw-Burlington Coach Company of Graham, and Beatty Ford Bus Company Inc. of Charlotte. Most had ceased service earlier.

Montsford Cove Bus Line of Marion cancelled its certificate March 27 and William H. Large of Hot Springs this May 8.

Last month, two more fell — Central Bus Company of Lincolnton and Brevard Bus Company of Brevard.

The ranks are thinning. National reports say many lines in the big cities are tottering. The bus is headed the way of the trolley.

The bus line official and stockholder are only two of the sufferers.

For all the automobiles, hundreds of people in Raleigh, thousands in North Carolina and millions in the nation still depend on the buses to get where they must go.

When the buses go, how will they travel?

Appeals Court Orders Three Judge Court For Bus Case

World Fri 9-7-56 P. 1

Birm. Ala

(Special to Memphis World)

CINCINNATI, Ohio — (SNS) — Chief Judge Charles C. Simons of the District Court of Appeals here Tuesday issued an order establishing a three judge court to hear the bus segregation case filed in Memphis by Negro postal employee O. Z. Evers earlier this year.

The request for a three Judge court was corporated in the civil action suit filed by Evers on Tuesday, June 5, asking that all Tennessee codes requiring segregation of passengers on public transit vehicles be declared null and void" and in violation of the 14th amendment.

The suit was filed by Evers following an incident which occurred April 26.

On April 26, Evers in the company of his next door neighbor, G. L. Myers of 675 Lipford, boarded a No. 7 "Crosstown" Memphis Street Railway trolley (number 1011) and together took a seat near the front.

The bus driver, identified as Warren G. Alexander, asked the two Negroes to move to the back pointing out that "the law" required Negro and white passengers to be separated.

After the two men refused to move the driver stopped at the fire station on Bellevue near Walker where he apparently called the police.

Shortly after two policemen boarded the trolley and gave Evers and Myers, both postal employees, the option of moving to the rear or leaving the bus. The duo chose to leave the bus.

The suit filed by Evers thru Atty. H. T. Lockard, president of the Memphis NAACP, asked that (1) a three judge court be set up to hear the case, (2) that a temporary injunction be issued restraining the defendants from enforcing sections 1704 thru 1708 of Title 65 of the Tennessee Codes which require transit segregation and (3) that a final judgment be rendered declaring the cited sections as "unconstitutional and therefore null and void in that they deny due process of law and equal protection of the law" under the 14th amendment and Title 42 of the United States Code.

Commissioner of Public Service John T. (Buddy) Dwyer, the three other city commissioners, Mayor Edmund Orgill, Police Chief J. C. Macdonald, the two policemen, the bus driver and the Memphis Street Railway Co. are named as defendants.

No date for the trial has been set.

Circuit Court Judge John D. Martin and District Court Judges Marion Boyd of West Tennessee and William E. Miller of Middle Tennessee were named to the court.

Assisting Atty. Lockard in presenting Evers' case will be Robert Carter and Thurgood Marshall of the national NAACP legal staff.

Nurse sues bus line for 500 Gs

Afro American p.3

Sat. 2-11-56

NEW YORK — Mrs. Anne Loftis, 63 - year - old nurse of North Amityville, L.I., has instituted a $500,000 suit against the Pennsylvania Greyhound Lines.

Baltimore Md.

The petition was filed last week in Suffolk Supreme Court, Riverhead, L.I. and asks damages for a beating she claimed she received last summer while traveling on the busline.

Mrs. Loftis said she was beaten by a white passenger between Atlanta and Montgomery, Ala. after she had refused to move to a rear seat when so ordered by the driver.

38b 1956

Justices Rule On Buses in S. Carolina

Constitution Atlanta, Ga. Tue. 4-24-56

By LUTHER A. HUSTON

(Copyright 1956 by The New York Times Co.)

WASHINGTON, April 23—The Supreme Court ruled today against the last vestige of racial segregation in public transportation.

The court's action left standing a ruling by a federal Court of Appeals that segregation in intrastate buses violates the U.S. Constitution. It knocked out a South Carolina law making segregation of passengers on motor vehicles mandatory.

DIXIE IMPACT

Since 12 other states have similar laws the ruling was regarded as having wide application throughout the South. Its impact upon local laws and customs was regarded as scarcely less solid than the high court's decision outlawing segregation in public schools.

One interpretation of today's action was that it legally embalmed the doctrine of Plessy vs. Ferguson. That was the case, decided in 1896, in which the Supreme Court said segregation of passengers on railroads was constitutional if "separate but equal" facilities were provided.

SCHOOL CASE

In its school segregation ruling, the high court said the "separate but equal" doctrine had no place in the field of public education. The Court of Appeals, in the South Carolina bus case, said Plessy vs. Ferguson was no longer applicable law in the transportation field.

In effect, the Supreme Court rebuked the South Carolina Electric & Gas Co. for bringing the appeal. This company operates the bus system in Columbia, S. C.

The court's opinion said simply that "the appeal is dismissed" and cited Slaker vs. O'Connor. That was a decision in which the court dismissed an appeal as "without any authority of law" that "needlessly consumed our time."

WOMAN SUES

The case before the high court grew out of a suit for damages brought against the bus company by Sarah Mae Flemming, a Negro. She asked $25,000 because a driver had forced her to leave a bus when she refused to move to that part of the bus reserved for Negroes.

Lawyers for Miss Flemming charged that the South Carolina statute requiring segregation on buses was unconstitutional. They alleged that enforcement of the law abridged her civil rights as guaranteed by the 14th Amendment.

Constitution

This was the position upheld by the Court of Appeals July 1, 1955, and from which the bus company appealed to the high court.

Alabama, Arkansas, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, Tennessee, Texas and Virginia have laws similar to the South Carolina statute. The validity of all these laws was believed impaired by the high court's ruling, although court practices would be to decide cases brought under them in the light of particular circumstances.

Today's decision by the Supreme Court was the first involving segregation on buses operating within the boundaries of a state. In 1946 it held that segregation of passengers by race on buses crossing state lines was an unconstitutional burden on interstate commerce.

The Supreme Court now has outlawed segregation in schools, public works and recreation areas, golf courses supported by public funds and, in the District of Columbia, in theaters, hotels and restaurants.

The Flemming damage suit originally was dismissed by a federal District Court on the ground that the "separate but equal" doctrine as applied to transportation had not been set aside by the Supreme Court's school decision.

Chief Judge John J. Parker of the Court of Appeals for the Fourth Circuit reversed that decision.

Atlanta Ga.

Presumably the damage suit will now go back to the District Court for trial.

In its appeal brief to the Supreme Court, the bus company said public necessity required that the state's police power to enforce segregation be maintained for the present. The city of Columbia, in a separate brief, asked the court to let stand the separate but equal doctrine in the interest of "peace, harmony and the general welfare."

These positions were supported by the State of South Carolina In a brief filed by Atty. Gen. T. C. Callison, the state asserted that conditions could not be improved "by having courts strike down statutory law" that guaranteed "to everyone his constitutional rights in the pursuit of happiness on a voluntary basis." Callison said racial progress in the state had been "nullified by agitators."

COURT'S BUS RULING DISPUTED IN SOUTH

Times Atlanta New York

COLUMBIA, S. C., May 10 (AP)—The South Carolina Public Service Commission said today the United States Supreme Court had not ruled on intrastate travel segregation laws.

It said South Carolina laws requiring white and Negro passengers to ride separately on trains and buses within the state were "in full force and effect" despite a recent action of the Supreme Court.

The Supreme Court refused April 23 to review a case from Columbia in which a Negro woman, Sara Mae Flemming, sued the city bus operators for $25,000 because a driver had insisted she sit apart from white passengers.

M. 5-11-56

The court's refusal has been interpreted as upholding a ruling by the Fourth Circuit Court of Appeals that bus segregation was unconstitutional. The Public Service Commission disagreed with this interpretation.

MONTGOMERY, Ala., May 10 (AP)—A three-judge Federal panel will convene tomorrow to hear a suit by four Negroes challenging the racial barriers responsible for a mass boycott of city buses in Montgomery.

The suit seeks an injunction to stop city and state officials from enforcing the laws against mixing of races and a declaratory judgment holding the statutes unconstitutional.

The action of the three-judge panel can be appealed directly to the Supreme Court, while the South Carolina case concerned in the April 23 decision must go back to a lower court for trial. Thus the trial here may produce the first clear-cut finding by the Supreme Court.

PSC Denies Court Killed Bus Segregation in S.C.

Constitution Fri. 5-11-56 Atlanta Ga. P. 13

COLUMBIA, S.C., May 10 (AP)—The South Carolina Public Service Commission said today the U.S. Supreme Court has not ruled on intrastate travel segregation laws—and explained why it thinks so.

It said South Carolina laws requiring white and Negro passengers to ride separately on trains and buses within the state "are in full force and effect" despite Supreme Court refusal April 23 to review a case from Columbia in which a Negro woman, Sara Mae Flemming, sued the city bus operators for $25,000 because a driver insisted she sit apart from white passengers.

The court's refusal to review has been widely interpreted as upholding a 4th Circuit Court of Appeals ruling in the case that bus segregation is unconstitutional. Some government lawyers disagreed.

In its ruling the Circuit Court contradicted a District Court decision by Judge George Bell Timman Sr.—father of South Carolina's governor—that segregation was not a valid cause of action.

The Public Service Commission said the sole reason the Supreme Court refused to review the case was not because of the segregation issue, but because it just will not consider any case until a District Court has rendered a final judgment.

The Supreme Court's only reference in the dismissal was to Slaker vs. O'Connor, a case in which the commission said the court declared it would not review a case until after final trial judgment.

Thus, the PSC said, the high court actually has not ruled one way or the other on bus segregation—a view taken by a number of lawyers, including State Atty. Gen. T. C. Callison.

Our Opinions

Defender P. 9

Constitutional Confusion

Sat 5-5-56

The Supreme Court's action — or the lack of it —on the Sarah Flemming suit against the Carolina Coach co., last week has left some sharply differing opinions among legal experts.

Specifically, the high court dismissed the appeal of the utilities company from a lower court decision instructing the state of South Carolina to cease segregation on public conveyances. At first glance, this seemed like a clear cut interpretation which could be broadly applied to all intrastate travel and some newspapers came out with headlines proclaiming the end of the Montgomery bus boycott.

Chicago, Ill.

In fact, the National City Lines which own the Montgomery system sent out an order telling the local management to end discrimination in its policy. But the mayor and the chief of police and the public utilities commissioner have threatened to arrest any driver or passenger who attempts to carry out the order of integration and the bus protest by 50,000 Negroes goes on.

In Virginia, three cities, Norfolk, Richmond and Portsmouth, ended segregation on buses, but the lawyers are arguing. In Washington, Father Joseph Snee of the Georgetown university Law School, said the appeal was dismissed on the technical ground that a final decision on the case had not been reached by the lower courts. He said the ruling in itself did not consider the question of segregation, and he predicted that the case can come up before the Supreme Court again.

Other lawyers have interpreted the decision as not settling the issue, but serving as a guide for further procedures. They dis-

agree over the question of whether the last vestiges of the Plessy vs Ferguson separate but equal doctrine have been knocked out.

NAACP lawyers said the ruling had no bearing on the conviction of Rev. Martin Luther King, jr., on a conspiracy charge; but it might be applied in the case of Mrs. Rosa Parks convicted of violating the state statute on segregation in travel.

On May 11, the suit of Mrs. Parks and four other members of the Montgomery Improvement Association testing the state law on intrastate travel will be heard in a three-member Federal District court.

So, there seems to be a lot of constitutional confusion. In our opinion, the high court was proceeding along proper legal lines in the same framework of the decisions in the Schools cases. Now that the bus company in Chicago has formally ordered the end to segregation in Montgomery, the city fathers are committing financial harakiri when they block the order; because the Negroes are still remaining off the buses and the deficit is piling up higher and higher. The walls are crumbling, but some diehards would rather be silly than right.

It is encouraging that in some parts of the South, sanity is prevailing.

New Trial May Clarify Court Action On Buses

Defender p. 1 Sat. 5-26-56 Chicago, Ill.

COLUMBIA, S. C. — (INS) — Federal district court at Columbia, S. C., apparently is going to have to decide, probably starting next month, whether racial segregation on intrastate buses is legal.

The district court is expected to schedule for its June term a hearing of the now-famous case of Sarah Mae Flemming, versus the South Carolina Electric and Gas co., a public bus operator.

The U.S. Supreme Court on April 23rd dismissed an appeal in the case. The action immediately was interpreted as outlawing segregation on buses operated inside states.

Some southern bus companies even painted out "white" and "colored" signs. Then lawyers, judges and public service commissioners said the high court actually rendered no decision on bus segregation.

SUED FOR $25,000

Miss Flemming had sued the company for $25,000. She had been removed from a bus for refusing to move out of an area reserved for white passengers.

She asked damages because, she claimed, the Supreme Court's 1954 decision, declaring segregation in public schools unconstitutional also applied to intrastate buses.

But Federal District Judge George Bell Timmerman threw the suit out before judging on the damage claim itself. He said Miss Flemming had no case because South Carolina's law requiring segregation on intrastate buses was constitutional.

Thus she had been removed from a bus for violating a constitutional law, all of which was perfectly proper.

DECISION REVERSED

The federal court of appeals reversed that decision. It said the Supreme Court's historic 1954 school anti-segregation decision applied. The appelate court sent the case back to the district court for further proceedings.

Then the bus company appealed this decision to the U.S. Supreme Court.

On April 23, the high court dismissed the bus company's appeal, citing Slacker vs. O'Conner.

That litigation established the precedent a final judgement had to be entered before an appeal could be taken to the Supreme Court. But the suit of Sarah Mae Flemming for damages still had not been decided by the district court.

THREE VIEWS

Attorney took three general views of the Supreme Court dismissal: 1) Philip Wittenberg, Miss Flemming's attorney, claimed the court's action in effect sustained the appellate court position that segregation on intrastate buses is illegal.

"When the Supreme Court dismissed the case," he said, "it left the appellate court ruling in effect, and therefore my client has a legitimate case on the grounds that her civil rights were violated."

2) Frank Gray, attorney for the company, said the doctrine of "separate but equal" facilities for Negroes and white, overthrown in the public schools case, "is still controlling (for buses) until, and unless it is specifically overthrown by the Supreme Court."

"The district court's decision, he said, was correct and the plaintiff "has no case."

3) South Carolina Atty. General T. C. Collison took a different tack. He said since the Supreme Court returned the case to the district court, it threw out the decision of he appeals court.

Since there had been no final disposition of the case in district court, he contended, the state's racial segregation laws were not not affected "one way or the other."

SEE NO CHANGE

The South Carolina Public Service commission said: "The Supreme Court's action . . . merely means that the case is not yet ripe for its decision.

Therefore, its action in dismissing the appeal has no effect on the validity or enforcibility of the laws of this state dealing with segregation of passengers on intrastate buses or intrastate railroads."

Two of three circuit court judges hearing a suit in Montgomery, Ala., where Negroes have long been boycotting segregated buses, commented similarly in remarks the bench.

They did not consider the Supreme Court had ruled one way or another on segregation on intrastate buses.

The South Carolina Gas and Electric co. had until Saturday to file a petition for a rehearing on its dismissed appeal to the U.S. Supreme Court.

Now the case is scheduled to come up at the June term of the federal district court at Columbia for a final judgement on the merits of Miss Flemming's suit for damages.

Woman Given Another Chance In Carolina Bus Case Appeal

BALTIMORE, Md., Nov. 30 (AP) — A Columbia S.C., Negro woman was given a third chance today to seek $25,000 in a damage suit against a city bus company in her home town.

The Fourth Circuit Court of Appeals for the second time ordered her case back to District Judge George Bell Timmerman of Columbia for trial.

Mrs. Sarah Mae Fleming Brown contended a driver ordered her off a city bus for sitting in front of white people, and hit her with his elbow when she was getting off. South Carolina law says the races must be segregated, but does not specify seating positions. By custom, Negroes sit in the rear of buses.

The South Carolina Electric and Gas Co., operating the buses, insisted that the driver was only directing her to get off by the rear entrance, where both white and Negro passengers alight. Bus regulations reserve the front entrance for incoming passengers, white and Negro.

Sat. 12-1-56

She sued on the grounds her civil rights were violated by segregation on the bus.

The first time it came before him, Timmerman said she had no Federal court case. The second time, he said a state law requiring racial segregation on buses was valid at the time—1954. Such laws recently were declared unconstitutional by the U.S. Supreme Court.

The appeals court held that whether a law was valid at the time "may properly be considered by the jury on the issue of damages."

In his second ruling, Timmerman noted that there was nothing to show the driver was acting under the state segregation law, but that if he was, he was acting under a law valid then.

The appeals court said that in most decisions, reliance on a law later declared unconstitutional does not protect a person from being liable.

Students Continue Tests of Bus JC

Afro-American Sat. 12-15-56 P. 12

Baltimore Md.

COLUMBIA, S.C. — College students who have been sampling effectiveness of state and city bus segregation laws for a week, reported Friday "no incidents" after numerous "try-outs."

Independent of the college itself, and of the campus NAACP chapter, numerous students at Allen University began tests of the city's bus seating Thursday of last week.

Three buses, at three different times, were used Thursday; two other routes were made Monday and Tuesday, with further tests scheduled the remainder of the week.

Fred Moore, campus NAACP president, told The AFRO:

"We are happy to say that there were no incidents. We consider that our experiment has succeeded. The only thing we hope now is that more people will get on the buses and take the first seats they come to."

Students reported incidents, however, wherein two bus drivers and a city police officer had refused interference with the racially mixed seating of passengers.

* * *

ON FRIDAY, a driver asked a student to leave the front seat he had taken next to a white woman passenger. The student refused; the driver returned to his seat and started his run.

The woman passenger did not protest or change seats.

The next afternoon students noted that when they boarded a bus, one of the three used Thursday, a city police patrol car with two officers trailed the bus uptown. A third officer sat among passengers, but said nothing as the seats were taken.

One white passenger asked the officer to order a student to a rear seat. He was told, student leaders said, "There is nothing I can do about it."

He emphasized the "I" and later surrendered his own seat near the front to a young colored woman passenger who had gotten on.

* * *

A SECOND BUS DRIVER, Mr. Moore reported, told one male student he could be arrested for refusing to move. However, the driver made no further attempt to remove the young man, and drove on his route.

One other student reported Tuesday that he had observed a white male passenger "elbowing and nudging" a woman student who had seated herself beside him.

Seeing that the young woman was irritated, the student said:

"I told her not to move, not to hunch him back. I told her just take it."

She did and was along with the next group of students continuing the experiment.

Things did not go so well for the students on the campus, however.

The two advisors of the campus NAACP chapter, H. E. Chariton and R. E. Moran, resigned immediately after the first tests were made.

Mr. Moore said one of these told him he had not understood that students in the branch would do more than "study" conditions.

Some faculty members thought the testings pre-mature and said they thought "outsiders" were misuing and exploiting the students.

They refused to say who the "outsiders" were, or might be. However, James M. Hinton, state NAACP president, told the AFRO from his office in Augusta, Ga., that the first he knew of the student efforts was

Local NAACP leaders said when they were in their second try.

they were not consulted by the student chapter, and therefore didn't know beforehand about the undertaking.

Mr. Hinton, who conferred with Mr. Moore and other student leaders, privately, on the weekend, said that so long as they employ orderly procedures, they will have full NAACP backing, where and if they need it.

Mr. Moore told the AFRO that he had been told by faculty spokesmen that the effort cannot be undertaken in the name of the college, unless first endorsed by the trustees and administrative officers.

Bus Suit Faces Trial Third Time

Times-Picayune Sat. 12-1-56

BALTIMORE, Md., Nov. 30 (AP) —A Columbia, S. C., Negro woman was given a third chance Friday to seek $25,000 in a damage suit against a city bus company in her home town.

The fourth circuit court of appeals for the second time ordered her case back to District Judge George Bell Timmerman of Columbia for trial.

New Orleans La. P. 15

Mrs. Sarah Mae Fleming Brown contended a driver ordered her off a city bus for sitting in front of white people, and hit her with his elbow when she was getting off. South Carolina law says the races must be segregated, but does not specify seating positions. By custom Negroes sit in the rear of buses.

The South Carolina Electric and Gas Co., operating the buses, insisted that the driver was only directing her to get off by the rear entrance, where both white and Negro passengers alight. Bus regulations reserve the front entrance for incoming passengers, white and Negro.

She sued on the grounds her civil rights were violated by segregation on the bus.

S.C. bus case may hold key to mixing intrastate travel

Afro-American Sat. 2-11-56 P.3

Baltimore, Md.

By JOHN H. McCRAY

COLUMBIA, S.C. — While the ICC ruling, effective Jan. 12, put a big dent in segregation in transportation, legal sources here said this week that the pending Sarah Flemming suit may provide the key to a final settling of the issue.

The U.S. Supreme Court has yet to act on an appeal from the Fourth Circuit Court of Appeals which, last July, held that the S.C. Electric and Gas Co., operators of city buses in Columbia, could not segregate Miss Flemming and other colored passengers.

They based their opinion on the May 31 school case ruling of the Supreme Court.

SPECIFICALLY, the Circuit Court remanded to the U.S. District Court at Columbia the Flemming case, reversing Judge George Bell Timmerman Sr., who dismissed Miss Flemming's complaint and suit for $25,000 damages with the rejoinder:

"One's personality and education is not developed on a city bus."

Timmerman held that the May 31 school ruling was not applicable to the transportation case.

MISS FLEMMING filed suit after a city bus driver refused to let her leave the crowded bus by way of the front door. He allegedly struck her in the stomach during the refusal.

Legal observers said this week that the Flemming case is being watched as the "next phase" of segregation in transportation.

* * *

MEANWHILE RAILROAD companies maintain a "wait and see" position.

Lawyers reason that since the Flemming case attacks intrastate travel segregation, should the Supreme Court uphold the Circuit Court's ruling, this would end legally the issue which was the basis for the Plessy vs. Ferguson decision of 1896.

* * *

NAACP SOURCES (the NAACP entered the case on appeal to the Circuit Court) said the Supreme Court might pursue one of two actions in disposing of the pending appeal:

1. It might order hearings, with arguments on the issue being scheduled.

2. Or, it might refuse to accept the appeal, in which case the matter would be settled, legally, though further litigation might arise in similar cases.

The possibility that the Supreme Court will reverse the Circuit Court is considered "unlikely."

Meanwhile, lawyers for both sides await momentarily indication of the high court's intention in the matter.

Legislator attacks action in dropping case against Negro

News & Leader Thurs. 3-1-56

COLUMBIA, S. C., March 1—(AP)—A state representative has criticized Florence authorities for what he termed "the jellyfish manner in which they handled Clarence Mitchell's flagrant violation of South Carolina segregation customs."

Rep. John Calhoun Hart of Union, an outspoken segregationist, referred to the nol prossing of a case brought against Mitchell, head of the Washington office of the National Assn. for the Advancement of Colored People, because he used a white railroad waiting room.

THE FBI ENTERED the case yesterday on orders of the Justice Department to determine whether federal civil rights laws were violated.

Mitchell and the Rev. Horace P. Sharper of Sumter were charged with failing to obey a police officer in the discharge of his duties. The charges were not prosecuted at the request of Florence's city attorney.

Hart said that Florence can expect NAACP members to imitate Mitchell on a wholesale scale as a result of the action.

"We must have a showdown sooner or later," Hart declared, "and it s doubtlful that a better opportunity will ever present itself."

Hart has introduced several bills to curb NAACP activities in South Carolina.

POLICE ARREST NEGRO LEADER AT RAIL DEPOT

Daily Tribune Wed. 2-29-56

Chicago, Ill.

Refused to Go Out and Come In Again

P. 6

Florence, S. C., Feb. 28 (AP)—Clarence Mitchell, director of the Washington bureau of the National Association for the Advancement of Colored People, was arrested here last night at a railroad station.

Mitchell said he had refused to use an entrance provided for Negroes.

A hearing of the case was scheduled later today in Recorders court, Mitchell said police informed him.

Stopped by Policeman

Mitchell said that he and the Rev. Horace P. Sharper, pastor of the First Baptist [Negro] church of Sumter, entered the Atlantic Coast Line railroad station at about 11:30 last night to check on a ticket reservation.

A policeman stopped him and told him either to come back into the station thru the colored entrance or leave. Mitchell asserted he was an interstate passenger and would not use the colored entrance. Both he and his companion were arrested.

At the police station, Mitchell posted $17 bond. The same amount was set for Sharper, whom police held in a cell for about a half hour until bond was obtained.

Charged with Resisting

At the office here of his attorney, William W. Bennett, Mitchell said: "We had to call three times to the police station today before we learned what the charge was against us."

Mitchell said he and Sharper were charged with resisting an officer in performance of his duty, altho, he added, police said if Mitchell had not refused to use the colored entrance nothing would have happened.

Florence police said the only officer authorized to comment on the matter was Capt. Herbert Fields. He could not be reached immediately.

FBI to Probe Negro's Arrest

News & Observer Thurs. 3-1-56

WASHINGTON, Feb. 29 (AP)—The FBI was told by the Justice Department today to "get the facts" about the arrest of Clarence Mitchell, Washington Negro, at the railroad station in Florence, S.C., Monday night.

Raleigh, N.C.

The FBI's investigation is to determine whether federal civil rights laws were violated. P. 12

Mitchell and the Rev. Horace P. Sharper, Sumter, S.C., Negro minister, reported they were taken into custody when they refused to use an entrance for Negroes at the station. Mitchell, who is director of the Washington office of the National Assn. for the Advancement of Colored Poeple, said he and Sharper had gone to the station to check on train reservations.

Both were charged with failing to obey a police officer in the discharge of his duties. The charges were nol prossed (not prosecuted) when the cases were called for hearing yesterday at Florence. The nol prosses were taken at the request of the city attorney.

Following their arrests, the two men had been freed on bond.

No waiting room jim crow for NAACP group at Carolina station

Afro-American Sat. 3-17-56

CHARLESTON, S.C. — The hundreds of delegates who arrived here by train to attend the Southeast Regional NAACP meeting last week ran into no such situation that befell Clarence Mitchell and the Rev. H. P. Sharper at Florence Monday night.

All NAACP delegates, and visitors, a state NAACP officer said, used the ACL's unmarked waiting room at the north station which is also used by white passengers.

She won't ride

P. 1 Afro-American

COLUMBIA, S.C.—Mrs. Sarah Fleming Brown, 23, the bus passenger whose suit led to the Supreme Court ruling on intrastate buses, said while she's happy over the results, she won't ride buses again.

Baltimore, Md.

"I never ride a city bus since they put me off and I never will again," she said. "I'll either ride with my husband to work or walk." Her $25,000 suit against the bus company is still pending.

Court Will Not Clarify Bus Ruling for Press

Post New York, N.Y. 3-8-56

Washington, April 26 (AP)—Banning E. Whittington, Supreme Court press information officer, said today, "There is no comment as far as any clarification from the Court is concerned" on the South Carolina bus case.

Whittington gave this reply to a written request for comment to clarify last Monday's brief order by the high tribunal.

The court order, by simply dismissing an appeal, left standing a Circuit Court decision that South Carolina's law requiring race segregation on buses is unconstitutional and that the U. S. District Court at Columbia, S. C., should proceed to try the suit of a Negro woman seeking damages for enforcement of the law.

[Legal experts told The Post yesterday that the court order did not actually outlaw segregation on intrastate buses. Instead of saying that such segregation was unconstitutional, the Supreme Court merely said it would not hear the case until a lower court had issued a final order.]

Whittington said the only way clarification might come from the Court would be as the result of a request by the parties involved in the case. No such request has been filed.

In South Carolina

Daily World

Federal Court May Have To Soon Decide Bus Question

Sat. 5-19-56 Atlanta, Ga. P. 1

COLUMBIA, S. C. — (INS) — Federal District Court at Columbia, S. C., apparently is going to have to decide, probably starting next month, whether racial segregation on intrastate buses is legal.

The District Court is expected to schedule for its June term a hearing of the non-famous case of Miss Sarah Mae Flemming, a Negro, versus the South Carolina Electric and Gas Co., a public bus operator

The U S. Supreme Court on April 23 dismissed an appeal in the case. The action immediately was interpreted as outlawing segregation on buses operated inside states.

SOME COMPLIED

Some Southern Bus Companies even painted out "white" and "colored" signs Then lawyers, Judges and public service commissioners said the high court actually rendered no decision on bus segregation.

Miss Flemming had sued the Company for $25,000 She had been removed from a bus for refusing to move out of an area reserved for white passengers She asked damages because, she claimed, the Supreme Court's 1954 decision, declaring segregation in public schools unconstitutional also applied to intrastate buses.

But Federal District Judge George Bell Timmerman threw the suit out beofre judging on the damage claim itself. He said Miss Flemming had no case because South Carolina's law requiring segregation on intrastate buses was constitutional Thus she had been removed from a bus for violating a constitutional law all of which was perfectly proper.

REVISED DECISION

The Federal Court of Appeals reversed that decision. It said the Supreme Court's historic 1954 school anti-segregation decision applied. The Appellate Court sent the case back to the District Court for further proceedings.

Then the Bus Company appealed this decision to the U. S. Supreme Court. On April 23 the high court dismissed the bus company's appeal, citing Slacker vs O'Conner That litigation established the precedent a final judgment had to be entered before an appeal could be taken to the Supreme Court But the suit of Miss Sarah Mae Flemming for damages still had not been decided by the District Court.

Daily World P. 5

Attorneys took three general views of the Supreme Court dismissal:

1—Philip Whittenberg, Miss Flemming's Attorney, claimed the courts action in effect sustained the appelate court position that segregation on intrastate buses is illegal.

CASE DISMISSED

"When the Supreme Court dismissed the case," he said, "it left the appelate court ruling in effect and therefore, my client has a legitimate case on the grounds that her civil rights were violated."

2—Frank Gray, Attorney for the company, said the doctrine of "separate but equal" facilities for Negroes and white, overthrow in the public schools case, "is still controlling (for buses) until, and unless it is specifically overturned by the Supreme Court." The District Court's decision ,he said, was correct and the plaintiff "has no case."

DIFFERENT TACK

3—South Carolina Attorney General T C. Callison took a different tack. He said that since the Supreme Court returned the case to the District Court, it threw out the decision of the Appeals Court Since there had been no final disposition of the case in District Court, he contended, the State's racial segregation laws were not affected "one way or the other."

The South Carolina Public Service Commission said: "The Supreme Court's action—merely means that the case is not yet ripe for its decision. Therefore, its action in dismissing the appeal has no effect on the validity or enforcibility of the laws of this state dealing with the segregation of passengers on intrastate buses or intrastate railroads."

THREE JUDGES

Two of three circuit court judges hearing a suit in Montgomery, Ala., where Negroes have long been boycotting segregated buses, commented similarly in remarks from the bench. Thy did not consider the Supreme Court had ruled one way or another on segregation on intrastate buses"

The South Carolina Gas and Electric Co., had until today to file a petition for a rehearing on its dismissed appeal to the U. S. Supreme Court

Now the case is scheduled to come up at the June term of the Federal District Court at Columbia for a final judgment on the merits of Miss Flemming's suit for damages.

DESPITE COURT ACTION

Advertiser P. 1

Carolina PSC Declares Race Barriers Still Up

Fri. 5-11-56

Montgomery, Ala.

COLUMBIA, S. C., May 10 (AP)—The South Carolina Public Service Commission said today the U.S. Supreme Court has not ruled on intrastate travel segregation laws —and explained why it thinks so.

It said South Carolina laws requiring white and Negro passengers to ride separately on trains and buses within the state "are in full force and effect" despite Supreme Court refusal April 23 to review a case from Columbia in which a Negro woman, Sara Mae Flemming, sued the city bus operators for $25,000 because a driver insisted she sit apart from white passengers.

The court's refusal to review has been widely interpreted as upholding a 4th Circuit Court of Appeals ruling in the case that bus segregation is unconstitutional. Some government lawyers disagreed.

In its ruling the Circuit Court contradicted a District Court decision by Judge George Bell Timman, Sr.—father of South Carolina's governor—that, segregation was not a valid cause of action.

The Public Service Commission said the sole reason the Supreme Court refused to reiew the case was not because of the segregation issue, but because it just will not consider any case until a District Court has rendered a final judgment.

The Supreme Court's only reference in the dismissal was to Slaker vs. O'Connor, a case in which the commission said the court declared it would not review a case until after final trial judgment.

Thus, the PSC said, the high court actually has not ruled one way or the other on bus segregation—a view taken by a number of lawyers, including State Atty. Gen. T. C. Callison.

The Flemming suit is currently on file in the Federal Dist. Court here and will be tried before Judge Timmerman at a future date as yet not specified.

Timmerman again dismisses matron's S.C. bus damage suit

Afro-American Sat. 6-23-56 P3

Baltimore, Md.

COLUMBIA, S.C. — U.S. District Court Judge George Bell Timmerman Sr., in a surprise action, again dismissed the $25,000 civil rights damage suit of Mrs. Sarah Mae Flemming Brown against the South Carolina Electric and Gas Co., Wednesday morning, after a day's hearing.

Judge Timmerman had, in 1955, dismissed the suit ruling that "one's education and personality is not developed on a city bus."

In July, 1955, however, the Fourth Circuit Court of Appeals reversed him, holding that the 1954 Supreme Court school case rulings meant that the Plessy vs. Ferguson transportation suit precedent of 1896 no longer was law.

* * *

IT REMANDED the case to his court for settlement on the damages angle, the segregation issue being settled.

Philip Wittenberg, chief counsel for the 23-year-old Eastover, S.C., woman who sued after being struck in the stomach by a company bus driver on June 22, 1954, told the AFRO that he had ordered a copy of Timmerman's order.

If there were basis enough, he would again take the case before the Fourth Circuit Court, he said.

* * *

JUDGE TIMMERMAN'S ruling came as a surprise even to veteran court observers when Wednesday morning, he granted a defense motion to dismiss the action after having refused a similar request on Tuesday.

Mr. Timmerman, who occasionally took swipes at the Fourth Circuit Court of Appeals in his latest ruling, contends that:

1. At the time of the incident provoking the suit the bus driver was operating under state law which clothed him with the power of a police officer.

2. That the plaintiff had failed to show that the driver had acted under statutes showing clearly he violated constitutional rights.

Mrs. Brown had rested her case about 4:30 p.m., Tuesday, after two other witnesses, Mrs. Julia Elizabeth King and Mrs. Mozelle Martin, had corroborated her testimony that she had taken an unoccupied seat on the bus and was hit in the stomach by the driver when she sought to leave by the front, rather than the rear door.

* * *

HER ATTORNEYS have 30 days in which to indicate an appeal from Timmerman's ruling.

One lawyer reasoned that while Judge Timmerman contended any ruling in favor of the plaintiff would mean a "retroactive" decision, "It has been my opinion that whenever a court finds a practice unlawful, the practice has always been unlawful and such a ruling, in itself, is retroactive."

Timmerman's opinion flailed the Fourth Circuit Court for, what he said, overstepping the U.S. Supreme Court in holding intrastate and other trasportation practices of segregation by race illegal.

He held the highest court hadn't yet decided this question as had the Fourth Circuit Court of Appeals.

Observers predicted that the case will very likely wend its way again to the Supreme Court which, last month, refused an appeal on it brought by the defendants.

S.C. bus suit being retried

Afro-American Sat. 6-16-56

Baltimore, Md.

COLUMBIA, S.C. — The two-pronged civil rights suit of the former Miss Sarah Mae Flemming, now Mrs. Sarah Mae Brown of Eastover, filed in 1954 against segregated seating on city busses of the S.C. Electic and Gas Company, was scheduled for a re-trial in U.S. District Court here on June 12.

Actually, Federal Judge Bell Timmerman Sr. will reconsider the case in the light of a U.S. Fourth Circuit Court of Appeals ruling in 1955.

It reversed Judge Bell's dismissal of the case and ordered him to reconsider the case in the light of the celebrated school cases, in which the Supreme Court outlawed racial segregation.

* * *

THE POWER company, aided by the state attorney general's office and the city of Columbia, appealed the Circuit Court's findings.

However, the Supreme Court rejected the appeal last month, leaving the Circuit Court's order standing.

After a power company's bus driver reportedly elbowed her on June 22, 1954, Miss Flemming sued for $25,000 damages and a declaratory judgment outlawing seating by race.

The June 12 hearing was selected to consider the damages claimed, as well as the Circuit Court's holding in the case.

Judge Timmerman, father of the state's governor, in dismissing the original suit, held:

"One's education and personality is not developed on a city bus."

LEGAL OBSERVERS here said the June 12 actions would most certainly begin anew a cycle of appeals and rulings which would reach the Supreme Court and, in the end, settle the issue of intrastate travel segregation.

No matter which side emerges victor following the hearing, these sources said, an appeal to the Circuit Court and subsequently to the Supreme Court "can be expected."

Bus Suit May Reach South Carolina Court

Daily World Atlanta, Ga. P.M. 6-8-56

COLUMBIA, S. C. (ANP) — The South Carolina bus segregation suit which the U S. Supreme Court refused to review may come up in a term of federal district court here opening June 12.

The suit was filed by Sarah Mae Fleming, 26-year-old Negro woman, against the South Carolina Electric and Gas Company for $25,000 after she was put off a city bus for refusing to move to a rear seat as is required by state law.

The U S Supreme Court sent the case back for trial on the facts after Judge George Bell Timmerman declared the woman had no case on the basis of the U. S. Supreme Court's ruling that racial segregation in schools is unconstitutional

"One's education is not obtained or furthered on a city bus," Judge Timmerman declared. The judge is the father of South Carolina's governor, George Bell Timmerman Jr., one of the south's leading pro-segregationists.

The U. S. Fourth Circuit Court of Appeals reversed the judge and declared the school ruling did apply.

The Supreme Court refused to hear an appeal from this decision citing only a case in which it had ruled that it would not hear any case until after a full trial on its merit in the lower courts.

BUS EDICT CALLED GUIDE TO COURTS

Times Wed. 4-25-56

New York, N.Y.

Law Experts Say Decision Sets Course for a Ban on Intrastate Travel Bias

By LUTHER A. HUSTON

Special to The New York Times.

WASHINGTON, April 24 — Lawyers were reviewing today the legal background of the Supreme Court's action in a South Carolina bus case. They came up with answers that were not apparent when the ruling was announced yesterday.

The result was to circumscribe, as far as the legal aspects were concerned, the immediate impact of the decision. Few doubted, however, that the long-range effect would be — as appraised when the court's terse order was announced—to demolish the last bulwark of racial segregation in the field of public transportation.

The high court dismissed an appeal by the South Carolina Electric and Gas Company from a lower court ruling in a suit for damages brought by Sarah Mae Flemming.

The plaintiff, a Negro, had been removed from a bus for refusing to move from an area assigned to white passengers. The company operates the public bus transportation system in Columbia, S. C.

No explanation of its order was given by the court, except to cite a previous ruling in a 1929 case that did not involve segregation.

The order was widely interpreted as banning racial segregation on intrastate buses. Since separation of the races on trains and buses in interstate commerce already had been outlawed, this latest court action was seen as the fall of a final bastion.

Lawyers familiar with technical procedures in such cases said today, however, that this inter-

S. C. Denies Court Ruled on Bias

Inquirer Philadelphia

COLUMBIA, S. C., May 10 (AP). —The South Carolina Public Service Commission said today the U. S. Supreme Court had not ruled on intrastate travel segregation laws and explained why it thought so.

It said South Carolina laws requiring white and Negro passengers to ride separately on trains and buses within the State "are in full force and effect" despite a recent action of the U. S. Supreme Court.

ACTION INTERPRETED

The Supreme Court refused April 23 to review a case from Columbia in which a Negro woman, Sara Mae Flemming, sued the city bus operators for $25,000 because a driver insisted she sit apart from white passengers.

The court's refusal to review has been interpreted widely as upholding a 4th Circuit Court of Appeals ruling in the case that bus segregation is unconstitutional. Some Government lawyers disagreed.

In its ruling the Court of Appeals contradicted a District Court decision by Judge George Bell Timmerman, Sr.,—father of South Carolina's Governor—that segregation was not a valid cause of action.

EXPLANATION OFFERED

The Public Service Commission said the sole reason the Supreme Court refused to review the case was not because of the segregation issue, but because it would not consider any case until a District Court had rendered a final judgment.

The Supreme Court's only reference in the dismissal was to Slaker vs. O'Connor, a case in which the commission said the court declared it would not review a case until after final trial judgment.

Thus, the commission said, the Supreme Court actually has not ruled one way or the other on bus segregation—a view taken by a number of lawyers, including State Attorney General T. C. Callison.

pretation went too far. They argued that the ruling did not settle the issues, but simply prescribed further procedures.

The basis of the order, a study of the case history indicated, was that an appeal could not be brought to the high court until there had been a final judgment in the lower Federal courts. After the case has gone through the subordinate courts an appeal to the supreme tribunal for a ruling on the issues presumably would be acceptable.

When the Flemming suit was filed in Federal District Court it was heard by Judge George Bell Timmerman. The suit charged that South Carolina's law requiring racial segregation on motor vehicle carriers violated Federal rights guaranteed by the Fourteenth Amendment to the Constitution.

Judge Timmerman ruled, however, that the South Carolina statute was Constitutional.

In the challenge of the constitutionality of the law, the chief assertion had been that the Supreme Court's ruling, on May 17, 1954, that the "separate but equal" doctrine had no place in public education also ruled out the doctrine in public transportation.

In 1896 the Supreme Court had ruled, in Plessy vs. Ferguson, that separation of the races on railway trains did not infringe constitutional rights if equal accommodations were provided.

Judge Timmerman said, however, that to hold that the Supreme Court's decision in the school cases washed out the Plessy vs. Ferguson ruling "would be an unwarranted enlargement of the doctrine" announced in the school cases and "an unreasonable restriction on the police power of the state."

The Federal Court of Appeals for the Fourth Circuit reversed Judge Timmerman. It said:

"We do not think that the separate but equal doctrine of Plessy vs. Ferguson can any longer be regarded as a correct statement of the law * * *. The recent decisions * * * which relate to public schools leave no doubt that the separate but equal doctrine approved in Plessy vs. Ferguson has been repudiated."

The appellate body also ruled that the district judge had jurisdiction to hear the case. Under the Civil Rights Act, the court said, district courts could try cases involving deprivation of any rights, "under color of any state law," secured by the Constitution or an act of Congress.

The drivers of buses in South Carolina are police officers authorized to arrest persons disturbing peace and order. This is a statutory provision. The bus company argued that it was not legally liable for actions of a policeman pursuant to a state law.

The Appeals Court said, however, that the driver-policeman was acting for the company in enforcing a statute the company was required by law to enforce.

On these grounds, the Appellate tribunal sent the case back to the district court for further proceedings. This was the ruling the bus company appealed to the Supreme Court.

In dismissing the appeal, the high court cited Slaker v. O'Connor, decided Jan. 2, 1929, in an opinion by the late Justice James Clark McReynolds. The case involved claims of heirs of John O'Connor to parts of his estate in Nebraska.

Jusctie McReynolds dismissed the appeal in the Slaker case on two grounds. One was that it was frivolous and "needlessly consumed our time" and that of other parties to the suits. Justice McReynolds found precedent in previous court decisions and imposed a penalty of $150 upon John Slaker, executor of the O'Connor estate, payable to the other litigants.

But Justice McReynolds said also that appeals to the high court from Appellate Court rulings could be brought only where final judgment had been entered. In the Slaker case, he held, no final judgment had been handed down.

This was the section of the Slaker case ruling, lawyers said, that governed the Supreme Court's dismissal ou the South Carolina appeal. No final judgment had been rendered there because the Appeals Court had sent the case back to the district court, where it still is to be tried on the issues.

Intrastate Bus Travel Halted In S. C. Edict

World P.1 Fri. 4-27-56 Birm, Ala.

By IRWIN SAFCHIK

WASHINGTON — (INS) — The Supreme Court Decree, Monday that Negroes and whites may not be segregated on Intrastate buses in South Carolina.

The High Tribunal in effect upheld an appeals court ruling that the state's bus segregation law is unconstitutional.

It did so by dismissing an appeal from the lower court decision brought by the South Carolina Electric and Gas Co., in a case involving Sarah Mae Flemming, a Negro.

PUT OFF BUS

She was put off a city bus in Columbia, S. C., after taking a seat in the section reserved for "whites."

The woman then brought a suit for $25,000 against the transportation utility. A Federal District Court dismissed the case but the appeals court later reversed its decision.

The Supreme Court had previously ruled that segregation in interstate transportation is unconstitutional, but Monday's decision involved travel within a single state as well.

NO REASON

The high tribunal gave no reason for its action but merely handed down an order dismissing the case brought by the electric and gas company.

P. 8

In other decisions, the court:

1. Held that two convicted armed robbers were denied their constitutional rights when the State of Illinois refused to buy them the stenographic transcript of their trial. The two, Judson Griffin and James Crenshaw, insisted they were too poor to buy the document and that they were discriminated against on account of poverty when the State did not foot the bill itself.

In a unanimous decision, the Court agreed with their argument and sent the case back to the Illinois Supreme Court for further action.

2. Agreed to review a District Court decision holding that the CIO United Auto Workers did not violate election laws by four campaign broadcasts paid for with union funds.

The Union was indicted for four Detroit broadcasts costing from $700 to $2,500 each advocating support of "certain candidates"--Sen. Pat McNamara (D) and several Congressional nominees in 1954.

3. Ruled that a Court of Appeals improperly set aside a decision by the Civil Aeronautics Board that North American Airlines is infringing on the trade name of American Airlines.

By a vote of 7 to 2, the High Tribunal sent the case back to the Appeals Court for further action.

Gov. Marvin Griffin made the following statement:

"The decision of the United States Supreme Court which outlaws segregation in intrastate passenger traffic handed down in the South Carolina case is in keeping with the Court's policy heretofore announced in such cases.

"It is another example of an overt usurpation of the liberties of the people. The Court's decision applies to intrastate transportation by common carriers.

We shall oppose this latest decision just as we are resisting the decision in the school segregation case by all possible legal means."

Winner on Segregation Won't Ride Bus Again

Star Wed. 4-25-56 Washington, D.C.

P. 7-A

COLUMBIA, S. C., April 25 (AP).—A Columbia Negro woman whose suit led to Monday's Supreme Court ban against race segregation in public intrastate transportation says she'll never ride a bus again.

"It was the right thing to do," 23-year-old Sarah Mae Brown said yesterday in reference to the court decision. "I only hope it won't lead to trouble."

"As for myself," Mrs. Brown said, "I never rode a city bus since they put me off and I never will again. I'll either ride with my husband to work or walk."

Mrs. Brown said she hopes the ruling will spare other Negroes from "the embarrassment and pain I suffered."

Her $25,000 civil suit against South Carolina Electric & Gas Co., which operates city buses here, was filed, she said, after "some NAACP people came to see me."

Mrs. Brown charged her civil rights were violated through enforcement of a State law requiring segregated seating in intrastate buses.

United States District Judge George Bell Timmerman ruled against Mrs. Brown. He was reversed in a United States Fourth Circuit Court of Appeals decision, which was upheld by the Supreme Court.

Mrs. Brown said in her suit she was elbowed by a bus driver after she sat down in the white section of the vehicle during a ride last year.

"I only sat down where I did because there was no room in the back," she said. "The driver told me to get up. I didn't say anything and he hit me in the stomach with his elbow as I got ready to get off."

38b 1956

SOUTH CAROLINA

Mitchell Leads—A crowd of several hundred Negroes seemed to nod "Our Hero" to the NAACP's Clarence Mitchell as he left the courtroom hearing that lasted three minutes freeing him of charges growing out of his refusal to use the jim-crow section of the train station in Florence, S. C. Making gestures at left is C. A. Redd, NAACP worker. The woman behind Mitchell is Mrs. Tillie Scott.—Rivera Photo.

First Time—Clarence Mitchell of the NAACP (see arrow) checks with Florence, S. C., ticket agent O. V. Player about the disposition of a ticket to Washington that he never used. A crowd of Negro residents who had never been inside the "white" Florence, S. C., side of the train station went with Mitchell. They'll keep going from now on.—Rivera Photo.

DESPITE COURT ACTION

Carolina PSC Declares Race Barriers Still Up

COLUMBIA, S. C., May 10 (AP)—The South Carolina Public Service Commission said today the U.S. Supreme Court has not ruled on intrastate travel segregation laws—and explained why it thinks so.

It said South Carolina laws requiring white and Negro passengers to ride separately on trains and buses within the state "are in full force and effect" despite Supreme Court refusal April 23 to review a case from Columbia in which a Negro woman, Sara Mae Flemming, sued the city bus operators for $25,000 because a driver insisted she sit apart from white passengers.

The court's refusal to review has been widely interpreted as upholding a 4th Circuit Court of Appeals ruling in the case that bus segregation is unconstitutional. Some government lawyers disagreed.

In its ruling the Circuit Court contradicted a District Court decision by Judge George Bell Timman, Sr.—father of South Carolina's governor—that segregation was not a valid cause of action.

The Public Service Commission said the sole reason the Supreme Court refused to reiew the case was not because of the segregation issue, but because it just will not consider any case until a District Court has rendered a final judgment.

The Supreme Court's only reference in the dismissal was to Slaker vs. O'Connor, a case in which the commission said the court declared it would not review a case until after final trial judgment.

Thus, the PSC said, the high court actually has not ruled one way or the other on bus segregation—a view taken by a number of lawyers, including State Qtty. Gen. T. C. Callison.

The Flemming suit is currently on file in the Federal Dist. Court here and will be tried before Judge Timmerman at a future date as yet not specified.

S.C. bus suit hearing due in Federal court

COLUMBIA, S.C. (ANP) — The South Carolina bus segregation suit which the U.S. Supreme Court refused to review may come up in a term of Federal District Court here opening June 12.

The suit was filed by Miss Sarah M. Fleming, 26, against the South Carolina Electric and Gas Company for $25,000 after she was put off a city bus for refusing to move to a state law.

rear seat as is required by

* * *

THE SUPREME COURT sent the case back for trial on the facts after Judge George B. Timmerman declared the woman had no case on the basis of the U.S. Supreme Court's ruling that racial segregation in schools is unconstitutional.

The U.S. Fourth Circuit Court of Appeals reversed the judge and declared the school ruling did apply.

The Supreme Court refused to hear an appeal from this decision, citing only a case in which it had ruled that it would not hear any case until after a full trial on its merit in the lower courts.

S.C. secedes again; defies bus ruling of Supreme Court

COLUMBIA, S.C.—The S.C. Public Service Commission declared Thursday that state laws governing intrastate travel segregation, "remain in full force and effect," despite the recent Supreme Court's action in the Flemming case.

The PSC, in a position not clear to observers, said the Flemming case, which involved the S.C. Electric and Gas Co. of Columbia, "has no effect on the validity or enforcibility of the laws of this state."

Legal observers said that the PSC's action, and that of a state judge at Montgomery, Ala., are mere temporary moves, aimed technically at what will be finally overthrown.

South Carolina Disputes Bus Integration Ruling

Herald Tribune P. 3

Fri. 5-11-58

COLUMBIA, S. C., May 10 (AP).—The South Carolina Public Service Commission said today the United States Supreme Court has not ruled on intrastate travel segregation laws—and explained why it thinks so.

It said South Carolina laws requiring white and Negro passengers to ride separately on trains and buses within the state "are in full force and effect" despite a recent action of the United States Supreme Court.

The Supreme Court refused April 23 to review a case from Columbia in which a Negro woman, Sara Mae Flemming, sued the city bus operators for $25,000 because a driver insisted she sit separate from white passengers.

The court's refusal to review has been widely interpreted as upholding a Fourth Circuit Court of Appeals ruling in the case that bus segregation is unconstitutional. Some government lawyers disagreed.

In its ruling the Appeals Court contradicted a District Court decision by Judge George Bell Timmerman sr.,—father of South Carolina's Governor—that segregation was not a valid cause of action.

The Public Service Commission said the sole reason the Supreme Court refused to review the case was not because of the segregation issue, but because it just will not consider any case until a District Court has rendered a final judgment.

The Supreme Court's only reference in the dismissal was to Slaker vs O'Connor, a case in which the commission said the court declared it would not review a case until after final trial judgment.

Thus, the state commission said, the high court actually has not ruled one way or the other on bus segregation—a view taken by a number of lawyers, including State Attorney General T. C. Callison.

Preview Of A Pattern

(From The Christian Science Monitor)

The Montgomery (Alabama) City Lines, Inc., grievously hurt financially by the boycott of its busses by Montgomery Negroes, canceled its segregation ruling on hearing of the Supreme Court's decision. The City of Montgomery declares it will continue to enforce local laws and ordinances requiring segregation on public conveyances.

World P. 8

The officials point out the decision was handed down on a South Carolina, not an Alabama, case and that technically it did not deal with segregation at all. Montgomery Negroes, realizing they are caught in the middle, have voted to continue their boycott of the bus lines.

Tues. 5-8-56 B'ham Ala.

Legal opinion agrees the Supreme Court's decision of outlawing segregation on intra- as well as inter-state transportation. But it is true that technically the court's ruling dealt with whether in enforcing South Carolina's segregation laws the Columbia bus drivers were acting as employees of the company or as special police officers of the state. And Montgomery Negroes would be working against their own cause if they complied with local laws, and would be arrested if they didn't.

This may all seem quite frustrating to many on both sides of the segregation controversy. But it supports informed predictions that adjustment to desegregation ruling will have to be worked out state by state and community by community. It supports deductions that the high court, in ruling on the narrowest grounds possible, is giving latitude for adjustments to be made in just this fashion.

And one can hardly avoid noting such a process nevertheless may be affording the two races time to hammer out the multiplicity of new accommodations necessary for them to live side by side in harmony.

Set bus J. C. case Nov. 15

Afro-American Sat. 11-10-56

COLUMBIA, S.C.—Attorneys for Mrs. Sara Flemming Brown and the S.C. Electric and Gas Co. are scheduled to argue on appeal of a $25,000 civil rights suit before the Fourth U.S. Circuit Court of Appeals in Baltimore, Nov. 15.

Mrs. Brown sued the utility in 1954 after a driver had struck her in the stomach. She sought an end to segregated seating and damages.

District Court Judge George B. Timmerman Sr. dismissed the case, holding that the legal philosophy of the school cases (May 17, 1954) did not to apply to intrastate transportation.

* * *

HOWEVER, HE WAS overruled by the Fourth Circuit Court and the case was remanded for retrial and disposition of its damages provision.

In a surprise action, Judge Timmerman again threw the case out, issuing his ruling the first thing on the second day of its trial.

It is this angle which is again up on appeal.

The appeal is being aided by NAACP attorneys, in addition to a Columbia attorney hired by Mrs. Brown.

S. C. Bus Case Appeal Under Study

Defender P. 3

BALTIMORE — The case which originally led to the famous ruling by the Supreme Court that bus segregation is unconstitutional, is being studied by the Fourth Circuit Court of Appeals here.

In that litigation, Mrs. Sarah Mae Flemming Brown of Columbia, S. C., sued the Carolina Electric and Gas co. for $25,000 charging that her civil rights had been violated.

Judge George B. Timmerman dismissed her case on the grounds that the South Carolina segregation law involved had not been declared unconstitutional at the time Mrs. Brown says she was beaten by a bus driver for sitting in a seat where a white woman had been sitting.

Mrs. Brown's attorneys are appealing to the Circuit Court to reverse Judge Timmerman jr., and allow the case to go to a jury.

'An Unconstitutional Act Has No Validity'

Afro-American Sat. 11-24-56 Baltimore, Md.

P. 12

BALTIMORE

"An unconstitutional act has no validity at all . . . But for the statute, the bus driver would have had no authority to tell her to move."

This point was made Thursday by Robert L. Carter of the NAACP legal staff in his argument before the U.S. Circuit Court of Appeals in a $25,000 civil rights damage suit.

The New York attorney and Lincoln C. Jenkins Jr. of Columbia, S.C., appeared here on behalf of Mrs. Sarah Mae Flemming Brown who is suing the South Carolina Electric and Gas Company, operators of the transit system in Columbia.

The court heard arguments from both sides, but has not handed down an opinion.

* * *

MRS. BROWN is asking $25,000 for damages she allegedly suffered on June 22, 1954, when a bus driver ordered her to vacate a seat and struck her as she was leaving the bus.

District Court Judge George B. Timmerman Sr. of South Carolina, dismissed the suit against the transit company in February, 1955.

However, Mrs. Brown won the first round when the Court of Appeals here reversed the decision and sent the case back to South Carolina for trial.

The jurists ruled that "we do not think the separate but equal doctrine . . . can be regarded as a correct statement of the law."

(The U.S. Supreme Court in its ruling in the Montgomery, Ala., bus suit last week referred to this case in its decision.)

* * *

ON JUNE 13 Judge Timmerman again ruled against Mrs. Brown. Holding that the segregation laws in South Carolina at that time were valid, the jurist said: "No person has a civil right to violate a valid and subsisting state law."

In a brief filed by Mrs. Brown's attorneys, it is alleged that she boarded a crowded bus and stood in the forward section, later taking a seat vacated by a white woman.

(The court was told Thursday that the practice in South Carolina was for colored passengers to fill up the bus from the rear to the front and the whites from the front to the rear.)

The brief alleges that when Mrs. Brown took the seat, the bus driver "made a rude remark and ordered her to get up." It continues:

* * *

"AT THIS point, the appellant testified that she pulled the cord to leave the bus at the next stop, although she had not reached her destination, and attempted to follow two white people out of the front door but was ordered to get out through the back.

"In enforcing his command, the bus driver hit (the) appellant. . ."

Jurists who heard Thursday's arguments were Chief Judge John J. Parker, Circuit Judge Morris A. Soper and District Judge Walter E. Hoffman.

"I don't think the statutes say the bus driver has the right to strike a person," observed Judge Soper, "but certainly he was acting under the color of the state law."

* * *

JUDGE SOPER then asked Mr. Carter whether he thought the court's previous ruling against bus segregation in South Carolina could be made retroactive for the purposes of a damage suit.

It was then that Mr. Carter said, "But for the statute, the bus driver would have had no authority to tell her to move."

Frank B. Gary, one of the attorneys for the utility company, said the South Carolina segregation laws were drawn up under the philosophy of the Plessy vs. Ferguson case in which the Supreme Court set forth the "separate but equal" doctrine.

"Frankly, I can't understand why the United States Supreme Court has not taken any action in the case of Plessy vs. Ferguson," said Mr. Gary after commenting on the 1954 school integration ruling.

Retorted Judge Soper, "We overruled it, didn't we"

Civic leaders lose 1st round in S.C. suit

Afro-American Baltimore, Md. Jan. 1-14-56

SUMTER, S.C. — The 12 executive board members of the Sumter NAACP branch who face a $12,000 damage suit of a white school board lawyer, lost the first round in a court battle here Tuesday.

Judge William H. Grimball denied the defendants a motion to dismiss the suit of the attorney and former state senator Shepard K. Nash.

Nash charges the NAACP leaders libeled him professionally when they denounced a statement he made several weeks ago about several persons who had asked their names be removed from an integration petition.

* * *

JUDGE GRIMBALL ordered the defendants to answer the Nash complaint within 20 days. Court attaches said it would not be scheduled during the present term of Common Pleas Court.

S. Carolina Depot Mixing Case Dropped

Constitution Wed. 2-29-56 P. 1

FLORENCE, S.C., Feb. 28 (AP)—Charges of resisting a police officer, placed against Clarence Mitchell, were dropped in City Court today. Mitchell, a Negro, is director of the Washington bureau of the National Association for the Advancement of Colored People.

City Judge William Smith ordered a nol pros in the case after City Attorney Wylie Caldwell sa he didn't think he could get a conviction.

Atlanta, Ga.

Mitchell and the Rev. Horace P. Sharper, a Negro minister, were arrested on disorderly conduct charges at a railroad station last night after they refused to use an entrance provided for Negroes. The case against the Rev. Mr. Sharper also was nol-prossed.

The disorderly conduct charge was changed just before the case was called for trial to one involving violation of a city ordinance relating to persons interfering or resisting an officer trying to do his duty.

Mitchell and the Rev. Mr. Sharper pleaded innocent to the charges when the case was called before a packed City Court room.

Mitchell went directly from the court room to the railroad station and entered it through the white entrance. He spent some 10 minutes discussing his train reservations with ticket agent O. V. Player. While he was in the waiting room, some 50 to 60 Negroes gathered in the waiting room to watch, all entering through the white entrance.

A TEST ON SEGREGATION

Commercial Appeal

Negroes Arrested, But City Doesn't Press Case

Wed. 2-29-56

FLORENCE, S.C., Feb. 28. — (UP)—Police arrested Clarence Mitchell, nationally known Negro leader, for refusing to use the back door at the railroad station here Monday night but the city declined to press charges at his trial Tuesday.

"I hope this means the end of segregation in Florence," said Mitchell, Washington, D.C., director of the National Association for the Advancement of Colored People, as he left recorder's court.

Mitchell and Rev. Horace Sharper, a Negro Baptist minister from Sumter, S.C., were arrested Monday night when they attempted to enter the station by the front entrance. Mitchell went there to take a train to Washington.

The NAACP leader made bond but Sharper had to spend more than half an hour in jail before his bail could be raised. Mitchell later returned to Sumter with him.

NAACP Head Here Arrested In S. C. Town

Post & Times Herald P. 10 Wed. 2-29-56 Washington D.C.

The city attorney of Florence, S. C., declined yesterday to press charges against Clarence Mitchell, director of the Washington Bureau of the National Association for the Advancement of Colored People.

Mitchell

Mitchell was arrested at the Florence railroad station Monday night after he refused to use an entrance provided for Negroes.

When the case was called in Recorders Court, City Attorney Wylie Caldwell said, "I have investigated this matter with the arresting officer and a conviction is unlikely since we do not have a city ordinance covering the case. I hereby move that the case be nol prossed."

Mitchell said, "I hope this will be an end to segregation in florence."

The small courtroom was jammed to overflowing, mostly by Negroes, but standees were cleared from the room before the case was called.

Mitchell said he had been assured by Caldwell that nothing would happen if he returned to the station. He explained that when he posted $17 bond Monday night, he was warned that he would be arrested again, with a bond of $100, if he returned to the station. The NAACP official was scheduled to leave for Washington last night from Florence.

Mitchell said he and the Rev. Horace P. Sharper, pastor of the First Baptist Church of Sumter, S. C., went to the station Monday night to check on a ticket reservation.

Says Mitchell's Arrest 'Lawful'

Courier P. 9 Sat. 3-10-56

FLORENCE, S. C. — Police Chief C. Price was away from the city when Clarence M. Mitchell and the Rev. H. P. Sharper were arrested last week, but issued the following statement on his return:

Pittsburgh Pa.

"From the information that I have received concerning this incident, I am convinced that Patrolman Buffkin was certainly within his right in enforcing the state law. A municipal law enforcing agency should enforce all laws, city, state and Federal.

"Unfortunately the Atlantic Coast Line police have the same authority since they have been commissioned by the Governor of South Carolina."

FBI Is Probing Arrest of Negro In Rail Station

Constitution Thurs. 3-1-56 P. 1

WASHINGTON, Feb. 29 (AP)—The Justice Department said today it has directed the FBI to "get the facts" on the arrest of Clarence Mitchell, Washington Negro leader, at the Florence, S.C., railroad station Monday night.

Atlanta, Ga.

The inquiry is to determine whether there was any violation of federal civil rights laws.

Mitchell, director of the Washington Bureau of the National Assn. for the Advancement of Colored People, and the Rev. Horace P. Sharper, Negro minister from Sumter, S.C., were taken into custody when, they said, they refused to use an entrance for Negroes at the station.

Mitchell said the two had gone there to check on train reservations.

In Florence, S. C., Waiting Room Case

3-Minute Trial Ends Segregation

Courier Sat. 3-10-56 P. 2 Pittsburgh, Pa.

38b

By A. M. RIVERA JR.

FLORENCE, S. C.—Waiting room segregation in this sleepy little South Carolina town died last week after a three-minute police court hearing before Judge William H. Smith.

The end to the traditional race segregation in the Florence railroad station followed the arrest and trial of Clarence M. Mitchell, Washington official of the NAACP and the Rev. H. P. Sharper, Baptist minister of Sumter, S. C.

The irony of the eighteen-hour drama was that it was completely unscheduled and unanticipated, according to Mitchell.

The weird chain of events that led up to the arrest of Mitchell and Sharper and the developments that preceded their acquittal happened this way:

* * *

MITCHELL AND SHARPER came to Florence about 11:15 P. M. from Sumter where Mitchell had delivered a speech.

They drove to the Atlantic Coast Line Railroad Station where Mitchell planned to board a train to Washington, D. C.

Mitchell told the Courier that he pulled the door at the waiting room thinking that it opened out. A policeman, whom he later learned was B. E. Buffkin, was standing inside and pulled the door open.

Mitchell said that he thought the officer was helping him and was about to thank him for his aid when Buffkin told him and Sharper that they would have to go to the side door and use the Negro waiting room.

Mitchell let the officer know that he did not plan to go to the Negro waiting room and told Buffkin that there were no signs designating white and colored waiting rooms.

BUFFKIN IS SAID to have told Mitchell "When I'm here, I'm the sign." Mitchell then told the officer that he was an interstate passenger.

Buffkin then told Mitchell that he didn't care what the law said, "as long as I am a policeman no Negroes will use the white waiting room in Florence."

Mitchell said that after he convinced the officer that he had no intention whatever of going to any side door, Buffkin then said, "I have to call the wagon." Sharper then spoke up and said, "We're ready to go to jail."

The squad car was called and the pair was arrested. At the jail Sharper and Mitchell were told that their bail would be $17.

When they asked with what they were charged the officers said they would tell them at 8:00 A. M. This was the first inkling that Mitchell and Sharper had that the officers did not know what charge to place against them.

* * *

MITCHELL SAID that it was apparent also that they did not know that he was connected with the NAACP at the time of his arrest. He said that during the

Negro Won't Use Rear Door At Depot; Arrested, Freed

Courier-Journal P. 4
Wed. 2-29-56

Florence, S. C., Feb. 28 (U.P.)—Police last night arrested Negro leader Clarence Mitchell for refusing to use the back door at the railroad station here, but the City declined to press charges at his trial today.

Washington D.C.

"I hope this means the end of segregation in Florence," said Mitchell, Washington director of the National Association for The Advancement of Colored People, as he left Recorder's Court.

Minister Also Arrested

Also arrested was the Rev. Horace Sharper, a Negro Baptist minister from Sumter, S. C., who accompanied Mitchell when the latter went to the station to take a train to Washington.

The N.A.A.C.P. leader made bond, but Mr. Sharper had to spend more than half an hour in jail before his bail could be raised.

When the case was called today, City Attorney Wiley Caldwell said he had investigated the matter with the arresting officer and "a conviction is unlikely since we do not have a City ordinance covering the case. I hereby move that the case be nol prossed (not pressed)."

The officers commented, mumbling to themselves, "He must not ever read the Bible . . . what kind of a preacher is he anyway . . . what kind of a Bible does he read?"

When they found out that Sharper was from Sumter, one officer said, "I know he knows better."

Unable to pay his bond, Sharper had to call Rev. J. J. Abney to come to his rescue after Mitchell revealed that he had only $3 left from his bail. While he was waiting for Rev. Abney to bring bail, Buffkin locked Sharper in a cell for about thirty minutes.

* * *

THE FOLLOWING morning Attorneys W. W. Bennett, L. C. Jenkins and E. D. Turnage sought to find out what charge had been placed against the men.

They were told that the books had not been written up yet and to come back within a couple of hours. Shortly before noon the lawyers went back to find out what charges had been filed against Sharper and Mitchell and at this time they were shown section 417 of the city code which refers to interfering with an officer in the discharge of his duties.

Between noon and the time of the hearing (5:30 P. M.) Mitchell, Sharper and their lawyers went to the FBI agents to find out if they would investigate the incident.

* * *

FBI AGENT BYRD is said to have told the Negroes that they did not like to appear to be bringing pressure against local authorities and refused to go any further than taking the statements of Mitchell and Sharper.

The climax of the drama came at the Recorder's Court when several hundred Negroes from Florence and nearby towns overflowed the segregated courtroom.

South Carolina bus case again is dismissed

News P. 1
Birmingham, Ala.
Wed. 6-13-56

COLUMBIA, S. C., June 13 — (AP) — U. S. District Judge George Bell Timmerman Sr., today dismisesd a second time a celebrated bus segregation case.

Mrs. Sarah Mae Fleming Brown, Columbia Negro woman, sought $25,000 actual and punitive damages on the ground that her civil rights were violated by a bus driver for South Carolina Electric & Gas Co.

She contended the bus driver ordered her to vacate a front seat in a crowded bus in June, 1954, and then struck her with his fist when she attempted to leave the bus by the front exit.

AFTER JUDGE TIMMERMAN dismissed the action originally, the U. S. Circuit Court of Appeals reversed the decision when it held that segraegation on buses operating within states is unconstitutional.

When the suit was appealed by the company, with the backing of the state and city of Columbia, the U. S. Supreme Court last April refused to review the case. At first it was believed the Supreme Court action upheld the Circuit Court decision but later it was interpreted to mean the appeal was premature.

IN DISMISSING the action again, Judge Timmerman did so on the ground that the Circuit Court decision could not be made to apply retroactively. The bus driver, he said, was acting at the time under "valid and subsisting" state law requiring segregation of races in public transportation.

The company, therefore, could not be liable, Judge Timmerman said.

He also held that the plaintiff's testimony yesterday was that no white people were behind her when she took the seat from which she was ordered by the bus driver.

THE ORDER for her to move, Timmerman said, had to be for some other reason than her color. That reason, he added, would be outside the court's jurisdiction.

Trial of the case, which began yesterday, never reached the all-white jury.

Damage Suit In Race Tiff Ordered Out

Advertiser P. 1
Montgomery, Ala.
Thurs. 6-14-56

COLUMBIA, S.C., June 13 (AP)—A Federal district court case involving race segregation on city buses was thrown out today on grounds that a Negro woman "has shown no right to relief."

The order dismissing the $25,000 damage suit against the South Carolina Electric and Gas Co., was issued by Judge George Bell Timmerman.

It was Timmerman's second dismissal of the case, brought by Sarah Mae Flemming Brown as a result of a 1954 ride on a crowded bus. She charged her civil rights were violated when the bus driver allegedly ordered her to vacate a front seat, then struck her when she attempted to leave by the front exit.

Timmerman ruled that the company could not be made "liable in damages" for acting under "valid and subsisting" state segregation laws at the time.

Dismissal of the suit once before in the District Court, without a final determination on the question of damages, brought it to the Court of Appeals and then to the Supreme Court.

In the Court of Appeals, it was held that the state's segregation laws were invalid and Mrs. Brown had a cause of action. The U. S. Supreme Court did not directly pass on the issue, but sent the case back on a point of technical procedure.

Bus Segregation Case Goes Back To Appeals Court

Evening Star
Washington D.C.
Thurs. 7-12-56

COLUMBIA, S. C., July 12 (AP).—The Columbia bus segregation case is back in a Federal appellate court.

P. 18-C

Attorney Philip Wittenberg said yesterday he had filed an appeal with the 4th Federal Circuit Court of Appeals in Richmond, Va., in behalf of Mrs. Sarah Mae Flemming Brown of Columbia.

Mrs. Brown, a Negro, is seeking $25,000 damages from the South Carolina Electric and Gas Co., operator of the city buses in Columbia. Mrs. Brown claims that her civil rights were violated when she was forced to vacate her seat in the front of a bus in June, 1954. She also charges that she was struck by a bus driver when she attempted to leave by a front entrance.

Last month Judge George Bell Timmerman dismissed the case on the grounds that Mrs. Brown "has shown no right to relief."

Once before Judge Timmerman threw out the case, only to have his decision overruled by the appeals court. The bus company appealed and the United States Supreme Court refused to study the case and ordered it to trial.

Federal Judge Dismisses Civil Rights Damage Suit

Daily World P. 1
Atlanta Ga. Thurs. 6-14-56

COLUMBIA, S. C. — (INS) — A federal court judge Wednesday dismissed a $25,000 damage suit, holding a Negro woman involved in a bus seating dispute in Columbia was in violation of a valid state law at the time.

Judge George Bell Timmerman dismissed the action of Mrs. Sarah Mae Flemming Brown, who had charged her civil rights were violated when she was required to move from a front seat of a bus.

The case had moved before to the U. S. Supreme Court, which sent it back for further proceedings. The Supreme Court action was interpreted in some legal quarters as a declaration that intra-city bus segregation was illegal.

Judge Timmerman held that at the time of the incident over which Mrs. Brown sued the South Carolina Electric and Gas Company, the state's segregation laws were in effect. The judge observed:

"No person has the civil right to violate a valid and existing state law."

Attorneys for the woman said they would consider whether to appeal the ruling.

38b 1956

SOUTHERN PACIFIC RAILROAD

R. R. settles local's jim crow suit

Courier p. 19
Wed. 8-22-56
Los Angeles, Calif.

For a Texas ticket agent's abiding faith in segregation, the Texas & New Orleans Railroad paid Mrs. Dorothy Hall, of Los Angeles, $500 last week.

Mrs. Hall sued Southern Pacific Railroad in Federal Court last September, asking damages for discrimination.

38b

When she went to Port Arthur, Tex. to pick up her reservations for the Sunset Limited to Los Angeles, Mrs. Hall charged, she was refused, and ticket agent O. E. Easley put it in writing. . . . "This is to certify that I, the undersigned, made a reservation for Dorothy Hall . . . I took application on the phone and got white reservations. The error was an honest one and I have tried to get reservations for Aug. 3 for colored and cannot get them."

She got the note, Mrs. Hall said, for her employer to explain her late return from her vacation.

Train she returned on, the Argonaut, customarily reserved for Negroes, was vastly inferior to the Sunset Limited, took 11½ hours longer, was hot, crowded and unclean, and there was no seat for her and she was forced to stand most of the trip, Mrs. Hall alleged in her action. The train was owned by the T & O, a connecting carrier to the S. P.

After the case was filed, however, the Inter-State Commerce Commission ruled segregation in inter-state commerce illegal and the Southern Pacific abandoned its jim crow policy, so that "legal points which would have been raised . . . no longer have any compelling purpose", Mrs. Hall's lawyer, Leo Branton, said in stating why his client accepted the $500 settlement.

ICC Asked to Approve N. C. Marine Railroad Lease

Norfolk Ledger-Star Jan. 13-14 1956

WASHINGTON, Jan. 13 (AP) — The Southern Railway System, the Marine Corps and North Carolina joined today in asking the Interstate Commerce Commission to approve Southern's proposal to lease a Marine railroad serving Camp Lejeune and Cherry Point, N.C.

The three filed briefs urging the commission to reject an examiner's recommendation that the proposal be denied on the ground it would have "serious adverse effect" on the Atlantic Coast Line and the Norfolk Southern Railroad.

Southern had asked that it be permitted to lease and operate the 36-mile Marine railroad between Havelock and Jacksonville, N.C., while acquiring control on the Atlantic & East Carolina Railway, which operates a state-owned line between Goldsboro and Morehead City, N.C.

Examiner H. J. Blond recommended approval of the proposal to buy the state line but urged rejection of Southern's plan to operate the Marine railroad, which was recently completed at a cost of three million dollars.

Blond's report also said the proposed Southern lease would provide insufficient revenue return to the government and suggested the proposals".

In today's briefs, the three protestants charged Blond with failing to consider public interest and necessity and national defense requirements. They stressed that Southern's applications made it "crystal clear" that it is not interested in acquiring control of either railroad unless approved for both.

The ICC will consider the briefs along with Blond's recommendations in making its final decision.

The Southern Railway, which operates between Washington, D. C. and the Deep South, announced that "Colored" and "White" signs on its waiting rooms were taken down as far as interstate travelers were concerned.

However, the Southern operates in many states with segregation laws and these would have to be observed with respect to intrastate travel.

In principle, this means separate waiting rooms for Negro and white passengers who start and end their trip within one state. But distinguishing between an interstate and intrastate passenger at any given station seemed to make the segregation impractical.

W. Thomas Rice, president of the Richmond, Fredericksburg and Potomac, said the segregation signs would come down on its waiting rooms between Richmond and Washington. He said his line had no problem concerning interstate and intrastate travelers.

Several other railroads operating in the south said they have no problem.

The Baltimore and Ohio, which operates in Kentucky and Virginia said there is no segregation on trains. Officials said conforming with the ICC decree on waiting room facilities and complying with state segregation laws was under discussion.

The Illinois Central Railroad, operating from Chicago to Louisiana, ordered integration of its trains and railroad stations shortly after the ICC handed down its decree.

Two Railroads In South Start Integration

Call Spr. 1-13-56 p. 1 Kansas City, Mo.

WASHINGTON. — (ANP) — Two railroads operating in the Deep South, — the Southern Railway and the Richmond, Fredericksburg and the Potomac railroad — began operating last Tuesday on a non-segregated basis, complying with an Interstate Commerce Commission order to end jim crow practices by Jan. 10.

The Southern Railway, which operates between Washington, D. C., and the Deep South, announced that "Colored" and "White" signs on its waiting rooms were taken down as far as interstate travelers were concerned.

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DIXIE RAILROADS START INTEGRATION OF PASSENGERS

World Birmingham, Ala. Jan. 1-13-56

WASHINGTON — (ANP) — Two railroads operating in the Deep South — The Southern Railway and the Richmond, Fredericksburg and Potomac Railroad — began operating last Tuesday on a non-segregated basis, complying with an Interstate Commerce Commission order to end Jim Crow practices by Jan. 10.

Tenn. Law Attacked

(Special to the AFRO)

MEMPHIS, Tenn. — "Quite often a colored rider is asked to get up from his seat on a bus for a white person.

"If he refuses, he is hailed into court and charged $25 for violating a state law."

So explained H. G. Lockard, president of the Memphis NAACP, to the AFRO, Saturday.

MR. LOCKARD is the attorney for O. Z. Evers, 31, a postal worker, who, Tuesday, filed a suit in Federal Court attacking the constitutionality of the state's bus segregation laws.

Mr. Evers, the AFRO was told, was seated on a bus on April 26 with G.L. Myers, also a postal worker, when they were asked by the driver, Warren G. Alexander, to move.

When they refused, the driver summoned police. Officers J. A. Renfrow and B. L. Myers answered the call and gave Evers and Myers the alternative of leaving the vehicle or facing arrest.

They decided to leave the bus.

* * *

THE SUIT, filed by Evers, names as defendants Mayor Edmond Orgill, Commissioners John Dwyer, Claude Armour, Henry Loeb, and Stanley Dillard;

Police Chief C. J. MacDonald, Officers Renfrow and Myers, Alexander, the bus driver, and the Memphis Street Railways.

The District Court has been asked to issue a temporary injunction to restrain the defendants from enforcing the state laws providing for segregated buses.

"THERE IS no concerted effort to stage a boycott in Memphis as has been in Montgomery or Tallahassee, Lockard reported.

"I hear that in Knoxville, the buses are integrated, but I can't verify that report," he said.

Lockard is the attorney in a suit against Memphis State College. He is protesting a gradual integration plan offered by college authorities.

Threats and Fiery Cross Fail To Stop Memphis Man's Fight on Bus Bias

MEMPHIS, Tenn. — (ANP) — A Negro postman here declared last week that neither threats of death nor "cross burnings" will make him drop his one-man fight against bus segregation in Tennessee.

O. Z. Evers, who recently filed a suit in federal courts attacking the constitutionality of Tennessee's bus segregation laws, made the statement to reporters after a three-foot gasoline soaked cross was burned in front of his modest brick home last week.

Witnesses said the cross blazed high as a nearby 25-foot tree.

Evers said he was not at home when the cross was burned.

He said he has been harassed by threats as a result of the federal suit.

"I have had hundreds of telephone calls," he said. "They threaten my life and call me a black N----r.

"It's just some of those diehards who cannot face the facts," he added.

NAACP Sanctions Action By Negro Postal Worker Against MSR And Police

Both Democrats And Republicans Troubled By Intra-Party Disputes—Mississippi Showdown Is Expected Tuesday

By LOUIS SILVER

A MEMPHIS-INSTITUTED suit attacking Tennessee's bus segregation laws, Democratic and Republican internal squabbles in Memphis and a politically explosive issue in Mississippi made the major Mid-South headlines last week.

O. Z. Evers of 671 Lipford, Negro distribution clerk for the Postal Transportation Service, filed a suit in Federal Court here charging the state segregation statutes are in conflict with the 14th Amendment to the United States Constitution.

He asked that the Tennessee laws be declared "null and void." Evers claimed he was humiliated on a Memphis Street Railway Co. coach last April 26 when he refused the operator's request that he move from a front to a rear seat. Police were called and gave Evers the choice of obeying the operator, getting off the coach or facing arrest. He chose to leave the coach.

Louis Silver

Police investigated the burning of a cross in front of Evers' home late on the night the suit was filed.

Sanctioned by the National Association for the Advancement of Colored People, the suit was brought against the City Commission, as individuals; Memphis Street Railway Co.; its operator, Warren G. Alexander; Police Chief J. C. Macdonald, and two patrolmen, J. A. Renfrow and B. L. Rogers.

A group of independent Shelby County Democrats made plans for a "rump" convention at 8:30 next Thursday night at the Fairgrounds to choose a new county executive committee. The independent group, which includes supporters of Mayor Edmund Orgill and Senator Estes Kefauver (D., Tenn.), contends that the two-year term of the committee headed by attorney John Heiskell ended June 4. Thomas L. Robinson, attorney, was named temporary chairman of the dissident group.

Mr. Heiskell declined an invitation of that group that he call a convention and said ample advance notice will be given when he decides to issue such a call.

Bus Bias Dispute Hits Memphis

By the United Press.

ATLANTA, June 6. — Segregated bus seating, banned in Montgomery by a federal court decision and boycotted in Tallahassee, came under fire today in Memphis.

The National Assn. for the Advancement of Colored People filed suit at Memphis yesterday, attacking constitutionality of a state law requiring bus segregation and urging a speedy hearing before a three-judge federal court panel.

Law Ruled Illegal.

Montgomery's and the State of Alabama's laws requiring Negroes and whites to sit apart was declared unconstitutional yesterday in a 2-1 decision.

There was no sign, however, of an immediate ending of the six-month Negro boycott of Montgomery's city transit system.

White leaders were just as adamant. C. C. Owen, president of the Alabama Public Service Commission, said "we will use every legal resource at our command to prevent the serious consequences that would follow its (the decision's) enforcement."

Col. Roane Waring, president of Memphis Street Railway Co., said the firm "can make no change in the manner of seating. We must follow state statute which says that passengers must be segregated."

A gasoline-soaked wood cross was burned last night in front of the home of O. Z. Evers, the Negro postal employee who filed the Memphis desegregation suit. Mr. Evers was not at home at the time.

Appeal Planned.

Montgomery and Alabama officials said they would appeal and the court granted two weeks to both sides in which to submit suggestions for a formal ruling and to give time for the filing of an appeal.

The continuing battle over segregation in Dixie also produced these developments:

● Some 500 cheering and applauding Negroes formed the Anti-Segregation Alabama Christian Movement for Human Rights in Birmingham last night, just five days after the NAACP was barred under a temporary injunction from "further activities" in the state.

● The city commission at Delray Beach, Fla., where racial tension over the use of beach facilities almost reached the riot stage on one occasion voted to ask the Florida legislature to re-define the city boundaries "by excluding the entire Negro area therefrom."

● Rep. Adam Clayton Powell (D., N. Y.) told graduates of Morehouse College in Atlanta that a dozen whites and Negroes would meet in New York Saturday to determine whether the "time is ripe" for a nationwide movement against segregation similar to the bus boycotts.

Knoxville Bus Lines Are Desegregated

KNOXVILLE, Tenn., April 25 (AP)—Knoxville's bus system began operating Wednesday on a desegregated basis.

The decision to end segregation on the city's public transit system was announced by James E. Burke, president of Knoxville Transit Lines. Burke said the order was effective immediately. It follows a supreme court ruling Monday that intrastate transit segregation is unconstitutional.

At the same time, Burke also announced that Tennessee Coach Co., which he heads, had adopted a policy of desegregation on its intrastate buses.

The firm, with franchises in Tennessee, Georgia, Virginia and Wes Virginia, has operated its iter interstate corriers on an integrated basis for more than three months.

"We anticipate no trouble," city safety director David M. Garrison said. "Of course, we will maintain order if any trouble should arise."

A Knoxville News-Sentinel check of several buses showed Negroes were continuing to ob-

serve the long-standing policy of segregated seating, with white passengers sitting toward the front and Negroes toward the rear.

Knoxville is the second city in Tennessee to have public carrier de-segregation. Oak Ridge buses have been operating on an integrated basis for nearly two years.

Bus company officials at Oak Ridge said there had been no major incidents resulting from desegregation.

Negro Asks Court Declare Jimcro Out On Tennesse' Buses

State Press P. 1

Fri. 6-15-56

Little Rock, Ark. 38

(From The Memphis World)

A civil action suit asking that all Tennessee codes requiring segregation of passengers on public transit vehicles be declared "null and void" and in violation of the 14th amendment was filed Tuesday in Federal District Court in Memphis by O. Z. Evers, postal employee of 671 Lipford.

Evers was one of two Negroes involved in an April 26 bus incident in Memphis.

On April 26, Evers in the company of his next door neighbor, G. L. Myers of 675 Lipford, also a postal employee, about 12:30 p. m. boarded a No. 7 "Crosstown" Memphis Street Railway trolley (number 1011) at Lamar and Bellevue and together took a seat near the front.

The bus driver, identified as Warren G. Alexander, asked Evers and Myers to move to the back, pointing out that "the law" required Negro and whites to be separated.

After they refused to move Evers stated the driver, described by him as "very nice manners", stated that he would then have to call the police. He stopped at the fire station on Bellevue near Walker where he apparently called the police.

Shortly after two policemen, later identified as J. A. Renfrow and B. L. Rodgers, boarded the trolley. The officers, according to Evers, gave them the option of moving to the rear or leaving the bus. The two postal employees chose to leave the bus.

The suit filled by Evers thru Attorney H. T. Lockhard, president of the Memphis NAACP, asks that (1) a three judge court be set up to hear the case, (2) that a temporary injunction be issued restraining the defendants from enforcing sections 1704 thru 1708 of Title 65 of the Tennessee Codes which require transit segregation and (3) that a final judgment be rendered declaring the cited sections as "unconstitutional and therefore null and void in that they deny due process of law and equal protection of the law" under the 14th amendment and section 1981 of Title 42 of the United States Code.

State Press P. 1

"Any other remedy would be delays as to deny substantive relief, would involve a multiplicity attended by such uncertainties and of suits and cause further irreparable injury, damage and inconvenience", the suit declared.

The five cited sections of Title 65 of the Tennessee Codes require transit segregation in the state. Section 1704 declares: "portions of car to be set apart and designated for each race." Section 1705 requires "printed signs to indicate cars or parts of cars for each race." Section 1706 gives the conductor the right to increase or diminish space for either race or require change of seats". "Refusal of passengers to take seats assigned by conductor and designated for their race or to leave car" is a misdemeanor carrying a maximum fine of $25 according to Section 1707." "Failure to set apart portions of car for each race" is also a misdemeanor carrying a maximum $25 fine according to Section 1708.

Commissioner of Public Service John T. (Buddy) Dwyer, the three other city commissioners, Mayor Orgill, Police Chief J. C. Macdonald, the two policemen, the bus driver and the Memphis Street Railway co. are named as defendants in the suit.

Assisting Attorney Lockard will be Robert Carter and Thurgood Marshall of the National NAACP legal Staff.

The nite following the filing of the suit by Mr. Evers, a cross was burned in front of his home. He was not at home when the incident occurred, but a neighbor reported it.

The next day Mr. Evers reported receiving a number of threatening calls and that three ambulances came to his house answering bogus calls that he had been killed.

3 MAN COURT TO RULE ON BUS SEGREGATION

Commercial Appeal

Jurists To Consider Negro's Challenge Of Law

Wed. 7-5-56

A three-judge court to hear a Memphis Negro postal employe's challenge of state segregation laws on public transportation has been named by Chief Judge Charles C. Simons of the Sixth Circuit Court of Appeals.

Memphis Press P. 1

The high jurist selected Circuit Judge John D. Martin of Memphis and Judge William E. Miller of Nashville to consider the case with Judge Marion S. Boyd in Federal Court here.

In a suit sanctioned by the National Association for the Advancement of Colored People, O. Z. Evers of 671 Lipford contended the segregation statutes are in conflict with the 14th Amendment to the United States Constitution.

Evers, a distribution clerk for the Postal Transportation Service, asked for a three-judge court to decide the constitutionality question and to enter an injunction forbidding enforcement of the segregation laws.

Defendants are the City Commission as individuals, Memphis Street Railway Co.; its operator, Warren G. Alexander; Police Chief J. C. Macdonald and two police patrolmen.

The officers gave Evers the choice of moving to the rear of a MSR coach last April 26, getting off or facing arrest when they found him sitting in an area for whites. He left the bus.

In a second order filed in Federal Court here, Judge Simmons named the same judges to consider an appeal from an Interstate Commerce Commission ruling. The appeal is sought by W. H. Wooten of W. H. Wooten Transport Co.

Bus suit filed by Memphis man

Pro-American Baltimore, Md.

MEMPHIS, Tenn. (ANP)—A suit, asking that the Tennessee law requiring segregation on buses be declared unconstitutional, was filed here last week, and a three-judge court has been appointed to head the case.

O. Z. Evers, a postal employee, brought the suit against city officials, the Memhis Street Railway Co. and two police officers who, he said, caused his arrest when he refused to move to the rear of a city bus.

Sat. 9-15-56

Chief Judge Charles C. Simmons of the Sixth District Court of Appeals appointed Circuit Court Judge John D. Martin and District Judges Marion S. Boyd of West Tennessee and William E. Miller of Middle Tennessee as jurists in the case.

Woman Remains Silent Following Arrest, Fined Over Failure To Give Up Bus Seat

World

FINED $16 FOR FAILURE TO MOVE FROM 'WHITE' SEAT

BY R. F. TISBY

MEMPHIS, Tenn. — (SNS) — Miss Maurice White, 18, the young lady who Tuesday was fined in City Court on a charge of disorderly conduct for her alleged failure to move from a "white" bus seat on a number 12 trolley, when approached by the Memphis World Wednesday refused to comment on the incident.

Miss White, when reached by the Memphis World at 1800 Hunter Ave. where she resides in a new semi ranch style house, said she had no comment to make on the affair, however she denied that there was any commotion as reported by the coach operator.

The incident occurred Monday on a number 12 trolley driven by W. C. Harder going north on Main. According to Harder Miss White was occupying a seat directly behind him when some passengers began getting off at Jefferson because, Harder felt, they were anticipating trouble.

Harder claimed he asked Miss White four times to move from her seat and she refused.

In court Miss White told Judge Beverly Boushe she didn't see any reason why she should move.

The attorney for the transit company, Palmer Miller, referred to the state code which requires transit companies to mark the Negro and white sections in the vehicles and cited the penalty for ignoring the sign.

In meting out the fine Judge Boushe held that "on a street car or bus, the operator has the right to regulate his bus and keep down disturbances."

TEST CASE REQUIRED

Dwyer And Waring Expect No Trouble Over The Matter Of Seating

Commercial Appeal Tues. 4-24-56

Neither the city nor the Memphis Street Railway Co. has plans to desegregate riders on buses and coaches here.

Public Service Commissioner John T. Dwyer, whose department has jurisdiction over MSR, said, "We've got a Jim Crow (segregation) law in Tennessee and I'm not going to tell them to desegregate and violate the law."

Company Can't Change

He said that Memphis has had very little difficulty with Negroes and whites riding the public transit system and added he believes there would have to be a test case of the state segregation law before any change comes about.

Col. Roane Waring, MSR president, pointed out his company could make no change in the manner of seating passengers, "because we've got to follow the state statute which says passengers must be segregated."

"We've got a Jim Crow law here and I think we are going to continue to have it," Colonel Waring said.

He said he thought the segregation law here "is one of the fairest laws in the whole South," pointing out that Negroes take sea ts from the rear of the bus and white passengers from the front.

'Had No Trouble Here'

"We've had no trouble here because the colored people understand the law," Colonel Waring said.

R. C. Tucker, assistant regional manager of Greyhound bus line, declined comment on the decision of the United States Supreme Court, saying that any statement would have to come from the company's regional office in Lexington, Ky.

Tennessee Faces Segregation Suit

Advertiser Mon. Montgomery

MEMPHIS, June 5 (AP) — The National Assn. for the Advancement of Colored People (NAACP) filed suit in federal court today asking that Tennessee bus segregation statutes be declared unconstitutional.

Ala.

The suit asks:

1. A three-judge court to hold a "speedy hearrring" and issue a temporary injunction restraining the city of Memphis and the Memphis Street Railway Company from enforcing the Tennessee bus segregation statutes.

2. That the court upon a final hearing declare the state law unconstitutional—therefore null and void.

Wed. 6-6-56

Roane Waring, president of privately owned Memphis Street Railway, said his company "can make no change in the manner of seating passengers on our buses. We must follow the state statue . . . The fact that we have had no trouble here over segregation laws is a tribute to the good citizenship, and goodwill of both races."

The suit asks that "Negro citizens be granted similar privileges and immunities given all citizens of the United States, due process of law and the equal protection of the laws secured by the 14th amendment to the national Constitution."

Named as plaintiffs were O. Z. Evers, Memphis Negro, and all similarly situated—in other words, all Negroes.

The suit said that on April 29, 1956, Evers sat in the front of a city bus. Two city policemen told Evers to move to the rear of the bus, get off or be arrested. Evers got off the bus.

Under present policy of the bus company, Negroes are required to seat themselves from the back to the front, and whites from the front to the back.

Thugs Rout Negroes Who Snub Bus Rear

Chicago Ill. Sat. 8-4-56

KNOXVILLE, Tenn. — The local police last week refused to protect a Negro couple and their four children from a mob of young thugs who ran them off a bus because they refused to sit in the rear of the vehicle.

The J. R. Ross family, of 2125 Major ave., also has accused the driver of the bus, W. R. Tillery, of summoning the gang to intimidate them and then telling them, "You can read."

(The Knoxville Transit Lines have not removed their segregation signs.)

Mrs. Ross explained that her family boarded the vehicle at Keith, Schofield and Western aves., with the children getting on first and taking seats about half way in the bus. She and her husband sat immediately behind them.

When the bus arrived at Alexander Park, the driver (Tillery), she said, stopped and called out to a group of loiterers:

"All right boys, I need some help. Get aboard."

Eight youths, ranging in age from 16 to 20 got on and took seats in the back of the bus, Mrs. Ross added, and immediately began making loud remarks about who was to ride in the rear seats.

The youths did not pay any fares, it was stated, and when the loud remarks failed to draw any comments from the Negro passengers, the gang got up and ordered the Ross family to get up and sit in the back of the bus.

At that point, Ross appealed to the driver who made his remark about the racial signs.

Fearful that his children would be injured, Ross took his family off the bus at the next stop and called the police to handle the mob. Police quickly informed them there was nothing they could do.

Mrs. Ross later attempted to get KTL authorities to take action, but was unable to speak with anyone in authority at the line.

A local newspaper also was unsuccessful in getting the lines to make a statement in regard to bus policy.

Bus Segregation Attacked in Memphis

Times Picayune New Orleans Wed. 6-6-56

MEMPHIS, June 5 (AP) — The National Association for the Advancement of Colored People (NAACP) filed suit in federal court Tuesday asking that Tennessee bus segregation statutes be declared unconstitutional.

The suit asks:

1. A three-judge court to hold a "speedy hearing" and issue a temporary injunction restraining the city of Memphis and the Memphis Street Railway Company from enforcing the Tennessee bus segregation statutes.

2. That the court upon a final hearing declare the state law unconstitutional — therefore null and void.

not object to paying fair and equitable taxes. What it does object to, they said, is paying discriminatory taxes — taxes paid only by bus riders.

In trolley-car days, the franchise to operate a transit system in Memphis was worth something. MSR operating its street cars got something in return. There were only a few automobiles and the trolley franchise was valuable.

Today, conditions have changed, but the tax remains the same.

Some cities have been farsighted enough to remove the franchise tax.

In Dallas, the gross recepits tax was reduced from 5 per cent to one-half of 1 per cent in 1954. That same year, Portland officials chopped its tax rate from 5 per cent to 1 per cent. Baltimore, which had a high franchise tax of 9 per cent, reduced it to 3 per cent over a five-year period.

42 Million In 1955

In 1953, Dayton, Ohio, reduced its tax against the transit system from 5 per cent to 1 per cent and the same year Tulsa lowered its rate from 4 to 2 per cent. Salt Lake City completely eliminated such a tax in 1953, and Jackson, Miss., wiped its rate off the books in 1951.

Memphis, with a 6 per cent franchise tax to pay every year, carried only 42 million passengers last year with its operating revenue totaling six million dollars.

But in cities where there is no

Daily $1,000 Franchise Tax Is Discriminatory, Says MSR

Commercial Appeal Memphis, Tenn. Mon. 7-16-56

(Last of Two Articles)

By RICHARD T. ALLEN

What is this franchise tax which Memphis Street Railway Co. pays the city every year?

Amounting now to more than $1,000 a day, the tax has been paid by MSR since 1945 when the city granted the transit firm its current 20-year franchise. The 6 per cent tax was one of the conditions on which the franchise was granted—at a time (the last month of the war) when transit riding was high and revenues solid.

Funds from the tax are used by the city for its general purposes. The tax, however, is reflected in the bus fare from which it is derived.

Thus, the general city tax is really paid by only a portion of the city's population — the bus riders. That portion of the population which does not use public transit gets the benefit of this tax, but pays no part of it.

Tells Of Objections

MSR officials explain they do

End Tallahassee Boycott: No Buses

TALLAHASSEE, Fla. — (ANP) — In a new series of meetings called to discuss the situation arising from the end of bus services here, Negro leaders and city officials conferred again last week, but no definite action was taken.

Both sides, however, reported a clearing of the atmosphere as a result of the meetings.

At the same time, Rev. K. S. Dupont, vice president of the Negro Inter Civic Council, said Tallahassee Negroes have no desire to boycott downtown merchants.

INTIMIDATION

Such an economic boycott had been suggested as a possibility by Council President C. K. Steele, who accused local police of "intimidating" Negro motorists because of the bus protest.

Dupont said it had been decided it would be best for Negro car pool routes to avoid the two main downtown streets to avoid arrests for traffic violations, but that this would not necessarily bring a boycott of stores.

Bus service in the city has been discontinued and C. L. Coleman, owner of the bus line, has rejected, with indignation, an offer of financial aid to keep the buses rolling in the face of the boycott.

NOT A CHARITY

A group of white citizens offered to pass the hat so that bus service could go on. But on hearing it, Mayor Fred S. Winterle said Coleman declared:

"I'm not operating a charity."

Rev. C. K. Steele, leader of the boycott which began May 29 with the arrest of two Florida A & M co-eds for refusing to sit in the back of a segregated bus and ended Saturday with suspension of operations by the bus company, declared:

"I am beginning to think our city policemen are trying to run us out of town."

Steele, president of the Negro Inter-Civic Council, told a mass meeting of more than 500 persons that Negroes are being arrested "for the slightest traffic violation" and are subject to a "third degree" at police headquarters.

Steele said that if police action did not end, it might become necessary to "spend what little money we have in other nearby cities."

He said many Negroes are being arrested while operating car pools. "When police can't find grounds to arrest us, they just holler at us and tell us to move on," Steele continued.

Meanwhile, this city of 48,000 people was without bus service. Car pools were being hastily set up and a meeting of the City Commission was scheduled for Monday to discuss ways of providing emergency transportation for whites.

The Negroes are planning to operate their own bus if they are allowed to do so under law. The bus is an old vehicle similar to school buses. The group is also calling for more station wagons to provide transportation for the town's estimated 14,000 Negroes.

Mayor Fred S. Winterle said he had no idea when the city would again have bus service. But he added that "Negroes will never get a franchise to operate a line while I'm on the City Commission."

City workers Monday were busy painting new markers for parking spaces in places that had been bus stops since 1941, when Cities Transit Inc. began operating.

5 SHIPPED TO CUBA

Five of the company's buses were shipped to Cuba Monday after being sold to a bus company in that country.

Negroes had made up 70 per cent of the passenger load on Tallahassee buses and accounted for 60 per cent of the bus line's revenue.

Their leaders have refused a bus company offer which would place Negro drivers on predominately Negro runs and allow free seating on the bus except for three seats in the front which would be reserved for whites.

DENIES INTIMIDATION

Police Chief Frank Stoutamire denied Steele's charges Monday afternoon. He said police were cracking down on all traffic violators and added:

"I have never seen any third degree. In fact, I've never seen anyone mistreated as long as I have been police chief. I wouldn't stand for it."

Meanwhile, the City Commission held a closed door meeting but apparently discussed only the overall siuation. Taxi companies reported only a "slight" increase in business.

franchise tax, the passenger and revenue figures soar.

Minneapolis, with no tax, hauled 86 million passengers and obtained revenue of 16 million dollars. Cincinnati carried 72 million passengers with an operating revenue of 12.9 million dollars. Philadelphia, with no tax, had 412 million passengers and its operating revenue totaled 72.6 million dollars.

The Kansas City transit system, which pays a 3 per cent tax, had 66 million passengers and its operating revenue was 11.4 million dollars.

Basing its forecast on a 9 per cent decline in riding trend, MSR estimates that in 1956 it will operate to the red-ink tune of $105,038. The forecast reckons with $6,059,110 derived from passenger and other service revenue against operating expenses, including interest, totaling $6,165,148.

Expenses Are Listed

Of MSR expense in 1956, $3,990,724 will go for maintenance, transportation, fuel and other items; $584,682 general and administrative expense; $212,068 injuries and damages; $736,280 for taxes other than Federal income tax and $641,394 for depreciation and interest.

In 1955, MSR paid $402,387 to the city as its gross receipts franchise tax. In addition, the company paid the city $142,560 as ad valorem tax and $409 for licenses on its cars and trucks. This adds up to $545,356 paid the city in taxes in 1955.

In recommending the blanket adoption of the transit survey report, the Transit Study Committee told the Mayor and City Commissioners:

"The type of transit which Memphis needs and must have cannot be provided by a system constantly forced to utilize dwindling reserves for survival. Under such conditions it cannot finance essential new equipment; it must watch pennies so closely it cannot embark on large-scale and bold plans for improvements, particularly those involving an element of risk."

Plans Are Outlined

The TSC said the "new look" in transit service could be put in effect under one of two fare structures. The first plan, based on elimination of the six per cent franchise tax, would provide fares of 25 cents for express service, 15 cents for local service, and 12½ cents for school service.

The second plan, based on continued collection of the tax, would make the price of express service 30 cents, the hiking of local service to 17 cents and the cost of school service 12½ cents.

"The committee believes that the lowest possible fare structure is the most desirable," the Mayor and commissioners were told.

Negro Bus Driver Bids Are Accepted

World Fri. 5-11-56 Birm, Ala. P. 1

MONTGOMERY BUS LINES TOLD TO CONTINUE BUS SEGREGATION

NASHVILLE, Tenn. — (SNS) — Applications from Negroes for jobs as bus drivers are now be accepted by the Nashville Transit Co., operators of the city's bus system, it was announced Wednesday.

For first time, the Nashville Transit Company accepted applications from Negroes for jobs as bus drivers. The firm says qualifications are the same as for whites. Driver applicants must be at least 25 years old; have no police record; be a high school graduate, have top credit rating. The plan was announced after meeting bus line officials and representatives of Citizens Rights Committee. Committee member, Rev. L. Evans, says similar plans are set for discussion today with Chattanooga bus officials. Rev. Evans is pastor of a Negro church.

Meanwhile, in Montgomery a state court judge ordered the Montgomery City Lines to comply with Alabama State laws requiring segregation in buses.

Circuit Judge Walter B. Jones, granting the request of city officials held all city and state segregation laws still remain in force. He ordered the subsidiary of National City Lines, of Chicago, to "comply with and abide by all the provisions" of the local laws.

The company announced an end to its policy of enforcing segregation laws after a recent Supreme Court decision was interpreted as outlawing intra-state bus seating segregation. Judge Jones said a subsequent interpretation of the court's action held it to be merely sending a case back to a lower court for further proceedings. Jones declared: World P. 8

"There is no straight-out decision of the Supreme Court of the United States holding that a city or state may not require the separation of the races on buses where carriage of passengers is solely intrastate."

The bus company's desegregation action was ineffectual. Montgomery Negroes continued to boycott the buses, as they have since a Negro woman was arrested in December for refusing to move to a rear seat.

White Boy Fined After Bus Fight With Negro Rider

Advertiser P. 1-C

CHATTANOOGA, Tenn., May 3 (AP)—A white youth was fined $50 in city court today on a charge of disorderly conduct growing out of a fight with a Negro on a city bus last night. The Negro had refused to move farther back in the bus, testimony showed.

Fri. 5-4-56

The disorder was the first reported incident on a Southern Coach Lines bus since the recent U.S. Supreme Court ruling, some have interpreted as prohibiting segregation in intrastate transportation.

Montgomery, Ala.

The bus line has not ordered integration in its seating.

Both the white boy, Ray Pope, 18, and Lawrence Curry, 23, the Negro, had been charged with disorderly conduct, but Judge Riley Graham dismissed the count against Curry.

Graham said proof showed Curry was "sitting well in the back" of the vehicle when the incident occurred and that Pope "struck the first blow."

Blond rider fined for trying to make passenger move back

Birmingham Ala. Sat. 5-12-56

CHATTANOOGA, Tenn. — A blond youth was fined $50 in city court, Thursday, on a charge of disorderly conduct growing out of a fight with a colored person on a city bus.

The fight, according to testimony, began over the colored youth's refusal to move back in the bus. P. 1

The white youth, Ray Pope, 18, and Lawrence Curry, 23, were both charged with disorderly conduct. However, Judge Riley Graham dismissed the charge against Curry ruling that Pope "struck the first blow."

The two were arrested following a fight which ensued after Pope asked Curry to move further toward the rear of the Market Street bus. Pope admitted today in court that he struck Curry after the Negro refused to move.

Judge Graham said in fining Pope, "It wasn't up to him to ask Curry. If he wanted him to move he should have asked the bus driver."

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White Man Fined In Bus Dispute

Post-Herald Fri. 5-4-56

CHATTANOOGA, Tenn., May 3 (U.P.)—A white man was fined $50 today on charges of disorderly conduct resulting from a dispute with a Negro over a seat on a city bus. P. 32

City Judge Riley Graham fined Ray Pope, 18, and dismissed similar charges against the Negro, Lawrence Curry, 23.

Birm, Ala.

The two were arrested last night following a fight which ensued after Pope asked Curry to move further toward the rear of the Market Street bus. Pope admitted today in court that he struck Curry during the altercation.

According to testimony, Curry took a seat near the back of the bus which was nearly filled. Mrs. Howard O'Kelley, a nurse sitting behind the Negro said she saw Pope leave his seat and ask Curry to move back and that she saw Curry then stand up and tell Pope, "I'm not moving back any further."

Mrs. O'Kelley said Curry then sat down and the two exchanged words. Later Pope got up again, she said, and struck the Negro.

Judge Graham said in fining Pope, "It wasn't up to him to ask him (Curry). It wasn't any of his business. If he wanted him to move he should have asked the bus driver."

White Man Fined in Bus Racial Clash

Herald P. 1-C Fri. 5-4-56

CHATTANOOGA, Tenn—(UP)—A white man was fined $50 Thursday on charges of disorderly conduct resulting from a dispute with a Negro over a seat on a city bus.

Miami, Fla.

City Judge Riley Graham fined Ray Pope, 18, and dismissed similar charges against the Negro, Lawrence Curry, 23.

FRACAS OVER A BASEBALL

Constitution P. 14

Knoxville Police Quell 2,000

Mon. 6-4-56

After Shot Hits Negro Home

Atlanta Ga.

KNOXVILLE, Tenn., June 3 (AP)—All available police were called out Sunday to prevent a possible clash between white and Negro crowds after a shooting incident which apparently began over a stray baseball.

Safety director David Garrison said that all appeared to be peaceful again Sunday night.

Three white men were jailed without charge after the incident in which a shotgun was fired into a Negro home. They were identified as George Cash, about 40, Horace Morelock, 55, and Andy Williams, 57.

Police Egt. Emory Jackson gave this account of the incident:

Whites and Negroes were playing baseball on adjoining diamonds at a nominally white playground near an indefinite line dividing white and Negro residential areas.

The players "appeared to be getting along fine" when two Negro boys scooped up a stray ball from the white game and ran to their home about two blocks away.

Several minutes later, the shotgun blast was fired from a moving auto into the home of Earlina Hill, where the two boys live.

Crowds of both whites and Negroes quickly formed in the neighborhood armed with clubs, rocks, sticks and other weapons, and police were called. An estimated 2,000 persons were involved.

All working officers were sent to the scene immediately and the Rev. Dewey Jackson, former police captain, pleaded with the demonstrators to disperse.

Jackson said the only casualty reported was a Negro woman who was treated for minor injuries at a hospital after being struck by a baseball bat.

Prom Mixed, But Negroes Shun Banquet

Constitution Fri. 5-18-56 Atlanta Ga.

OAK RIDGE, Tenn., May 17—(UP)—Fifteen Negro students at Oak Ridge's integrated high school declined today to attend a segregated banquet planned for them following an unsegregated junior-senior prom. P. 6

Parents of the predominately white juniors and seniors voted earlier to hold a separate banquet for the Negro students, although the dance tomorrow night will be integrated. There are about 685 white students in the two classes.

The Negro junior and seniors and their parents met at the old Scarborough Negro school. They resolved unanimously that "since the prom is to be an integrated affair, it would be against our principles to relegate ourselves to segregation in the name of Oak Ridge High School."

Dr. J. M. Schreyer, chairman of the school prom festival committee, explained his planning group was following the will of the majority, since the issue of segregation was put to the parents of the students.

Oak Ridge is the only integrated public high school in Tennessee.

Threats After His Bus Suit Leave Negro Unperturbed

Commercial Appeal P. 1

Thurs. 6-7-56 Memphis Tenn.

By ROY JENNINGS

A Memphis postal clerk who has attacked the validity of state segregation laws on public transportation in a Federal Court lawsuit went about his chores unperturbed yesterday after claiming he received "more than 100" threatening telephone calls.

O. Z. Evers of 671 Lipford said he planned to complain about the calls to police but he didn't get around to it by last night.

Police Chief J. C. Macdonald, who was named a defendant in the suit along with two patrolmen, the city commissioners, Memphis Street Railway Co., and a coach operator, said Evers will receive the same protection any other Memphis citizen ordinarily receives.

Cross Burning Investigated

An investigation into the burning of a cross in front of Evers' home late Tuesday night has been launched, the police chief acknowledged. Any charges growing out of the incident would be of a disorderly conduct nature, he indicated.

Most of the anonymous callers "gave me a good cursing or threatened my life," said the 31-year-old distribution clerk for the Postal Transportation Service.

"One of the callers said he was head of the Ku Klux Klan and he was going to blow my head off. Others said they would be coming by my house."

Evers said the calls did not alter his stand on the lawsuit.

Legal Questions Arise

Several legal questions arose yesterday as attorneys began studying the case.

The absence of the state as a defendant in the case raised some legal eyebrows. It brought the explanation that either side or the court could ask that the state be made a party defendant in the suit.

Necessity of the state as a party in the case was pointed up after the city attorney's office reported local ordinances are free of Jim Crow provisions with the exception of a provision recognizing state laws and their enforcement as required by the state constitution.

Commercial Appeal

The city attorney's office and Memphis Street Railway indicated they will take no legal steps until they receive copies of the complaint and have had time to study it.

P. 2

No Appeal To State

The state attorney general's office at Nashville reported has received no request to take part in the proceedings.

In the suit carrying the blessings of the National Association for the Advancement of Colored People, Evers urged the court to declare the state segregation laws unconstitutional. He claimed they are in violation of the 14th Amendment to the United States Constitution guaranteeing certain rights.

The six sections of Title 65 of the Tennessee Code under fire were passed in 1905 and incorporated last year in the state code enacted by the 79th General Assembly.

Evers also asked for a speedy hearing by a three-judge court.

Three-judge courts are available for constitutional questions which haven't been decided previously. Judge Marion S. Boyd is expected to rule on the necessity of three judges to hear the case at the start of the trial.

Fall Trial Indicated

The judge's decision may be appealed directly to the United States Supreme Court. Five Negro students seeking admission to Memphis State College chose that alternative recently but the high court upheld the Memphis judge's ruling that two additional judges weren't needed.

A Federal Court observer estimated trial of the case will start no earlier than September.

The defendants have 20 days after they receive their summons to answer the charges of Evers. The summons haven't been delivered yet. Judge Boyd can grant unlimited extensions to parties needing more time to answer a complaint.

Judge Boyd's court calendar already is filled with cases through July 11 with several others ahead of Evers' suit still awaiting a trial setting.

It has been the policy of Judge Boyd to adjourn court during August.

Disabled veteran kicked off Southern train in Tennessee

Atlanta Constitution Sat. 4-23-55

CHICAGO—A disabled World War II veteran told NAACP officials here last week that he was kicked off the Southern Railroad's California Special at Harriman, Tenn., and then threatened by three policemen, one of whom threatened to "fill him full of lead."

Walter Williams, 35, told of his night of terror in which he was held in the Harriman jail overnight without food or water.

The war veteran's trouble began when he got into an argument with a conductor who was collecting tickets. His ticket, he said was in his overcoat pocket when the conductor began collecting tickets after a Knoxville Tenn., stop.

* * *

MR. WILLIAMS, in the smoker at the time, told the conductor he would get the ticket but the conductor started an argument. Williams asserted the conductor left and he thought the argument was ended until the conductor returned with police at Harriman, an unscheduled stop.

They threw his bag off the train and threatened to push him off, Mr. Williams said.

Mrs. Carolyn Young of Chicago and Mrs. Edna Crosley Brown of Cleveland delayed police long enough to get the veteran's name and address. Mrs. Young said the conductor threatened to put them off the train if they mentioned the incident during the rest of the trip.

* * *

MRS. YOUNG said none of the other passengers protested the removal of Mr. Williams. "They all said it's a shame," she related, but said "we live down here and we have to ride this train again'."

Mr. Williams boarded the train at Asheville, N.C., after leaving a veteran's rehabilitation center following an 18-month treatment for a tubercular infection received in the service.

He recently had eight ribs removed and uses a crutch. A native of Blocton, Ala., he attended high school in Chicago.

William H. Huff, chairman of the Chicago NAACP branch legal redress committee, said a suit will be filed against the railroad and the conductor, identified by Williams as C. L. Hickerson.

P. O. Clerk Tests Tenn. Bus Laws

Commercial Appeal P. 12

MEMPHIS, Tenn., 1— Postal clerk O. Z. Evers asked Federal Court to declare without a trial, that Tennessee's bus segregation laws are unconstitutional. P. 12-8-56

In his original complaint last summer, Evers charged his constitutional rights were violated when police told him to move to the rear of a city bus, get off or go to jail.

No date has been set for a trial, but Judge Marion Boyd was asked to hold a hearing on the motion on Dec. 14.

Co-ed Refuses to Ride Jim Crow; Faces Get Red...Nothing Happens

Courier Sat. 1-7-56 Pittsburgh Pa.

HOUSTON—Pert and pretty Gertrudejane Holliday, daughter of Mr. and Mrs. Robert Holliday of Houston, created a mild commotion for passengers and a "purple face situation" for a railroad conductor and a Lake Charles, La., police officer.

En route home from Fisk University, where she was recently chosen one of its most beautiful girls, Miss Holliday refused to enter a jim-crow coach upon reaching New Orleans, as ordered by the conductor.

The ired conductor notified the police and when the train reached Lake Charles, a police officer boarded the train and told her she was under arrest.

* * *

WHEN SHE ASKED what the charge would be and pointed out that she was an interstate passenger and the recent ICC decision, the officer was still going to take her into custody.

At that time two men, apparently railroad detectives, came up, called the conductor and officer aside and talked to them in hushed tones.

They flushed and left without saying another word to her. She was not molested any more all the way to Houston.

GERTRUDEJANE HOLLIDAY
defied "tradition"

Two Texas Stations Oppose ICC Anti-Bias Movement

Daily World Fri. 1-13-56

HOUSTON, Tex.— (NNPA) — Although January 10 was the deadline for compliance with the Interstate Commerce ruling that racial discrimination of interstate railroad and bus passengers is unlawful, a survey here indicated that two bus terminals and two railroad stations here were not complying.

The Informer Newspapers, which made the survey, reported that the Jim Crow set up at both bus terminals here was intact. The manager said he could not comment.

The drinking fountain in the colored waiting rooms at both the Greyhound and Continental bus stations are placed between and men and women's toilets, and the odors can be smelled from either direction when drinking water.

The sign on the colored waiting room at the Greyhound bus station still says "Colored Waiting Room."

The sign on the colored waiting room at the Continental bus station says "Express."

A sizeable group of colored passengers boarded the Interstate bus going to New Orleans. There was a Navy man in the group. All took back seats on the bus.

The sign has been painted out at the Southern Pacific Station, the colored ticket window closed, the "Colored Entrance" painted over and Jim Crow coaches eliminated. All employees have been told to abide by the law. A colored man was served at the snack bar.

The "colored" sign at the Missouri Kansas and Texas Railroad Station is still up. The station master said he has recieved no word as to when the sign would be removed.

At the Union Station, the entrance used by colored people had a sign "Closed". Racial signs were removed more than a week ago. Most of the "For White" signs on doors are marked "Fresh Paint." Employees have been instructed to abide by the law.

Council Queries Shepperd On Replacing Of RR Station Signs

Informer Houston, Tex. Sat. 1-28-56 P. 20

MARSHALL— The Citizens Council has asked Attorney General John Ben Shepperd to issue an opinion stating who has the authority in Texas to order the signs "For Negroes" and "For Whites" placed back in the Texas and Pacific Railway station here. The city attorney and the railroad Commission of Texas have refused to accept responsibility for ordering the signs replaced.

The council has also made an appeal to Governor Shivers as to what they can do. The Harrison County Citizens Council wants Texas to follow in the steps of Louisiana and put the signs back, and also put police in the stations. So far Texas has not followed in the footsteps of Louisiana, Mississippi, South Carolina, Georgia and Virginia. Both the governor and the attorney general are likely to find the issue a hot potato. Federal law gives the Interstate Commerce Commission Jurisdiction over interstate travel, and no state has concurrent jurisdiction with the ICC.

It would seem that the only field left for Texas and the attorney general is in the intrastate travel. But the Citizens Councils don't want Negroes to sit in white waiting rooms, whether they are interstate or intrastate passengers. They know that if they can't segregate interstate passengers, then sooner or later segregation will break down for intrastate Negro passengers.

The Citizens Council appealed to William J Murray of the Texas Railroad Commission, but this gentleman denied that the Texas Commission had authority on interstate travel.

Then the Citizens Council appealed to the city commissioners to pass an ordinance ordering the signs back in the station. City Attorney Gaines Baldwin said that he doubted that the city had authority, and asked the council to make further inquiries.

The chairman of the City Commission said that the commissioners felt sympathetic with the Citizens Council and would meet next week for passing an ordinance, if the attorney general ruled that the City Commission had authority.

In the meantime W G Vollmer, president of the Texas and Pacific Railway, sent word to the Citizens Council that it was his wish that the City of Marshall not pass an ordinance calling for restoring the signs. He pointed out that Texas and Pacific Railway officials had been ordered by the ICC to remove the signs, and implied that a city ordinance to the contrary would involve the railroad in an embarrassing situation.

Just before press time City Attorney Baldwin said that he saw little hope for restoring the signs. Everything now is waiting upon Attorney General John Ben Shepperd's opinion as to whether anybody has authority in Texas to order the signs put back, so as to affect Negro interstate passengers. At press time no word had come through from Governor Shivers.

NAACP Petitions Austin City Council on Bus Incidents

Informer Sat. 2-25-56 P. 1 Houston, Tex.

AUSTIN— The Austin City Council was petitioned Thursday morning by the National Association for the Advancement of Colored People who objects to the behavior of the local police department and transit company in connection with the arrest and jailing last year of Mrs Howellen Bunton Taylor, a young mother and former student of Huston-Tillotson College.

The petition, titled "Request for Issuance of a New Statement of Policy for the Austin Police Department and the Transit Company," was presented to the council by the Rev J L Dawson, vice-president of the local NAACP chapter. A large delegation of local citizens were present to witness the petitioning.

THE ENTIRE PETITION FOLLOWS

On November 16th, 1955 Mrs Howellen Bunton Taylor, a young mother and a former student of Huston-Tillotson College, boarded a bus at 19th and Harvey street. She was carrying her two-year-old baby. She placed the baby on the extreme front seat while she made change and paid her bus fare. The bus pulled off immediately causing her to sit beside the baby until she could put her change and transfer in her purse. The bus driver turned immediately and began telling her to move to the back seat. This angered Mrs Taylor and she refused to move to a rear seat.

The bus driver stopped at the next store and placed a call to the Austin Police Department and five cars answered the call. Mrs Taylor was removed from the bus around 10 a m and carried to the Police Court building at 7th and East avenue and placed in jail. Later during the same day, the bus driver came down and filed charges against her for "violating the Jim Crow Law."

NAACP Petitions Austin City Council on Bus Incidents

Informer Sat. 2-25-56 p.10

Houston, Tex.

(Continued from P. one)

ber 17th a bond was posted for the release. Mrs Taylor was released after spending almost 16 hours in jail away from her young baby and family. Her case was appealed to the County Court at Law, after the City Judge found her guilty and assessed her fine at $28.00.

Previous to this incident Miss Georgia Johnson and a young companion were removed from the Austin Transit Company's bus at 8th and Congress avenue and charged with violation of the Jim Crow law in 1951, the case was appealed to the County Court at law by Attorney Harry Bellinger of San Antonio. The Bus company and the police Department failed to prosecute the case further. Their failure to do so, caused legal action to cease at this point.

On July 31st 1953 Mrs Myrtle Johnson was removed from the Austin Transit Company's bus by a policeman at the request of the bus driver at 5:30 p m while enroute to No 3 Green Lane in Enfield. She was detained at the City jail from 5:30 p m to 7: p m.

There were several other similar cases reported by the daily papers, but no formal protest was filed with the NAACP office in Austin.

STATEMENT OF FACTS

As recently as three of four weeks ago two Negro children and two white children between the ages of 10 and 12 who are attending an integrated school together at St Edwards, boarded the bus together at 6th and Congress Avenue. They were all seated on the front seat. The bus driver asked the two Negro kids to move to a back seat. They refused to do so as they didn't want to be separated from their classmates and friends. The bus driver then called a policeman, he boarded the bus and persuaded the two Negro kids to move to a rear seat. Here we contend is shown the persistent will of certain individuals to set themselves up as agents purportedly representing the law based upon an assumed existing law.

FINDINGS

On Monday evening at 1 p m Rev J L Dawson, Rev M L Cooper and Arthur De Witty held a conference with the County Attorney and inquired as to why the case was dismissed and not prosecuted. He said what is here in reported.

In Cause No 29048 brought by the City of Austin upon testimony of one bus driver and one policeman, Judge Daughtery proceeded to assume Mrs Taylor guilty and assessed her a heavy fine and remanded her to jail with much embarrassment and without benefit of a counsel to represent her.

In the County's Court at Law, in cause No-39348 Mrs Howellen Bunton Taylor was found not guilty as she had previously pleaded in Corporation Court. When the case was called up in the County Court, County Attorney, Tom Blackwelll filed a motion for dismissal on the basis of insufficient evidence based upon that principle of law enunciated in the May 17th 1954 Supreme Court decision in racial segregation. In effect, and for all practical purposes there was no valid Jim Crow left for Mrs Taylor to violate. His motion was sustained by Judge Mace Thurman and the case dismissed on January 4, 1956.

RECOMMENDATIONS

We take the position, as a results of the above observations. that it is the clear duty of this City Council, as the policy making body, to issue a new statement of policy to the Austin Transit Company and the Police Department, acting as agents in a governmental capacity, to cease the practice of further infringing upon the real and personal rights of passengers using such services offered by the Transit Company.

We further feel that the City Council retains certain proprietary rights, reserved unto itself in the granting of the operational franchise, to restrain the Bus company and the Police Department from serving as instruments to further damage the peace and dignity of the Citizens of the Austin Community by acting under cover of an invalid law.

We feel it imperative that the City Council join all other interested persons in a clarification of policy in the light of new and recent higher court principles.

Rev J L Dawson, vice president; Rev M L Cooper, pres, chairman Arthur De Witty - public relations.

Bus Segregation Abandoned In Dallas, Texas

Daily World Atlanta, Ga. Thurs. 4-26-56 p.1

DALLAS, Tex. — (INS) — Segregation will be abandoned immediately on all Dallas city buses.

The legal counsel of the local transit company announced Wednesday after studying the Supreme Court's decision that all segregation signs in the city buses would be removed Wednesday afternoon.

Texas Police Chief, VA Transit Co. Give Orders

Daily World p.1 Wed. 4-25-56

Atlanta, Ga.

DALLAS, Tex. — (INS) — Dallas police chief Carl Hanson Tuesday ordered his officers to refrain from enforcing segregation on city busses.

RICHMOND, Va. — (INS) — The Virginia Transit Company, which operates city buses in Richmond, Portsmouth and Norfolk, ordered an end to enforced segregation on its vehicles late Tuesday afternoon.

TEXAS ORDER

The police crief's order came in the wake of Monday's U. S. Supreme Court decision voiding state and local laws enforcing segregation of Negroes and whites on local and intrastate busses.

Meanwhile, officials of the Dallas Transit Company, operator of the city busses, said they were awaiting a complete report of the court's decision before changing operating policies.

A spokesman for the Company said driver of the busses will not be given any special instructions as to desegregation until after a study has been made of the Federal Courts ruling.

VIRGINIA ORDER

The order in compliance with the A. U. S. Supreme Court decision of May which held segregated seating arrangements in Columbna, S. C. unconstitutional, applies in all three cities where Virginia Transit operates.

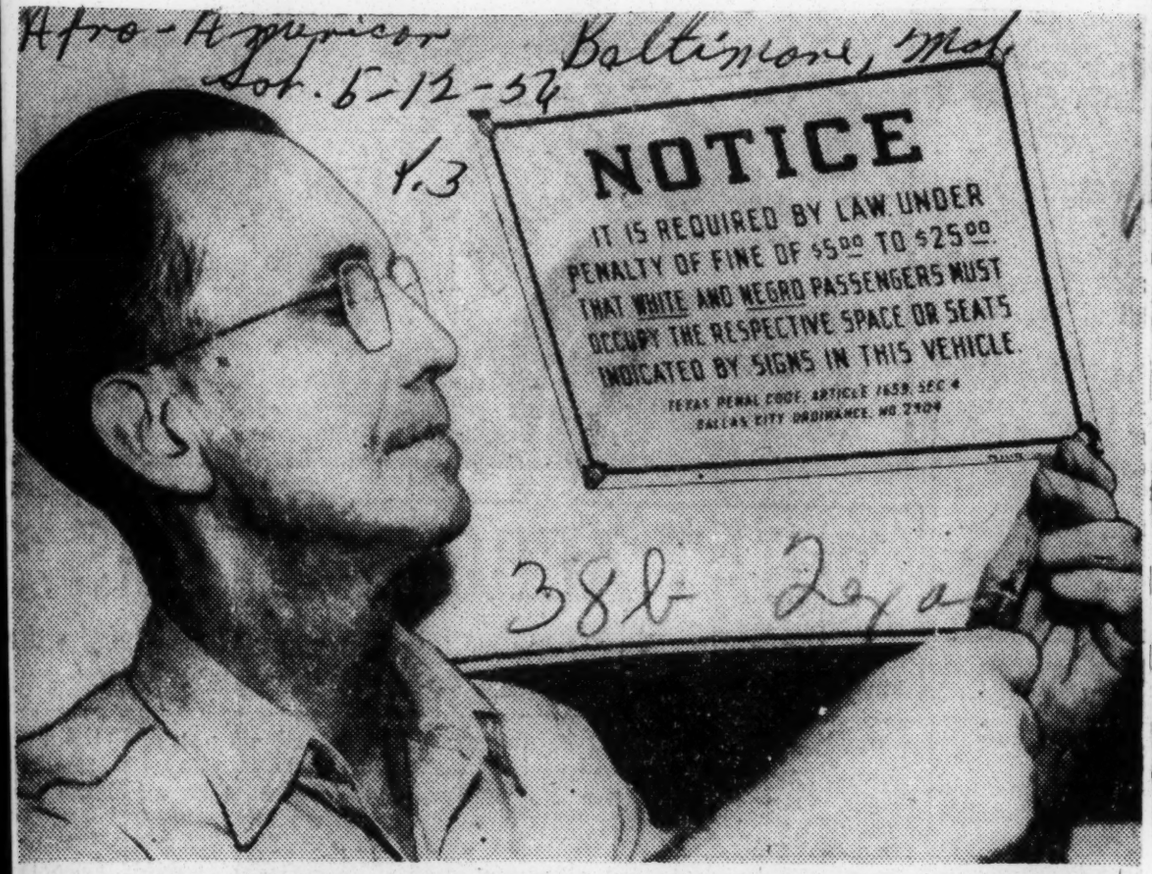
Warren R. Pollard, President of the company, after a long conference with attorneys, announced the end of enforced segregation effective Wednesday morning. He said.

"Seating in buses will be left to discretion of passengers. It is hoped, however, that good judgment will be used by all passengers in order to continue to maintain good relations.

Pattern of seating on city buses in Richmond during the rush hour this evening appeared normal. Negroes by and large boarded buses and moved to the rear seats they have always occupied under Virginia State law.

Police in Richmond still had received no change of standing orders which require that they enforce the state's segregation law.

Afro-American Sat. 6-12-56 Baltimore, Md.



SIGN COMES DOWN—Noble Bradford, lead worker in the Dallas Transit company body shop, removes segregation seating sign from the rear of a bus. The company, complying with the Supreme Court ruling banning within the borders of a state, announced recently that it was ending passenger segregation in the 530 buses at once.

Court Blocks Signs Backing Segregation

Advertiser 10-11-56 Montgomery Ala.

DALLAS, Oct. 10 (AP)—Dist. Judge Dallas Blankenship yesterday dismissed a suit seeking to get the Dallas Transit Co. to reinstall its segregation signs.

After a 35-minute hearing Blankenship ruled that the two persons filing the suit did not have a "justifiable interest."

Austin E. Burges, secretary-treasurer of the Texas Citizens Council, and Miss Addie Barlow Frazer filed the suit last month.

They asked Judge Blankensrip to order the bus company to reinstall its "white" and "colored" signs.

MAYOR PRESENT

Mayor Robert L. Thornton of Dallas, City Manager Elgin Crull, City Secretary Harold Shank and all members of the City Council were at the hearing but took no part in it.

The suit was the result of a ruling the mayor and the City Council made in July. At that time, they were requested to make the transit company put its segregation signs back up. They answered that the matter had been ruled on by the courts and that even though there was some divergence of opinion over the ruling, they as laymen couldn't change it.

The signs came down last spring following a ruling by the U. S. Supreme Court that public transportation could no longer remain segregated.

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Judge turns down request to reinstall jim-crow bus signs

Afro-American Baltimore, Md. Sat. 10-20-56

DALLAS — District Judge Dallas Blankenship dismissed a suit seeking to get the Dallas Transit Co. to reinstall its "white" and "colored" signs on buses here last week.

After a 35-minute hearing, Judge Blankenship ruled that Austin E. Burges of the Texas Citizens Council, and Miss Addie Barlow Frazer had no "justifiable interest" in the suit.

The segregation signs came down last spring following a ruling by the U.S. Supreme Court that public transportation could no longer remain segregated.

Ruling On Houston Incident Significant

WICHITA FALLS — Another signal victory for the civil rights of Negroes was won here Tuesday when Federal Judge Joseph B Dooley entered an order against the Houston Belt & Terminal Company and in favor of Dr A E Roark of Wichita Falls, who had been assaulted by a policeman in the railway station of the said Houston Belt & Terminal Company on December 20, 1955, at Houston, while waiting for a train in the white waiting room in Houston.

The case aroused interest because Dr Roark was traveling from Wichita to Houston and back on a round-trip ticke, which is intrastate, or inside the state of Texas. The case was actually decided on October 31, when the court announced judgment from the bench against the Houston Belt & Terminal Company. The order was entered as of October 13. Sat. 11-24-56

Whereas the Interstate Commerce Commission had provided for no segregation in interstate or between-state travel, it had been insisted by the state authorities that travel inside the state was a matter strictly under the state segregation laws. Said segregation laws were interposed in the trial as a justification for the policeman who assaulted Dr Roark, but the judge nonetheless voted Dr Roark $500 damages and all costs. This means that even passengers traveling from place to place inside the state may now take their seats in the white waiting room without fear.

The ase was won by Attorney I H Spears, a seasoned lawyer who was practicing at the Tulsa bar when Wesley and Atkins had their firm in Muskogee. He is receiving acclaim from lawyers over the nation.

Richmond Changes Signs

Special to The New York Times.

RICHMOND, Va., Jan. 10—The sign at one of the two waiting rooms in Richmond's Main Street station used to read "colored." Today it has "colored—intra-state passengers." The change was made, officials said, to comply with the I. C. C.'s order.

Med 1-11-56

At the Broad Street Station, all "white" and "colored" signs have been removed. All passengers using the station are presumed to be interstate passengers, officials said.

Norfolk depot still displays 'I.C. signs'

Afro-American p.5 Sat. 1-28-56

Baltimore, Md.

NORFOLK, Va. — The Greyhound bus station here at Brambleton Ave. and Granby St. is still using the signs on the inside: "To Colored Waiting Room."

Outside on the station, this sign: "Colored Waiting Room and Restaurant."

Wilbur Sudbrack, manager of the Greyhound Post House, a restaurant within the Greyhound station, directed colored customers to the jim-crow restaurant and declined to serve them at the main counter.

In a ruling on Dec. 19, the ICC ordered jim-crow signs down in railroads and bus stations in the South by Jan. 10, 1956.

Although there is a colored waiting room in the Norfolk Greyhound bus station, colored passengers who waited in the main waiting room were not annoyed Wednesday.

'Colored' Waiting Room Signs Removed In Virginia

Journal + Guide P.1

Sat. 5-5-56

Special to Journal and Guide

RICHMOND—The "White" and "Colored" signs in the Greyhound bus terminals appear to be falling throughout the State of Virginia.

Stations operating under the Richmond Greyhound Lines were ordered on Monday morning to remove the race signs.

Norfolk, Va.

A SPOKESMAN for the Atlantic Greyhound Lines, of Charleston, W. Va., told W. Lester Banks, Virginia executive secretary of the National Association for the Advancement of Colored People, that undoubtedly that division would follow Richmond's lead.

A vice president in the Richmond office said that he ordered, by telephone, the removal of race signs from Greyhound stations in Richmond, Petersburg, Norfolk, Portsmouth and Newport News.

• • •

NO OFFICIAL statement had been received from the Atlantic Division by press time. The Atlantic Greyhound has jurisdiction over the Valley area of Virginia, including the cities of Roanoke, Lynchburg, Bristol and Harrisonburg.

The Guide was informed by M. D. Griffin, manager of the Norfolk Greyhound Terminal, that the race signs would be removed from the station "sometimes this week."

• • •

THE ORDER does not affect eating facilities in the terminals because they are operated by private owners. The rest rooms at the Norfolk terminal do not have race signs so no change will be necessary there.

L. C. Major, president of Richmond Greyhound Lines, could not be reached for further details on his order which knocks out another stumbling block to integration in travel in the South.

38b Va

Journal + Guide Sat. 5-5-56 P.11 Norfolk, Va.

PLEASE BE SEATED Bus segregation faded quickly at Norfolk and Portsmouth this week as transit firm officials announced that, in keeping with a Supreme Court ruling, patrons could seat themselves in an available seat.

This is a scene on a Norfolk bus Wednesday afternoon.

Journal & Guide Sat. 6-2-56 Norfolk, Va. p.10

Win Portsmouth Bus Case

Victory smiles are flashed by principals in a test of Virginia's law requiring segregation on buses, in light of the refusal of the U. S. Supreme Court to upset a lower court ruling against segregation on city buses.

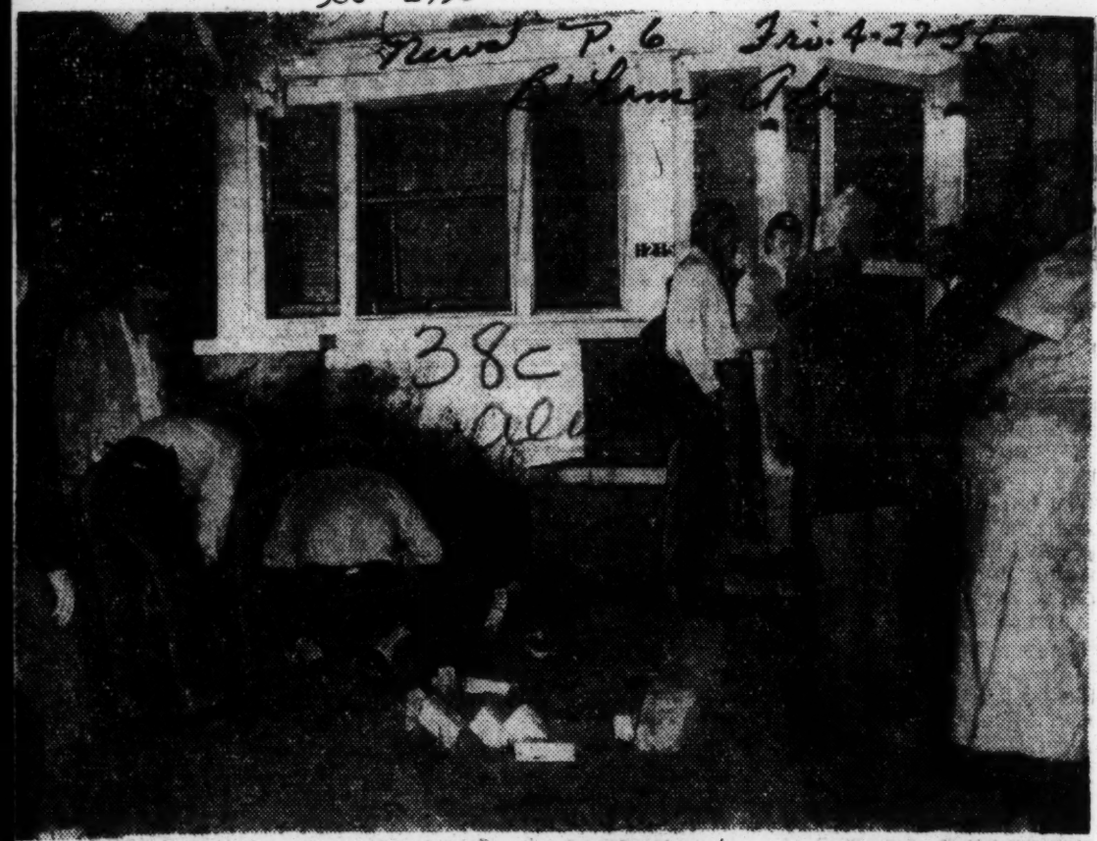
Mrs. Pearlie Vinson, of Portsmouth, center, was charged with disorderly conduct last Sept. 23 in Portsmouth Police Court, for refusing to move to the rear of a city bus there.

But on recommendation of Commonwealth's Attorney, the case against Mrs. Vinson was thrown out of court late last week because of the recent rulings.

Attorney James A. Overton, defense counsel, looks on from left, and Floyd Cooper, president of the Portsmouth Branch NAACP, is at the right.

38c 1956

ALABAMA



News staff photo

NEGRO HOME DAMAGED BY BOMB THROWN IN YARD

. . . Police are shown inspecting the scene afterwards

Negro home here damaged by crude bomb

News P. 1 Fri. 4-27-56 B'ham, Ala.

Police today were investigating a bombing in which the home of John H. Sargent, a Negro substitute letter carrier, was damaged.

Sargent, his wife and their 5-year-old daughter were watching television in their home at 1215 11th-ct, n, when the explosion shattered several window panes and damaged Venetian blinds.

Three other persons were in another room of the house. None of the six were injured.

POLICE SAID the bomb fell in the yard about eight and a half feet from the house at about 10:30 last night. It excavated a hole about five inches deep and eight inches in diameter.

Acting Asst. Police Chief J. C. Lance and Lt. J. H. Wooley are directing the investigation. They said they found bits of paper which have been turned over to a laboratory for analysis. It will be two or three days before the analysis is completed, Lance said.

POLICE termed the bomb a homemade one and expressed a belief it was tossed in the yard by a passing automobile. The front porch lights of Sargent's home were on at the time.

Sargent, who had been living at the address about 10 months, said he had never been threatened.

SARGENT'S HOME WAS the scene of a cross burning three weeks ago. Police who investigated the burning of a small cross in front of his home said what appeared to be a bunch of firecrackers had been thrown into the yard of a home nearby occupied by an Italian family.

At that time, Sargent told police he believed the firecrackers probably were intended for his yard instead of the other family's.

Sargent's home is flanked by two white residents, Lance said. But they and other white persons in the area have sold their homes to Negroes, he added.

Another Outrageous Bombing

News P. 4 38c B'ham, Ala. Sat. 4-28-56

The bombing Thursday night in which a Negro substitute mail carrier's home on 11th Court, North, in the Smithfield-Fountain Heights area was damaged was another outrageous action of the kind the community cannot tolerate. The bomb, apparently a homemade device thrown from an automobile, exploded in the yard, shattering windows and Venetian blinds in the house. Fortunately, none of the six persons in the house at the time was injured.

The home is located between two homes occupied by white residents, but they and other white persons in the area are reported to have sold their houses to Negroes. A crude cross was recently burned in about the same spot but the Negro family is said to have had no trouble with white neighbors.

Frightfulness such as bombing is an intolerable defiance of law, decency and humanity, a blow at the security of us all. It is the work of a mad fanaticism which deeply menaces the whole community. In a time of troubled race relations it can only intensify tension. The utmost endeavors to find the guilty are obviously imperative in the common interest.

Cross Burning Follows Bombing Of Mail Man's Home

News P. 1 Sun. 3-8-56 B'ham, Ala.

Already with a week-old mysterious bombing of his home unsolved a postman and his wife, John H. and Mrs. Minnie Sargent, of 121 N. 11th Court, complained that they awakened early last Monday morning and found a large Ku Klux Klan-type cross burning in the front yard of their home, police said.

Sargeant said that just as he stepped out of the door en route to work, he saw the large blazing cross, which stood four feet high with a three-foot-wide cross-pole span.

Investigating officers, Patrolman Ray said that the cross was wrapped in an old piece of chenille bedspread which carried an odor of kerosene.

Police said they were still investigating the mysterious bombing of the sargeants' home Thursday night, April 26. They said that the blast, apparently caused by a single stick of dynamite, knocked all the window and door glass out in the front room.

Investigating officers quoted Sargent as saying that the blast occurred around 10:30 p. m., and that the bomb struck a window and fell into the yard before going off.

The postman said the bomb was thrown from a black Chevrolet car that sped up and left the scene quickly after the explosion.

He said that his home is located between two white families, an area which is slowly being converted into a so-called "Negro Neighborhood," as the white residents manage to sell their homes and move out.

Sargent reported that this was the second recent cross-burning at his home, first occurring about a month prior to the bombing and the recent incident. He said that he has been living in that house for the past 10 months without any previous trouble.

Man, Wife Escape Harm In "Bombing"

Daily World Tues. 7-3-56 Atlanta, Ga.

A man and his wife narrowly escaped inujry early Monday morning as the apartment they rented two days earlier from a white real estate company was dynamited, police reported.

The victim's were identified as Carl Haynes, 23, and his wife, Mrs. Sally Haynes, of 501 Rankin St. N. E.

The Rankin Street dwelling, located in an all white neighborhood just one block from other Negro homes on Angier Ave., suffered heavy damage to the porch and walls of the two front rooms, reports indicated.

The blast occurred around 4:15 a. m. less than an hour after the couple reached home.

Mrs. Haynes said she and her husband moved into the house Saturday after renting it from Rooker Real Estate Co., for $42.50. They had retired when glass and debris from the explosion fell in on them, she said.

Haynes said he worked late Sunday night. His wife had been visiting with his mother at a Lamar Street S. E. address.

After the explosion, the couple said they ran several blocks to Haynes brother's house on Parkway Drive from where they called police.

Ptl. R. G. Cantrell and G. T. Bennett, investigating officers, said they found electronic wire "leading from the point of the blast to be next to the side of the house." They said this apparently was used to set off the explosion.

A house next door, occupied by a white family, had six of its windows shattered by the blast. The victim, Mrs. Dennis George, 505 Rankin St., N. E., was quoted by police as saying she was called after the explosion and told she would be bombed out. She said they were told they could move in immediately. The young couple had been renting a room on the Westside before finding this apartment.

The real estate company refunded the rent money Monday. Meanwhile the family is residing with relatives.

Daily World

What life is like if skin is not white

Apr. American p. 3

MOBILE, Ala—"Ever since the first brick was thrown Sept. 5, I've had men watching Gulley's (Booker T.) house. I told the patrol cars and patrolmen to check it periodically."

Thus spoke Police Chief Dudley McMayden, as he announced that he had ordered "a complete investigation" of the month-long campaign of terror against Mr. Gulley, 37-year-old mechanic.

BUT NO PATROLMEN saw the person or persons who fired three shotgun blasts into the Gulley home Tuesday night, those who set fire to it Wednesday night, nor those who tossed bricks through the windows on alternate nights since Sep 5.

Mr. Gulley and his wife and three children ranging in age from 13 to 3 moved into the house in an otherwise all-white block on Sept 4. They had been receiving threatening telephone calls ever since.

Post 10-6-56

"I MOVED MY FAMILY out after the shotgun blasts," Mr. Gulley told reporters, adding: "Whoever did this to me had already won. Why did they have to fire the place?

"All I can do now is sell what is left and get out."

Meanwhile, in Cleveland, Mr. and Mrs. James Jones, who recently purchased a home in a predominantly white neighborhood, on Cleveland's East Side, refused to be intimidated by hoodlums.

They reported to police that a brick with a note attached telling them to "Get out, you n—s. We don't want you here—or else"—was thrown through their front window Thursday.

Mr. Jones, 39, his wife, 38, and their 21-year-old daughter were awakened by the crash. Mrs. Jones said the family was frightened by the incident but is making no plans to move. They moved into the house last Sunday.

IN SAN FRANCISCO, Mrs. Lillian Byrd, 41, wife of an aircraft mechanic, denied telling police that a cross was burned across the street from their new home in Hayward.

Mrs. Byrd, who lives at 2509 MacFarlane, La., said she reported a fire but not the burning of a cross Tuesday night. "It could have been paper, cardboard or anything. I didn't say it was a cross," she declared.

The report of the alleged cross burning resulted in an immediate investigation by Hayward police and Raymond Frost of 2434 MacFarlane La., junior high school teacher, called a neighborhood meeting.

"We want to clear the neighborhood's name. We don't want the stigma of prejudice here," Mr. Frost declared.

ALSO IN SAN FRANCISCO, hoodlums burned a cross in front of the home of Herman Browne, 35, a radio mechanic and father of three children, then smashed the front window with a rock with a "get out" note tied to it.

Mr. Browne, who owns his home in the predominantly white neighborhood and has lived there for the past four years without incident, told police the crime was committed as he watched a boxing match on television.

"I don't know who did it, he said. Maybe it's because of all this trouble down South."

While the culprits "couldn't be found" in the South, in New York City a 25-year-old plasterer's helper was convicted of inducing three boys to break windows in the home of a colored family in a "white" neighborhood in the Bronx.

* * *

THE MAN, WILLIAM PIZZOLONGO, was found guilty in Bronx Special Sessions Court Tuesday and is to be sentenced Oct. 15. The boys stoned and broke windows in the home of Percy Hill last May.

Also down in Mobile, Ala., police were under orders from the city commission to enforce city ordinances banning cross burnings following the second such incident stemming from an integration plea.

Target of the burnings were Mrs. Dorothy D. DaPonte, who sought to have her colored adopted daughter admitted to a "white" school, and Miss Mildred J. Laurendine, a friend of Mrs. DaPonte's.

* * *

INTIMIDATION ATTEMPTS also continued in Clinton, Tenn., where a dynamite explosion rocked the colored community in an effort to break down the will of colored parents of children in integrated Clinton High School.

Sheriff Glad Woodward said he feared that the blasts, which caused little damage, were part of a "continuing series" of anti-colored incidents that reached a climax in rioting some weeks ago.

Mobile Suburb Set To Block Negro Homes

Advertiser Montgomery Ala.

MOBILE, (Ala., Oct. 9 (AP)—The Toulminville Property Owners Assn. disclosed today it has been organized to oppose the movement of Negroes into white residential sections of that suburb of Mobile.

A house acquired by a Negro family in a white section there was damaged by fire Sept. 26, the night after three shotgun charges were fired into it. p. 1

In another incident, a cross was burned last week in front of a house purchased by another Negro family on an all-white street.

Negro and white residential sections adjoin in areas of Toulminville. Wed. 10-10-56

USE EVERY METHOD

J W. Eberlein, president of the property owners' association, said the group "will use all conceivable legal and peaceful means at our command in united resistance against the efforts of any party or parties to change this community from a white to Negro residential area."

He said the association now has 60 members.

Eberlein added that it was organized "for the purpose of maintaining and protecting the property value of the individual homeowners and public property of this community. We are banded together in this endeavor."

He wrote the Mobile Real Estate Assn. that the association recognizes that some housing provision "must be made for the Negroes being moved out of the 18-block area in the Beauregard-Broad Street area, but certainly not at the expense of the white residents of Toulminville."

The area ias being razed in a slum clearance project. The Mobile Housing Board plans to build a 407-unit, low-rent housing project nearby.

Eberlein said the responsibility for relocating families displaced by the slums project lies with the real estate association and the housing board.

Gunfire Hits Negro's Home

Herald Miami

MOBILE, Ala. —(AP)— Three shotgun charges were fired into a house recently purchased by a Negro in a white neighborhood.

Police said the charges peppered the kitchen wall of the home of Booker T. Gulley, Negro employe of a city bus line, and smashed a ceiling light. p. 7 A

Gulley's wife, their five children and two cousins were seated in the living room at the time. They were unhurt.

FIRE-SCARRED HOME

Negro Moves Possessions From Mobile White Section

Advertiser Montgomery, Ala.

Fri. 9-28-56

MOBILE, Ala., Sept. 27 (AP)—A Negro faminly moved their possessions from their fire-scarred home in a white section today.

Booker T. Gulley, 37-year-old mechanic for a bus line, said his family would not go back. "I'm afraid for my children," he said. He has five. p. 2-A

A fire burned the rear of the house last night, destroying a bedroom and damaging a kitchen and a bedroom.

Officers said the blaze, which started under the floor, apparently was the work of an arsonist. A charred nail keg found under the house was being studied by officers.

The house was struck by three charges from a shotgun the night before and Gulley said bricks had been thrown through windows numerous times since the family moved in Sept. 4.

The Gulleys moved in with relatives yesterday after the shooting. They were not in the house at the time of the fire.

"I guess I'll try to sell what's left of it," Gulley said. He said he had the house insured for $6,500 and its contents for $1,000.

Gulley told reporters he bought the house through a Negro real estate company. He quoted the agent as saying "the white people were going to move out of the section and the colored people move in." He purchased it for $7,500 and made a $2,000 down payment.

The house in suburban Toulminville formerly was occupied by a white family. About 10 other white families live on the block. The street is about a block and a half from the edge of a Negro residential section.

Gulle, said he has been trying to sell the place since the start of the brick throwing.

Police Commissioner Charles Hackmeyer called for an intense investigation of the case.

"We will not tolerate violence or destruction of property," he said. "That's going too far."

Detective Capt. Talley Rollings said detectives checked the Gulley house just 20 minutes before the fire was discovered. He added that patrolmen and detectives vhae been making hourly checks in the neighborhood.

Negro Home Fired Upon, Then Damaged by Blaze

Post & Times Herald p. 17

Fri. 9-28-56

MOBILE, Ala., Sept. 27 (AP) A Negro's home in a white section was badly burned last night, less than 24 hours after the house was peppered by three shotgun blasts.

Fire Inspector J. B. Foster said it apparently was arson.

A burned portion of a nail keg was being checked to determine whether it contained anything inflammable. An officer who found it under a rear bedroom said he thought it had held kerosene.

Booker T. Gulley, 37, said windows had been smashed frequently by bricks and he had received threatening telephone calls since moving into the house Sept. 4.

After shotgun charges were fired into the house Tuesday night, he took his wife and five children to stay with a brother in nearby Prichard.

Gulley said yesterday he was moving out as soon as he could sell the house and find another place.

He said he used all his money as a down payment for the $7500 home after a Negro real estate agent told him "the white people were going to move out (of the section) and the colored people move in."

The block, in suburban Toulminville, has about 10 white families. It is about a block and a half from the outskirts of a Negro residential section.

Brick With Note Hurled Through Home Window

Post & Times Herald p. 17

Fri. 9-28-56

CLEVELAND, Sept. 27 (AP) A Negro family that recently purchased a home in a predominately white neighborhood on Cleveland's east side reported to police that a brick with a note attached, telling them to get out, was thrown through their front window early today.

James Jones, 39, said he, his wife and 21-year-old daughter were awakened by the crash.

Police said the note was printed in neatly blocked letters on white paper and read:

"Get out. Get out, you niggers. We don't want you here—or else."

Jones' wife, Mattie, 38, said the family was frightened by the incident, but is making no plans to move. They moved into the house last Sunday.

38c 1956

The Bombing Pastime Again

Daily Worker

The bombing of the home of a citizen on last Saturday night has been followed by still another at the same place on Wednesday night.

Atlanta, Ga.

There is no greater peril to human safety and personal enjoyment of those rights enjoined upon a free people under a free government and a free society than that of an individual who cannot lie down peacefully in his bed, under his own roof with the assurance that he will rise unharmed the next morning.

Surely there is no place in our social agenda for the bomber, such as occasionally shows his ugly form among those whom his cowardice suggests violence by dark in the planting of a bomb in the path of an innocent dweller who feels that above all he has a legitimate right under his own vine and figtree.

For a number of years this bombing pastime has menaced our people. For the most it has gone on unmolested in its wilful outrage on society.

Ind. 3-2-56

Back in the old days of the Columbians, which preyed upon the security of the people of this city in broad daylight, we saw what lives even to this day, the ruthless visitation of such acts The city's good name and the prestige of the community were not enhanced in this ugly and cowardly practice.

We again appeal to the civil authorities for a vigorous thrust in the line of ridding the community of the bomber, whose prey is the innocent and the law-abiding.

Such practices passed up so lightly is an encouragement to those who seek such cowardly means as imperiling the homes and lives of those who would become home owners.

The bombing on last Saturday night of the home of Jewell Stewart should be vigorously probed. The repetition on last (Wednesday) night suggests that others still might be on the bombing agenda. With a more vigilance on the part of law enforcement officials the blame might be fixed and the practice curtailed.

Surely in such a scarcity of homes and the heavy demand of material which is hard to get for the processing of homes, we have no houses to spare to the arson minded.

Bombing must cease. The apprehension and conviction of one would check this practice if not stop it completely.

Night-Time Cowards

World P.8

Night-time cowards who throw bombs at the homes of peaceful, law-abiding, friendly citizens are on the loose again in Birmingham. Thursday night, April 26, the occupied home of a family was damaged by thrown dynamite.

Ind. 5-4-56

Bomb-throwing of this type is one of the lowest forms of cowardice. This is a type of savagery of unspeakable viciousness. It is an act of violence of the ugliest form.

Birm, Ala.

Law enforcement continues to be challenged in such shameful and despicable acts. The dynamite throwers seem to stay out of the catch of the law. Yet the situation must not be viewed as beyond solution. It is always encouraging to believe that law enforcement is trying hard to apprehend and bring to bar violators.

Pattern of this latest bombing is similar to those unsolved racial b[illegible] which qlagued our city about seven years ago. Public o[illegible]on was firmly against those acts of violence at that time, as it is today.

The air needs to be cleansed of those things which might give the unstable, the misguided, the frustrated, and the ill-minded a sense of evil escape. Man's faith needs to be bolstered by a feeling of strength in goodness. This is the challenge to all who believe in fair play and the American way.

Action is needed from every effective level of crime detection and law enforcement to clear up this and other rocial and unlawful home bombings. Bomb action of this time is no less than atomic-age mob action, it seems to us.

City Pushes Negro Home Blast Probe

Post Herald Dat. 4-28-56 B'ham, Ala.

Detectives Call Bomb 'Crude,' No One Hurt

P.2

Four detectives were assigned yesterday to push an investigation of the bombing of a Negro home Thursday night.

What detectives called a "crude bomb" was tossed into the yard of John H. Sargent, 26, Negro mail carrier, who lives at 1215 11th-ct, n between two white families.

The area lies on the fringe of one of the largest Negro residential sections of the city.

Many bombings and arson attempts have taken place in the general area during the past 10 years, since expansion of the Negro section has encroached on formerly white residential sections.

Dets. M. A. Jones, J. W. Jones, J. K. Parmley and C. M. Ray have been assigned to the bombing, which occurred at 10:30 p.m. while Sargent and five other persons watched television in the front room.

Sargent said the bomb struck against a window of the house and fell back into the yard.

Windows and door glass were shattered by the blast. The living room was littered with glass fragments but none was hurt.

Sargent said that a cross was burned in his front yard three weeks ago.

He said he had not been threatened, however, and declared there was no friction between his family and his white neighbors.

Sargent said his wife saw the car from which the bomb was thrown. She said it was a black Chevrolet.

Bits of paper found in the small crater left in the yard by the bomb were sent to the laboratory for examination.

Post-Herald Dat. 4-28-56 P. 2 B'ham, Ala.

38c Ala

HOME BLASTED—John H. Sargent, Negro substitute letter carrier, looks at some of the damage to his home at 1215 11th-ct, n. A bomb was tossed at his home Thursday night. The blast shook the house and knocked out all the windows in the front of the house. Sargent's home is between homes inhabited by white residents.

Negro, Home Shot Up, Will Sell Out, Move

Post Herald

MOBILE, Sept. 26 (AP)—A Negro mechanic whose new home in a white section was shot up last night said today he is moving as quickly as he can sell out and find another place.

Three shotgun charges were fired at the modest home of Booker T. Gulley, 37, in the Toulminville section. Buckshot pierced the rear wall of the five-room frame house and smashed a ceiling light in the kitchen.

Gulley, his wife, their five children and a cousin were in another room watching television. They were not hurt.

Birmingham Ala.

Gulley, who is employed as a night mechanic by a busline, told reporters the shooting was not the first incident since the family moved into the house Sept. 4.

He said windows had been smashed frequently and he had received threatening telephone calls.

Thurs. 9-27-56

"I would move now if I had a place to move to and something to move on," he said. "This thing has made my wife a nervous wreck."

Gulley said he had to sell his previous home because it is on the site of a proposed housing project. He bought the Toulminville place through a Negro real estate company for $7,500 and gave a down payment of $2000 in cash.

"It was every bit of money I had and I can't move until I get some money," he added.

Gulley said the Negro real estate agent told him the house formerly was occupied by a white family. "She told me that the white people were going to move out (of the section) and the colored people move in."

Post Herald

About 10 white families live on the block, which is about a block and a half from the outskirts of a Negro residential section.

After the brick throwing started, Gulley continued, "I tried to sell the house back to the company I bought it from, but they wouldn't take it. Then I tried to trade it for another house, but they wouldn't do that either."

Thurs. 9-27-56

Detective Capt. Talley Rollings said police are patrolling the neighborhood almost constantly but have not been able to catch any of the vandals yet. The house adjoins a vacant lot and has thickets in back through which the vandals flee, he said.

P. 2

The Toulminville area is on Mobile's northwestern city limits and adjoins the city of Prichard, which also had a shooting incident recently.

Three shots were fired Sept. 7 into the Prichard home of the Rev. Joshua Barney, 68, first Negro ever to qualify as a candidate for the city council here.

Eighteen white candidates also ran for the five council posts. Barney finished 16th in the Sept. 17 election.

Fire Damages Home of Negro

Courier Journal

Mobile, Ala., Sept. 27 (AP)—Fire last night swept the rear of the new home of a Negro mechanic who wants to move out of a white section.

P. 6

Patrolman H. C. Jones said a container he pulled from under Booker T. Gulley's house "apparently had contained kerosene."

Louisville

The flames destroyed a rear bedroom and damaged the kitchen before firemen halted them. The other three rooms were damaged by smoke.

9-28-56

Gulley, 37, and his family had left the modest house to stay with relatives after three shotgun charges were fired at it Tuesday.

Gulley said yesterday he was moving as quickly as he could sell out and find another place.

Gunfire Preceded Flames

Negro Will Sell His Burned Home

Herald Miami Fla.

MOBILE, Ala. —(AP)— A Negro's home in a white section was badly burned, less than 24 hours after the house was peppered by three shotgun blasts.

Fire Inspector J. B. Foster said it apparently was arson.

Tu 9-28-56

A burned portion of a nail keg is being checked to determine if it contained anything inflammable. An officer who found it under a rear bedroom said he thought it had held kerosene.

P. 17 A

Booker T. Gulley, 37, said that windows had been smashed frequently by bricks and he had received threatening telephone calls since moving into the house Sept. 4.

After shotgun charges were fired into the house Tuesday night he took his wife and five children to stay with a brother in nearby Prichard.

Gulley said Wednesday he was moving out as soon as he could sell the house and find another place.

"I guess I'll try to sell what's left of it," the mechanic said.

He said he used all his money as a down payment for the $7,500 home after a Negro real estate agent told him "the white people were going to move out (of the section) and the colored people move in."

Rezone Residential Area To Business Use Over Protests

World Birmingham Ala. P. 7

Wed. 9-12-56

BESSEMER, Ala (SNS) — Over the rugged objections of Atty. David H. Hood Jr., representing a group of property owners and other citizens, the Planning and Zoning Commission Sept. 4, recommended the rezoning of an area from property from residential to business.

Six of the nine commissioners were present and vote unanimously to make the change. There are no Negro persons on the commission.

The petitioners were represented by Atty. Howard McEniry who stated that the rezoned section would be used for erection of a motel. He contended that this construction would enhance the property value in the area.

Protesting against the proposed rezoning change were more than 50 property owners of 9th Avenue located between 17th Street and 13th Street, Bessemer.

The contested area is located on Ninth Avenue from the railroad crossing and is described as virtually unimproved.

Atty. Hood argued that the commission made an informal agreement at a protest conference some months ago not to rezone this contested area as long as it was desired as a residential section. But this version was disputed by spokesmen for the commission.

Commission members listed as present were Levi Becker, manager of the Bessemer Pizitz Store, president of the board; Herb Kaiser, Jesse Lanier, president of the Bessemer City Commission; Charlie Hawkins, attorney; Pete Walls, TC Employee and Atty. Lee Bains, acting secretary of the commission.

Burning of cross before Negro home here investigated

News P. 1A

Wed. 10-11-56

Birmingham Ala.

Police today were investigating the burning of a three or four foot cross last night in front of a Negro family's home in Elyton.

OFFICERS J. E. PORTERA and J. C. Pierce said they were called to the home of Earnest and Helen Williams, 4 A Fourther, n, about 11 p.m.

The cross was completely burned to the ground when the officers arrived at the scene.

Sgt. R. T. Ponder said the act was probably "that of some teenage pranksters."

However, an investigation into the matter will be held, police said.

THE CROSS was made of small boards, approximately 4 inches wide, wrapped with paper and rags. No sign of gasoline or any other flammable fuel could be found.

The Williams' home is across the street from the white Elyton Village apartment courts.

SHOOT UP, BURN HOME OF NEGRO IN WHITE AREA

Daily Tribune Chicago Ill

Tu 9-28-56 P. 17

3 Shotgun Blasts Rout Family Before Fire

Mobile, Ala., Sept. 27 (AP)— A Negro's home in a white section was badly burned last night, less than 24 hours after the house was peppered by three shotgun blasts. Fire Inspector J. B. Foster said it apparently was arson.

A burned portion of a nail keg was being checked to determine if it contained anything inflammable. An officer who found it under a rear bedroom had said he thought it had held kerosene.

Booker T. Gulley, 37, a mechanic said windows had been smashed frequently by bricks and he had received threatening telephone calls since moving into the house Sept. 14.

After shotgun charges were fired into the house Tuesday night he took his wife and five children to stay with a brother in nearby Prichard.

Going to Sell and Move

Gulley said yesterday he was moving out as soon as he could sell what's left of the house and find another place.

He said he used all his money as a down payment for the $7,500 home after a Negro real estate agent told him "the white people were going to move out [of the section] and the colored people move in."

The block, in suburban Toulminville, has about 10 white families. It is a block and a half from the outskirts of a Negro residential section.

Toulminville adjoins Prichard, where three shots were fired Sept. 7 into the home of the Rev. Joshua Barney, 68, first Negro ever to qualify as a candidate for the city council there.

Barney finished 16th among 19 candidates for the five council posts in the election Sept. 17.

Burn Cross at Home

San Francisco, Sept. 7 (AP)— A cross was burned last night in front of a Negro home and a stone with a "get out of Daly City" message tied to it smashed the family's living room window.

Herman Browne, 35, a radio repairman and father of three children, told police the incidents took place as he was watching a boxing match on television.

Browne owns his home in a predominantly white neighborhood. He said he has lived there four years without trouble.

Warned to Get Out

Cleveland, Sept. 27 (AP) — A Negro family who recently purchased a home in a predominantly white neighborhood on Cleveland's east side reported to police that a brick with a note attached telling them to get out, was thrown thru their front window early today.

James Jones, 39, said he, his wife, and daughter, 21, were awakened by the crash.

Police said the note read: "Get out. Get out, you Negroes. We don't want you here—or else."

Jones' wife, Mattie, 38, said the family is making no plans to move. They moved into the house last Sunday.

IN MOBILE WHITE SECTION

Gettysburg Pa.

Fire Damages Negro's Home On Heels Of Buckshot Blast

Montgomery Ala.

Thurs. 9-27-56

MOBILE, Ala., Sept. 26 (AP)— Fire tonight swept the rear of the new home of a Negro mechanic who wants to move out of the white section where the house is located. Flames destroyed a rear bedroom and damaged the kitchen before firemen halted them.

MOBILE, Ala., Sept. 26 (AP)—A Negro mechanic whose new home in a white section was shot up last night said today he is moving as quickly as he can sell out and find another place.

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Gulley, his wife, their five children and a cousin were in another room watching television. They were not hurt.

Gulley, who is employed as a night mechanic by a bus line, told reporters the shooting was not the first incident since the family moved into the house Sept. 4.

He said windows had been smashed by bricks frequently and he had received threatening telephone calls.

"I would move now if I had a place to move to and something to move on," he said. "This thing has made my wife a nervous wreck."

Gulley said he had to sell his previous home because it is on the site of a proposed housing project. He bought the Toulminville place through a Negro real estate company for $7,500 and gave a down payment of $2,000 in cash.

"It was every bit of money I had and I can't move until I get some money," he added.

Gulley said the Negro real estate agent told him the house formerly was occupied by a white family. "She told me that the white people were going to move out (of the section) and the colored people move in."

About 10 white families live on the block, which is about a block and a half from the outskirts of a Negro residential section.

After the brick throwing started, Gulley continued, "I tried to sell the house back to the company I bought it from, but they wouldn't take it. Then I tried to trade it for another house, but they wouldn't do that either."

Detective Capt. Talley Rollings said police are patroling the neighborhood almost constantly but have not been able to catch any of the vandals yet. The house adjoins a vacant lot and has thicets in back through which the vandals flee, he said.

The Toulminville area is on Mobile's northewestern city limits and adjoins the city of Prichard, which also had a shooting incident recently.

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Eighteen white candidates also ran for the five council posts. Barney finished 16th in the Sept. 17 election.

Negro's Housing Suit Kicked Out

Advertiser Montgomery Ala.

BIRMINGHAM, Dec. 1 (AP) — A federal judge here has dismissed a suit seeking to end racial segregation in Birmingham public housing.

Ledger 12-2-56

U.S. District Judge Seybourne Lynne ruled that none of the plaintiffs had claimed that they were eligible to occupy a low-rent housing project unit. Tenants are admitted on the basis of limited incomes.

The suit on which Lynne ruled was filed by Rosa Watts. It was one of several which had been in litigation here for several years. Some were filed by Negroes forced to move from houses condemned to make way for hospital constructions.

Damage Home In All-White Area

Courier p. 1

MOBILE, Ala. — (ANP) — Racial tension over a Negro buying property in a white neighborhood exploded last week into destruction as fire and bullets gutted the new home.

The target of the attack was Booker T. Gulley, who was forced to move his family in with relatives last week after flames destroyed a rear bedroom and damaged the kitchen.

Friends unit scores housing segregation

Afro-American 1-19

Baltimore Md.

PHILADELPHIA — American discrimination in housing and race is "one of the most glaring liabilities delaying our goal of equal opportunity," the American Friends Service Committee says in a pamphlet released Jan. 5.

"In this area Americans practice poorly their democratic beliefs," the Quaker organization reports in the 16-page illustrated publication entitled "They Say That You Say," and subtitled, "The Challenge of Houses and Race."

The pamphlet was prepared by the committee's Community Relations Program and is its first publication on race relations in housing.

DISCRIMINATORY patterns in housing is a major weakness of American communities because in too many cases "a few speak for many," the Committee says, adding, among those who help strengthen barriers are real estate men or neighbors.

One reason for the lag in housing is that "myth is accepted for fact and custom for right," the Committee says. The following facts are listed to explode myths:

* * *

1. **SCIENTIFIC STUDIES** prove that property values do not necessarily go down when the racial composition of a neighborhood changes.

2. If present residents of a neighborhood behave normally and stay put, the neighborhood cannot change radically.

3. Minority group members do keep up their property and sometimes do a better job than the former owners.

4. Minority group members have buying power and are as good credit risks as anyone else.

5. There is not cause for alarm if social relationships in a mixed neighborhood are considered on the same basis as those in a less diversified neighborhood.

6. Integrated neighborhoods need not lose prestige.

* * *

THE PAMPHLET has answers for these questions: What is a good neighborhood? Where does your neighborhood fall short of the goal?

Why does you neighborhood fall short? What can you do to make your neighborhood better? Where can you go for information and help?

38c 1956

ARKANSAS

REQUEST FOR GROCERY FOR NEGROES DENIED

Commercial Appeal 3-22

Would Be Located In White Area At Blytheville

Thurs. 3-22-56

RESIDENTS OBJECTED

Memphis Press

From The Commercial Appeal Blytheville, Ark., Bureau

BLYTHEVILLE, Ark., March 21.—Location of a grocery, designed to cater to Negro trade in a white residential area, has been denied by the City Council.

Fred Faught of Blytheville was denied the permit after a petition had been presented by white residents. The building, located in South Blytheville, is at the dividing line of white-Negro residential area, Bill Steinsiek, attorney representing the petitioners, said.

Relations Have Been Good

"Relations between the two races have been good in the area," Mr. Steinsiek told the council. "These petitioners want to keep it that way."

Mr. Faught had asked that he be allowed to open a grocery store on Clark Street. Residents said Mr. Faught plans to open a fish market in connection with the grocery.

Majority of persons in the area purchasing fish would be Negroes, Mr. Steinsiek said. Mr. Faught has not denied to the council the planned addition of a fish market.

Petitioners also charged that unsanitary conditions, including lack of proper plumbing, were present in the building. The house has also been termed a "fire hazard" by local residents.

Mr. Faught formerly ran a grocery store at the Blytheville Air Force Base. He moved the grocery supplies and other equipment to the South Blytheville home last year.

Zoning Law Needed

"We need a specific law governing zoning conditions," Kemper Bruton, alderman, said. "Such cases as Mr. Faught's are continually putting the council on a hot seat."

The ordinance states that persons wishing to protest a new business must file a petition within 30 days after a permit application has been made. A public hearing must then be called by the city.

"The fallacy of the ordinance is, it doesn't tell us what to do after we've called a hearing," Mr. Bruton said.

Mr. Faught now can take the case to court. If he does, the suit would be heard in Chancery Court.

Cross Burned, Note Tells Negro Family to Move

Post Times Herald Wash. Sept 28-56

SAN FRANCISCO, Sept. 27 (AP)—A cross was burned last night in front of a Negro home and a rock with a get-out message tied to it smashed the family's living room window.

Herman Browne, 35, a radio repairman and father of three children, told police the incidents took place as he was watching a boxing match on television.

Browne owns his own home in a predominantly white neighborhood. He said he had lived there four years with no trouble.

"I don't know who did it," he said. "Maybe it's because of all this trouble down South."

38c 1956 D.C.

Racial 'Covenant' On Nixon's Home Injected In Politics

Post Herald Birmingham, Ala.

BY DICK PRESTON
Scripps-Howard Staff Writer

WASHINGTON, Oct. 2—Efforts are being made again in this campaign to make political capital of the "restrictive covenant" on the home owned by Vice President Richard M. Nixon.

Here are the facts:

Wed. 10-3-53

1. Such a covenant was signed by Nixon when he bought his $41,000 home here several years ago.

38c

2. The same agreement was signed by Sen. Estes Kefauver, the Democratic vice presidential candidate. Kefauver lives just around the corner from Nixon in suburban Spring Valley.

P. 2.

3. The Supreme Court has ruled that such covenants are legal vountary agreements, but cannot be enforced in the courts.

The agreements signed by Nixon and Kefauver state that their homes shall never "be used, or occupied by, or sold . . . or rented to Negroes . . . or to any person of the Semitic race."

They define Semites as including "Armenians, Jews, Hebrews, Persians and Syrians."

The agreement make an exception for "partial occupancy of the premises by domestic servants."

Nixon and Kefauver also bound themselves not to turn their homes into a "place of public entertainment . . . boarding house . . . tavern, dance hall or other resort."

Another clause in the agreements says the W. C. & A. N. Miller Co., which controls the suburb must approve in writing any purchaser or rentor.

This is an attempt to continue the restrictive feature despite court rulings outlawing covenants aimed at Negroes or Jews.

The Supreme Court in 1948 ruled that covenants could not be enforced against Negroes or Jews who move into a restricted area. In 1953, it ruled that sellers in such cases could not be sued for damages.

Since then, racial and religious barriers have broken down in many formerly restricted areas. However, a Miller Co. official said the covenants still are being honored voluntarily in Spring Valley.

Some newspapers printed stories about Nixon's covenant in 1952. At that time Murray Chotiner, his campaign manager, pointed out that Sen. John Sparkman, his opposite number in the 1952 vice presidential race, also lived in Spring Valley.

"Those great exponents of liberalism all signed similar covenants in the same Spring Valley tract," Chotiner said of Sparkman, Kefauver and the late Sen. Blair Moody (D., Mich.).

Windows Of Three Rooms Are Shattered By Gunfire

Daily World Sun. 7-15-56 P. 1

PENSACOLA, Fla. — (INS) — Eight persons were being questioned Saturday at Pensacola in the shooting up of the residence of a Negro physician in the "Fringe" area between white and Negro sections.

Detective Captain Raymond Harper said both Negroes and whites were among those questioned.

Windows of the three rooms of the home of Dr. Charles A. Augustus were broken by gunfire early Friday.

Atlanta, Ga.

There were no injuries, although 10 bullets or shotgun pellets were found in the bed room where the 29 year old general practitioner's two children slept.

Neither the children, two-year-old Karen and seven-months-old Vickie, nor their parents awoke.

Capt. Harper said it has been established that both a 16 gauge shotgun and a .22 caliber rifle were used. The picture window of the living room, the windows of the children's bedroom and the window of an unoccupied guest room were broken.

The family, which moved to Pensacola about three years ago, moved into their present nine-room home in September 1954.

Some houses on the block were occupied by whites and some by Negroes. Augustus said they had never received any sort of threat prior to the shooting.

His wife said, "since we have never had any trouble, and no one has ever said anything to us about moving here, we think it is probably a result of general racial feeling. May be resentment has built up for quite a while."

She said that there had been some feeling in Pensacola about a petition from one group of Negroes urging an end to school segregation but neither she nor her husband signed that.

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She said that there had been some feeling in Pensacola about a petition from one group of Negroes urging an end to school segregation, but neither she nor her husband signed that.

Physician's Home Fired Upon In Florida Town

Call P. 1 Fri. 1-20-56

PENSACOLA, Fla. — (INS) — Eight persons were being questioned at Pensacola in the shooting up of the residence of a Negro physician in the "fringe" area between white and Negro sections.

Shots Spray Physician's Property

Defender Sat. 1-28-56 P. 1 Chicago, Ill.

PENSACOLA, Fla. — (INS) — A Negro family, whose Pensacola home was riddled by gunfire while they slept, blamed the shooting on "general racial feelings."

The shots, fired sometime during the darkness last Friday, broke window glass in three rooms, including a bedroom where two children were asleep.

No one was injured, nor did the shots awaken the family of Dr. Charles A. Augustus.

The Augustus home, a nine-room ranch-type brick structure, is in a "fringe" neighborhood where some residences are occupied by Negroes and some by whites.

Mrs. Augustus said,

"Since we have never had any trouble, and no one has ever said anything to us about moving here, we think it is probably a result of general racial feeling. Maybe resentment has built up for quite a while."

The 29-year-old general practitioner, a native of Oklahoma, and his wife, who is from Washington, D. C., moved to Pensacola about three years ago, and moved into their present home in September, 1954.

The shooting, which Detective Capt. Raymond Harper thinks was done from a car, broke window glass of a bedroom in which the doctor's children, two-year-old Karen and Vickie, age seven months, were asleep.

The picture window of the living room also was shattered and one pellet punctured the window of an unoccupied guest room.

Negro Home Blasted In Florida; 1 Killed

World-Tel. Sun. P. 2 8-17-56

By the United Press

DAYTONA BEACH, Fla., ~~May 17.~~ — A Negro home was dynamited early today, killing a 45-year-old woman and injuring one other person while the seven residents of the building were asleep.

New York

Police said that May Hester was killed by the blast.

Police Chief H. Leroy Allen said the explosion apparently was intended "personally" for the victim.

"There appears to be no racial intent in this case," said Chief Allen. "It is strictly a personal type thing."

He said several suspects were being questioned.

Fla. trial October 17

Afro-American Baltimore, Md.

TALLAHASSEE, Fla. — The trial of 22 of the leaders of the four-month-old bus boycott on charges of violating a city ordinance against transporting walkers to various destinations will open Wednesday, Oct. 17, the AFRO ascertained Saturday.

Ten of those facing trial are members of the executive board of the Inter-Civic Council, which has been spearheading the movement to wipe out segregation on the city bus line.

Afro-American

The other 12 include operators of the car pool and gas station managers who have supplied the 60-vehicle organization with the materials necessary to maintain the pool, which has enabled the bus protest movement to continue.

Sat. 10-20-56

WEDNESDAY, City Judge John Rudd tossed out as "irrelevant" a motion for quashing the charges against the 22 filed by Theries Lindsay and Francisco A. Rodriques, Tampa lawyer who was assigned to the case by the NAACP.

The city of Tallahassee has retained a nationally famous attorney, Mark R. Hawes, also of Tampa, for a $4,000 fee, to assist City Attorney Edward Hill in prosecuting the case against the 22.

* * *

THE DISMISSAL motion snubbed by Judge Rudd cited:

1. That the defendants are not engaged in a business activity but in a protest movement.
2. That the right of free speech cannot be licensed by public authority.
3. That the requirement of racial segregation is a bill of attainder.
4. That the action of the city denies equal protection of the law.

* * *

THE CITY apparently is resting its whole hope of breaking the boycott on the case against the leaders.

Members of the ICC disclosed to the AFRO that the campaign of harassment by city police of car pool drivers has slackened and that with the exception of buses still rolling around without colored patrons, the situation in the city is "normal."

Petition to force Negroes to move is turned down

News P. 19 Fri. 9-21-56 Orlando, Fla.

JACKSONVILLE, Fla., Sept. 21—(AP)—A group of Jacksonville residents protesting that two Negro families moved into a white neighborhood were told that the city commission can do nothing about it.

A group headed by Mrs. Virgil L. Lynn presented the commission a protest petition with 38 signatures. It asked that the Negroes be forced to move.

William M. Madison, city attorney, told the group yesterday the city "has no power, by zoning, to designate where white or Negro people may live.

"The city is entirely powerless to govern the location of the races," Madison said. "A deed restriction which limits occupancy of a property to any one race of people has been held null and void by the courts."

The delegation then filed from the room.

Delray Moves to Exclude

Herald Wed. 6-6-56 P.1 Miami, Fla.

Negro Section From City

Mayor Says Step Needed to Keep Tourists Coming

By RUSS MARCHNER
Herald Staff Writer

DELRAY BEACH — The City Commission moved Tuesday to exclude the entire Negro area from the city limits in the latest of unprecedented maneuvers to combat the race problem here.

In a resolution adopted at an emergency session, the Commission "in order to preserve the health, safety and general welfare of the community, will cause to be passed special legislation redefining the municipal boundaries..."

Stressing the importance of all possible speed, the Commission directed City Attorney John H. Adams and special counsel John Moore "to take all necessary and required steps incident" to having a state act passed which would exclude the Negro poplulation of about 3,000 from the city.

The area to be excluded under the special act includes approximately one-third of the population of this Gold Coast town and would make a hole in the map of the town of about four square miles.

Following 11 days of relative quiet after the passage of the search and seizure ordinance of May 25, the latest move arising out of Negro use of the municipal beach came after "many conferences with both Negroes and whites," according to Mayor Mike Yargates.

Yargates, who said he was speaking for the Commission, commented, "I sincerely believe that this is the only way we can save Delray Beach.

"To keep the tourists coming down here we are forced to do something," he said. "Tourism is our whole livelihood."

Yargates continued: "The exclusion act will benefit all the people of Delray Beach. If the prosperity of Delray Beach is hurt, both white and black will go down together."

Commissioner Catherine Strong provided the lone dissenting vote as the resolution was passed in less than three minutes.

Mrs. Strong's statement "that all races were welcome to use the beach" in a federal court three weeks ago touched off the racial tension here. A week later, after a near-race riot on the beach, the city ordered Negroes segregated from the municipal beach and pool.

The search and seizure act which followed was employed by police once, May 27, as 30 assorted weapons were confiscated from cars entering the mile-long beach area.

Mrs. Strong prefaced her negative vote with "I don't think this is going to solve the problem. The public hasn't had a chance to express itself on this exclusion and I don't care for this manner of cramming it through." Herald

Mrs. Strong then shouted "no" and did not sign the resolution.

Attorney Moore, former FBI agent for four years, told Mrs. Strong that the exclusion act must by law be presented for voter approval in a referendum once it passes the state Legislature.

Moore later told The Herald that the exclusion is the first of two steps. P.2-A

"The second will be to form a beach association such as is done in some places in the North. The beach would be limited to the use of the citizens of the city and their guests."

Following the session, Yargates, who said he was going to Tallahassee Wednesday on business regarding the act, released for the first time a petition, dated May 26, from the Delray Beach Civic League, a Negro group.

The petition was signed by seven league members, several of whom brought the original suit in federal court, West Palm Beach, for use of the beach. It was an "alternative proposal which we feel would be acceptable to the Negro citizens."

It said a beach at least 500 feet long between the limits of the city and Boca Raton would be acceptable. "If the city is unable to purchase a beach site immediately we demand that they lease land and make same available for use until purchase can be negotiated."

In regard to the petition, Yargates said, "it is unbelievable what we have done to get that beach. We priced beach frontage as far south as Boca Raton," a distance of eight miles.

The Commission in answering the petitioners, indicated that "we have been working to procure a beach" and that plans for a Negro swimming pool "have just been received from the State Board of Health with their approval."

Commissioner W. J. Snow, who moved passage of Tuesday's ordinance, said "we've taken the lesser of two evils." Commissioner E. J. Barrow, who seconded the move, agreed with Snow.

—Herald Photo by Hank Cohen

MAYOR YARGATES
. . . 'the only way'

CITY CANNOT SEGREGATE, ATTORNEY SAYS

P. 3 Herald

JACKSONVILLE, Fla. — (ANP) — Up in air, and seeking protest petitions to oust two Negro families from a white neighborhood, a group of segregationists were told last week that the "city is entirely powerless to govern the location of the races."

Wed 6-26-56

The whites, headed by Mrs. Virgil L. Lynn, presented the city commission with a 38-signature petition asking them to force two Negro families to move from an all-white neighborhood they recently moved into.

City Attorney William M. Madison told the group the city "has no power, by zoning, to designate where white or Negro people may live." He said the "city is entirely powerless to govern the location of the races," he said.

The delegation left the room.

38c 1956

FLORIDA

Suit Here Asks End To Bias In Housing

Courier-Journal p.6
Thurs. 11-8-56
Louisville Ky.

A suit filed in Federal Court yesterday asked the end of segregation in the City's public-housing projects.

The suit, filed by Attorney J. Earl Dearing on behalf of 12 Negro plaintiffs, alleged the Municipal Housing Commission practices a policy of segregation and discrimination against Negroes that deprives them of due process of law and equal protection of the laws.

38c

The suit asks the court to permanently enjoin the commission and its members from enforcing the segregation policy. The suit also asks the court to declare the segregation policy in violation of the 14th Amendment to the United States Constitution.

Dosker Also Named

Named defendants are the commission, its members, and Nicholas H. Dosker, administrator-consultant.

According to the suit, the commission has designated Beecher Terrace, Cotter Homes, Sheppard Square, and College Courts as housing for Negroes. La Salle Place, Iroquois Homes, Parkway Place, and Clarksdale are listed as white housing projects.

It is the commission's policy, according to the suit, to deny a Negro admission to a white housing project even if a vacancy exists.

The suit contends the plaintiffs and others have waited a long time for housing because of fewer vacancies in the Negro projects.

1947 Application Claimed

Dearing said one plaintiff, Josephine Anderson, 514 S. 11th, applied for City housing in 1947 and most of the others in June, 1955.

The suit alleges the segregation policy denies veterans preference to housing and preference given by law to low-income families having urgent need of housing.

Other civil-rights violations claimed in the suit are the requiring of applicants to state their race on the application, selection of tenants for a project on the basis of racial composition of the neighborhood, and maintaining separate lists of white and Negro applicants.

Dosker said he had received a copy of the suit and it will be referred to the commission.

Comment Withheld

Mrs. Elsie Ahrens Lang, commission chairman, said she would prefer not to comment until the matter has been discussed by all commission members.

Plaintiffs listed in addition to Mrs. Anderson are Leola Eleby, 408 S. 19th: Melissa Bradford, 1923 Yale Drive; Georgia Brents, 1503 Esquire Alley; Joanne Billups, 656 S. 13th; William R. Boston, 520 S. Ninth; Corine Brooks, 430 S. 13th; Rosie M. Arnold, 914 Fehr Avenue; William Lee Murray, 422 E. Madison; James Garvin, 911 Marshall; Robert Lee Edwards, 503 Finzer, and Annie Lee Evans, 1610 Breckinridge.

The Negro In The North

Advertiser

Some illuminating sidelights on the problem of the Negro in Northern cities, when he tries to buy or rent a home in an area where Negroes have not lived before, are given in *The Atlantic* for January. The article, "Negro Neighbors" by Hannah Lees, is the result of some years of research by the author into the reception of Negro families in Northern communities.

Sun. 1-15-56

The magazine, following the typical Northern anti-segregation line, calls the result of the study "disturbing to say the least."

Montgomery, Ala.

We read of "the solid backlog of white city-dwellers who cannot or will not move but still do not want Negro neighbors no matter what their income bracket or where they went to college."

P. 2-B

The article is devoted in large part to details of how Negroes seeking homes in Northern cities are rebuffed, lied to, thwarted by legal technicalities, and otherwise foiled—by the same Yankees who give lip service to "equality" and point with alarm to the South.

One case was that of a Negro couple with one child, who tried to rent a home in the erstwhile Abolitionist stronghold, Boston. The husband. a young Negro physicist from Fisk University, Nashville, Tenn., had a research job at the M.I.T. laboratories, his wife had a college degree. Their varied experiences including one with the owner of rental property who was also a merchant. He was so sorry, but if he rented to them he would lose other tenants, and probably a lot of his grocery trade as well.

The saga of this family concluded:

The Powells finally learned, when making inquiries by phone, to say they were Negro almost before they gave their name. This usually led to a facile, reasonably polite brushoff, but it saved time and wear and tear . . . . It was five months before the Powells finally found a three-bedroom duplex apartment in a housing development for research workers which had been built out in the nest of laboratories where Mr. Powell works. It is convenient to Mr. Powell's work but not to anything else.

Interesting also is the report on two Negro brothers who bought a lot with two houses in Detroit, in a location where their nearest Negro neighbors were three or four blocks away:

The night after they moved in, 700 of their neighbors met at a nearby Fundamentalist church, reached deep in their pockets, and raised several thousand dollars cash to buy out the brothers and take over the houses. Detroit has a Mayor's Commission on Community Relations whose job it is to handle this sort of thing, but the commission had not enough power, nor enough administration or community support, to swing the job. The brothers when they appealed to the city were told that *if* they decided to stay the commission and the police would try to protect them. But the implication was that they might be wise not to try. The story was aired in the papers and the brothers were championed by the NAACP and the Civil Liberties Union, but in the end they sold out. The houses are now occupied by white families.

The article concludes on a "God's in His Heaven—all's right with the world" note. It confidently asserts that "Integrated living is inevitable." This was done after making it rather clear that such integration will be achieved only over the dead bodies, figuratively speaking, of a multitude of Yankees.

The article supports the Southern contention that Northerners are addicted to "discrimination"—with the vice of hypocrisy thrown in.

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The article supports the Southern contention that Northerners are addicted to "discrimination"—with the vice of hypocrisy thrown in.

Prejudice outranks defense

P. 5

Afro-American Sat. 4-7-56

Baltimore, Md.

WASHINGTON — Owners of property in the areas in which the U.S. guided missile bases are located in nearby Virginia and Maryland apparently are more interested in their prejudices than national defense.

According to an Army source, owners of homes near the sites have refused to lease housing to the Army without a provision barring colored persons.

The Army cannot legally sign such agreements.

* * *

THE ARMY, however, indicated that it was conforming to local feeling by turning over the search for colored housing to company and battery commanders.

These officers seek out housing for colored men in their particular units, taking the customs and feeling of the community into consideration.

Many colored technicians have been assigned to the Nike defenses ringing Washington.

* * *

THE ARMY wants housing for its men near the Nike sites so that off duty men can respond in a hurry.

The Army is seeking to lease 125 housing units near the sites in this area for up to $150 a month each.

So far, it has been able to locate only 40 units.

* * *

THE PROBLEM develops because many of the skilled colored technicians are reluctant to reenlist if housing is not available.

The Army spokesman said that "We aren't going into a neighborhood and force any of our men where they aren't wanted.

"In time the problem will resolve itself."

HOUSING CALLED AID TO NEGRO LEARNING

Times
Wed. 6-20-56

Interracial housing was described yesterday as a way to interest Negro children in schooling.

New York, N.Y.

Dr. Douglas W. Bray, a research associate of the Columbia University Conservation of Human Resources Project, declared that lack of motivation to learn was a product of discrimination and segregation. He spoke at a symposium on "The Negro Potential" at the new headquarters building of the National Urban League at 14 East Forty-eighth Street.

P. 33-C

Many young persons lose interest in schools because they can see no opportunities available to them even if they do well, Dr. Bray declared. He said that attitude was fostered by parents who saw little reason to encourage their children for the same reason.

Interracial housing is an important factor, Dr. Bray contended, since the mingling of various racial groups in the same neighborhoods would result in their attending the same schools.

Dr. George Edmund Haynes, a co-founder of the league, asserted thatchanges in white-Negro relations were imperative because those seeking guidance were largely the peoples of Asia and Africa and because communism sought to discredit the United States on the ground of discrimination.

Announces Studies Of Minority Housing In Thirteen Cities

Advocate
Sat. 6-30-56

Jackson, Miss.

NEW YORK, N. Y., June 26.—Twenty-four research projects dealing with the housing problems of minority groups have been undertaken by the Commission on Race and Housing, it was announced last week by Earl B. Schwulst, chairman of the Commission.

B of P. 1

The work of the Commission, organized in June, 1955, is being financed with appropriations from the Fund for the Republic totaling $235,000.

Advocate

Sixteen of the projects announced by Mr. Schwulst are being conducted in cooperation with research institutions and individual investigators in several of the nation's biggest metropolitan centers. All major geographical regions of the United States are included in the studies.

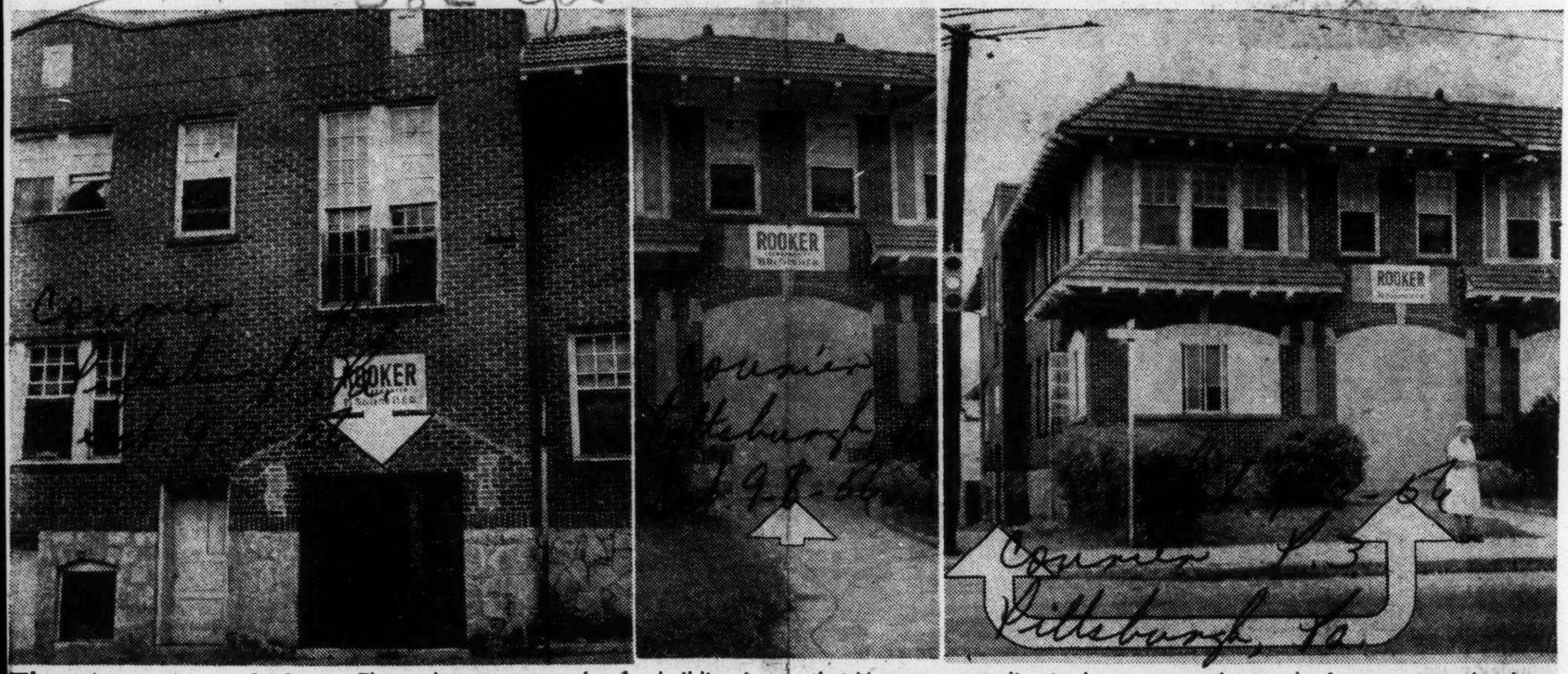
P. 8

Cities on which data are being collected for these "field" studies are Philadelphia, Washington, D. C., San Francisco, Oakland, Atlanta, Birmingham, Norfolk, Houston, San Antonio, Toledo, Los Angeles, Detroit, and New York.

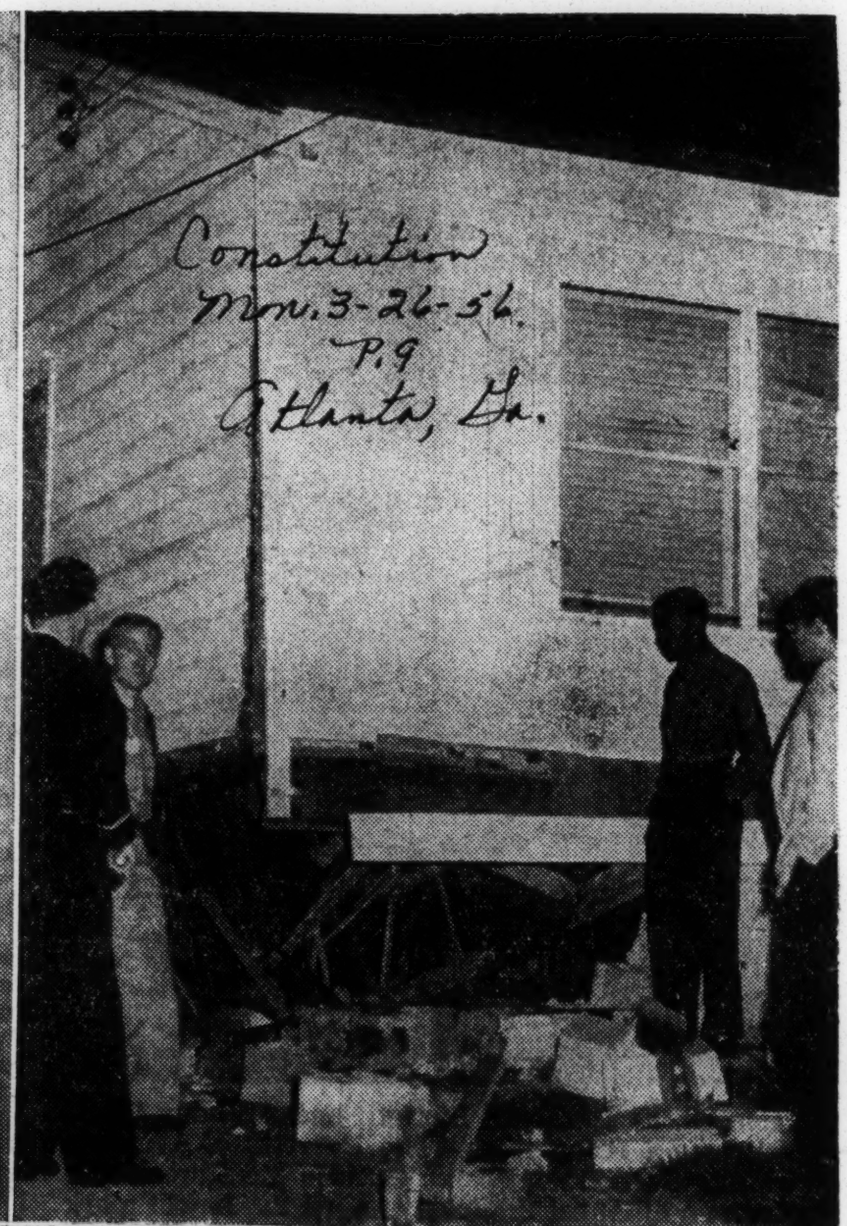
The projects involving these cities are giving special attention to the housing difficulties of four distinct minority groups: Negroes, Puerto Ricans, Americans of Asian origin and Americans of Mexican background.

They Sealed Up the Front Door When Negroes Moved In

38c Ga



The American Way—These photos were made of a building in Atlanta, Ga., located at the corner of the Boulevard and Angier Ave. It was once occupied by white residents. Now it has been converted into apartments for Negro families. When whites lived in the building, the entrance was from the Boulevard side. Now that Negroes are to live in the apartment house, the front entrance has been sealed (note pictures) and a new entrance placed on the Angier Ave. side (a side street.) The wide parlor windows on the Boulevard front street were also altered for the Negro residents. Present entrance for Negroes is near what used to be the white folks' back door.—Lowe Photos.



38c Ga

Special Ph

Blast at Negro Home Here Hurls Piano Through Floor

Constitution Mon. 3-26-56 Atlanta, Ga. P. 9

A piano and chair crashed through floor of a house at 506 Woods Dr., NW, (left) where mysterious explosion occurred about 4 a.m. Sunday. Picture at right shows where charge was placed, damaging underpinning. Home was occupied by Mrs. Eddie Mae Cooper, 49, Negro, her daughter, Mrs. Jeanette Howard, and her two small children, and Cleave Arline, 29, of 816 Play Lane, NW, a visitor. Ptl. W. E. King and R. J. Eskew said no one was injured, and reported the Negroes moved in Friday, with no demonstration taking place until the explosion. Type of explosive was not determined. Home of white next-door neighbor, Marvin A. Burnett of 502 Woods Dr., NW, was slightly damaged. The Negroes left the premises with their belongings about 9 a.m. Sunday. Police have reported several recent instances of explosions in neighborhoods where Negroes have moved into white areas.

Atlanta grand jury probes bombings in residential strife

Pre-Afternoon Baltimore Sun Sat. 3-24-56

ATLANTA — A committee of the Fulton County grand jury is probing violence in connection with the sale of homes in previously white areas to colored persons.

The latest incident was the bombing of the home rented by Ernest Simmons which damaged the porch, front door and foundation.

The most recent trouble began approximately six months ago. The office of the solicitor general is also reportedly investigating the violence.

Home Threat Change; This Time It Came Through The Mail

Daily World Sat. 3-31-56

A Southeast Atlanta Negro was threatened through the mail Thursday with a warning that he should move from a racially mixed area where he rents.

The threatened man was identified as Fred Thomas, 1535 Jonesboro Road SE. Thomas rents an upstairs apartment above a vacant building. White people live next door to him, police reported. Atlanta Ga.

Police said Thomas received a threatening letter including a news paper clipping of a recent house bombing at 506 Woods Drive NW. Printed across the top of the news paper picture was: "Take Warning From This," police reported. P. 1

The Woods Drive bombing was the most destructive of three explosions in the contested Baker Road area in Northwest Atlanta. A fourth bombing of a Negro's home occurred on Flora Street in the Northeast section of the city.

No Plans To Move

Daily World

Bombing Probe Shows No Tenseness In Area

Thurs. 2-28-56 P.1

Atlanta, Ga.

BY SAMUEL L. ADAMS

A Negro, whose recently purchased home in a white neighborhood was bombed, told the Daily World Monday that the white real estate firm that sold him the house indicated they might "pull out" of the area even though they have several clients in the section committed to sell.

The $8,000 home of Jewell Stewart, Jr., 31, was bombed Saturday night shortly after he moved in. The frame house at 2540 Baker Rd., N. W., was purchased from Barksdale Realty Company, a white firm, Mr. Stewart said.

Stewart said he paid $2,000 down on the house and transferred his belongings into the new place between 9 a. m., and 2 p. m., Saturday.

"I was in the house when the bomb exploded. We had the blinds closed and couldn't see who did it," he added.

Daily World

Stewart said he is only one of five persons who have bought homes in this contested area, but the other four have not as yet moved in. Another Negro family is scheduled to move across the street from his home in March, he said.

NO PLANS

Asked if he planned to move, Stewart said: "I haven't planned to move yet, but I probably would if they would give me my equity out of it." A report in another daily newspaper that he already had decided to move is false, he said.

Immediately after the bombing, Stewart took his wife and five-year-old daughter to live with friends of the family on Elm St. He said they rave since been deluged with calls by people offering them temporary housing, food and other help.

He indicated that Monday he layed off from his job at an auto parts company on Peachtree Street to attend to family affairs.

FAMILY SICK

"My wife has a bad case of nerves. I had to carry her to the doctor," he said.

"My little girl has been out of school for three weeks with scarlet fever," he added.

The Stewart home is insured, but clothing and furniture are not.

Stewart denied reports that it was only a firecracker that went off near his home.

"It certainly wasn't a firecracker," he said, "because it shook the whole house. It was in my yard.'

Minutes after the explosion, around 200 people gathered outside the Stewart home.

Sunday afternoon, nearly 600 persons congregated in the 500 block of Commercial St. N. W., a short distance from the Baker Rd. bombing site.

ANONYMOUS CALLERS

A Negro real estate man, selling homes in the block, said he was told by members of the crowd that anonymous callers advertised that there would be a meeting in that block. He described most of the people who gathered as "just curious spectators."

Several Negro real estate firms have "house-for-sale" listings on Commercial and Old Know Streets. Spokesmen from each firm indicated that they were asked by the white home owners to sell their property to Negroes.

One real estate salesman said: "People in the blocks where we list property asked us to come out and sell; so the conflict is not coming from that area. The protest is coming from white agitators living outside of the new expansion area."

He said: "I was the one set from my firm to confer with them (white home owners,) and we told them we wolld not list any houses unless we could get all in the block."

TELLS PRACTICE

Another real estate broker asserted that the practice is to get listed a majority of the houses in a given expansion area before offering any of them for sale.

The area in question is in close proximity to a corridor earmarked by a bi-racial mayor's committee as the expansion area extending to the Chattahoocha River in which the bound-in Negro populace would expand. The practice has been to avoid planting one Negro family in an all white without preplanning and negotiation, according to a member of the Westside Planning.

Bob Stewart, laison officer of the Metropolitan Planning Committee Commission, said reports that blamed Negro real estate dealers for the incident were in error. He said:

NEGROES CAREFUL

"To my knowledge, the Negro real estate men have been careful about sales of homes in that area. That house (Stewart's) was sold by a white firm. I think the story was unfair in placing the responsibility on Negro dealers."

The planning commission officer corroborated the belief that Center Hill residents outside the contested area touched-off the controversy.

"Negro firms have been very careful not to solicit these clients," he said. "In situations of this kind, the solution is difficult, but they can be worked out if everybody is fair about it.

"Misrepresentating the situation does harm. Buyers rely on real estate dealers and it is important that they be fair about it and tell them

Baker Road Again Scene Of Bombing

Constitution P.12

Thurs. 3-1-56

Atlanta, Ga.

A bomb Wednesday night blew the back steps off a home reportedly sold to a Negro in an all-white neighborhood, police said.

Lt. W. K. Perry and Lt. N. M. Taylor said someone apparently tried to throw "the equivalent of at least two" sticks of dynamite into the cellar door of the house at 2431 Baker Rd., NW.

Investigators said they were unable to discover exactly how the bomb was detonated. Damage to the house was minor.

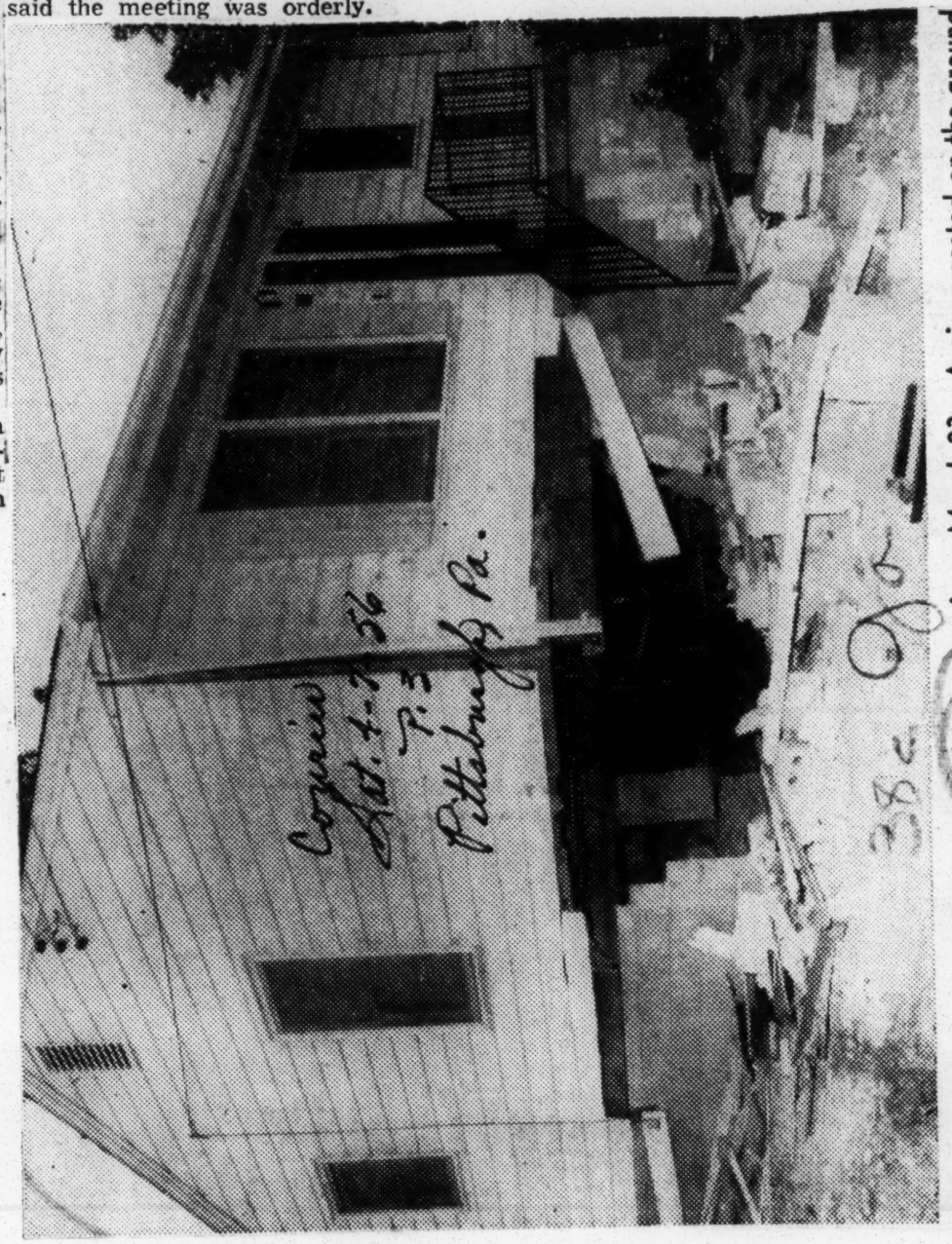
The explosive missed the door and blew off several steps and part of the back porch.

The home was reportedly sold about a week ago to an unidentified Negro. The white frame house has been vacant since the sale, neighbors said.

Two police cars were molested. Capt. E. O. Mullen said he parked a car, walked over to examine the house damage and when he returned the windshield had been broken with a rock. Ptl. J. D. Puckett and J. J. Cook left their car momentarily and later found the air had been let out of a tire.

A minor explosion took place little more than a block away from Wednesday's bombing, at 2540 Baker Rd., where Jewell Stewart Jr., a Negro, recently bought a home.

Police said about 1,500 attended a meeting of the Grove Park Civic League Tuesday night to discuss the earlier blast. They said the meeting was orderly.



Courier Sat. 4-7-56 P.3 Pittsburgh Pa.

Bigots at Work?—A mysterious predawn blast last week wrecked this home at 506 Woods Drive, N. W., Atlanta. The family of four had moved in on March 23. A piano rested on the ground after falling through the hole created by the blast. The explosion tore away underpinning. Five people escaped uninjured.

"Bombing" Crowd Remains

Daily World Atlanta, Ga. Fri. 3-2-56

By SAMUEL L. ADAMS

A red haired white woman master-minded a wave of violence and property destruction that is being fanned into an unmanageable prairie fire of race hate, it was reported Thursday night.

38c

Two bombings in a transition area stone's throw from the all-Negro Lincoln Cemetery and directly behind the Lincoln Country Club were the results of the mob organizing work of a former taxi cab driver, police revealed. She was identified as Mrs. Holmes" of an Old Know Road address.

The first of the bombs exploded in the front yard of a home recently purchased by Jewell Stewart, Jr., at 2540 Baker Rd., N. W. The bombing occurred last Saturday night shortly after Stewart had moved his belongings into the $8,000 frame house.

SECOND BOMB

A second explosion late Wednesday night did considerable damage to the back of an unoccupied one block down the street from the Stewart home at 2431 Baker Rd. The former owner of the damaged dwelling, Walter E. Hamby, white had moved away 1 week earlier and the residence was sold to a Negro woman, Mrs. Alfred E. Stephens, for $9,000.

Thursday night, Atlanta police in an effort to prevent further violence and destruction commissioned a special detail and set up special signals for any emergency. A group of four patrol cars and one detective vehicle parked at Simpson and High tower around 7 p. m. The detail under the direction of Capt. E. O. Mullins, was alerted for an expected demonstration between midnight and 1 a. m.

CROWD GATHERS

Around 9 P. M. Thursday about 20 white persons gathered at the corner of Commercial Avenue and Old Know Street. How many more could be expected to converge on the area could not be predicted, but police were ready for any emergency.

A previous demonstration last Sunday saw nearly 700 people milling in a two-block area on Commercial St. where homes are being offered for sale to Negroes.

The Saturday explosion caused Steward to flee his newly acquired home and live with friends because his wife, as he put it "has a bad case of nerves."

The purchaser of the home bombed Wednesday had not moved in when the explosion occurred. Both homes were purchased through the same real estate firm. Three other dwellings on the street that already have ben sold to Negroes have not been molested so far. Several companies have clients in the area who sought the services of realtists and agreed to sell to Negroes.

The latest bombing completely demolished the back steps and a small porch and did slight damage to the wall of the house, according to Det. Sgt. R. E. Little. Investigating the incidence also was Det. Lt. R. F. Jordan.

MOVE SIGNS

The head of a real estate firm that "pulled out" of the area because of the controversy said "We've been flooded by some civic association saying "Get your signs down! ! !

Explaining that his company was asked to sell the homes, he said, "I think the people out there want their cake and want to eat it too?"

He pointed to rumors that a non-property owner spurred the tension leading to the bombings. He indicated he was told that the agitator does not reside directly in the protested area.

A reliable source gave the Daily World a telephone number which was identified as a possible source of phone calls to stir up the neighborhood. A trace of the number led to a Cato Street address and the home of a family the same as that of the woman said to be master-minding the protest leader. They said she lives on Old Know Street near Commercial Avenue.

It was not revealed whether the woman in question was a home-owner or a renter, but she is presently living close to the contested area. The Cato Street dwelling, which officers suggested may have been her former residence is nearly two miles from the contested blocks.

ing panels, Mr. Blauner reports, and have used them in all types of dresses from simple daytime sheaths to diaphanous floats on late day and evening confections. The harem skirt, particularly beguiling in soft chiffon, now stops at knee-length in a graceful pouf, with a narrow deep hem band below.

Other news noted by Mr. Blauner includes the use of white leather details on dresses shown in both Rome and Paris, and especially new and fresh looking on pastel linens and the ultra-feminine cowl neckline emphasized by Balmain.

The ever-popular shirtwaist look was given new elegance by Dior, who showed a group of these dresses in dark tones of chiffon, designed for summer street wear. Mr. Blauner also took note that his own (and consequently Suzy Perette's) favorite silhouette, the princess line, is still top love of such designers as Dior, Balmain, Simonetta and Fabiani.

Georgia Educator To Be Stripped Of Title, Pension

World P.1

ATLANTA, GEORGIA. -(SNS)- A prominent Georgia educator was stripped of an honorary title Wednesday and was threatened with losing his pension for his stand on segregation matters. -16-56

The University system board of Regents voted unanimously to take away Dr. Guy H. Wells' title of President emeritus of the Georgia State College for women.

Dr. Wells had been president of the institution for 19 years and the honorary title was bestowed on him shortly after he resigned in 1954. The Regents offered no explanation for its action. B'ham, Ala.

At the same time, the state board of Education adopted a resolution calling for the discontinuation of the Educator's pension "if legally possible." Pensions are disbursed by the state teachers retirement system an organization independent of the Education Board.

Dr. Wells, executive secretary of the Georgia Council on interracial cooperation, has been engaged in a speaking tour in which he has criticized racial segregation.

In voting to cut off Dr. Wells' pension, James E. Peters, Vice chairman of the Board asked:

"Do you think it's right to pay a man a pension to go around the State lambasting State Government and our way of life?"

Of his dismissal Dr. Wells had this to say:

"I regret that my former employers and friends have taken this action against me without giving me an opportunity to be heard. The account of the Augusta meeting allegedly prepared by one Mr. C. C. Prescott and published in the Augusta Courier is completely inaccurate and distorted. Any responsible inquiry among other persons present will bear this out.

World P.8

"I have made many speeches upon invitation to civic clubs over the state to discuss our racial problems. In every case I have been well received and have had expressions of appreciation from the Rotary Club and others addressed. I have advocated Negro and white leaders in local communities coming together in goodwill to resolve differences and work for agreement.

"I have nothing to retract or apologize for and I am confident that the good people of Georgia will sustain my position."

Negro Resident Intends to Stay

Times-Picayune P.6

ATLANTA, Feb. 29 (AP) — A Negro who moved his family into a previously all-white neighborhood declared Wednesday he intended to stay, despite a jolting explosion set off in his yard Saturday night.

"I have made my purchase—paid my money down—and I want my own," said Jewell Stewart Jr., employed as a laborer at an automotive parts company. Shreve. 3-1-56

Stewart and his family left after the blast but did not remove their household goods. He said they are delaying their return while efforts are being made to obtain a peaceful agreement for Negroes to occupy the community. New Orleans, La.

The white residents have been divided among themselves on whether to sell their homes and move out or remain and attempt to keep Negroes from moving in.

Stewart said that he had been misunderstood by police officers who quoted him after the explosion as saying he would move "the first thing Monday morning."

What he did say, he explained, was that he would move if the neighborhood were reserved for white residents. But, he contended, there is a definite understanding that it will be opened to Negroes. He said he understood that four homes already have been sold to Negroes.

3rd Bombing In Atlanta

Courier P.2 Pittsburgh, Pa. Sat. 3-24-56

ATLANTA (ANP) — A third Atlanta explosion early Friday morning damaged the front of a Flora Avenue dwelling while the occupants of the house slept.

What appeared to be dynamite was set off in the front yard of the home of Ernest Simmons of 206 Flora Avenue, N.E., police reported. The early morning bombing tore loose the underpinning of the front porch, and shattered glasses in the front door and windows of the house.

In other recent house bombings explosives were ignited on the front lawn of the newly purchased home of Jewell Stewart Jr., 31, 2540 Baker Road, and a follow-up bombing damaged an unoccupied dwelling bought three days earlier by Mrs. Alfred E. Stephens, 2431 Baker Road, N.W.

The Baker Road bombings were part of a planned protest to prevent other Negroes from buying homes in the previously all-white section.

Racial Issue Splits Whites In Atlanta

Advertiser Montgomery, Ala. Wed. 2-29-56

ATLANTA, Feb. 28 (AP)—White residents of a community into which a Negro family moved were sharply divided today over whether to sell and move out or remain and try to maintain segregation. P.4-B

An explosion shook the home of the Negro, Jewell Stewart Jr., employed as a laborer by an auto parts company, soon after he moved into the hitherto white community Saturday.

Police quoted him as declaring he intended to get out the "first thing Monday morning." But a white resident, Mrs. Jonah O. Mil-

ford, said today that the family had not removed its household goods although she had seen none of them around since Sunday.

COMPLAINT MADE

Mrs. Milford complained that "he should have kept his word and left." She objected strongly to Negroes moving into the community, although they solidly occupy areas a few blocks away and she said she understood two or three homes near her had been sold to them.

"It's not only our homes, but our churches and schools we are in danger of having to give up," she argued.

Another white resident, Mrs. John W. Welch, maintained that the present families should sell their homes and turn the area over to Negroes for residence. She said that she and her husband wanted to sell their home, could not find a white buyer but had a better chance with prospective Negro residents.

'OUTSIDE' AGITATION

Mrs. Welch complained that most of the agitation against Negroes moving in stemmed from white residents some distance away.

"They are saying," she declared "'You all stay up there and keep them off us.'"

Efforts to contact Stewart by telephone failed today. A secretary at the company employing him said he did not report for work either yesterday or today.

Inquiry at the Atlanta office of the National Assn. for the Advancement of Colored People brought a statement that a NAACP attorney had interested himself in the dispute. The attorney could not be reached by telephone.

Family Has Narrow Escape In Bombing

Call P-A Fri. 4-8-56 Kansas City, Mo.

ATLANTA. — (ANP) — Five persons escaped death or serious injury when a bomb demolished their newly-purchased home in an all-white residential area, it was Atlanta's third such incident in three weeks.

Mrs. Eddie Mae Cooper, 49, her daughter, Mrs. Jeanette Howard, 28, and her two children, Glorida, 11 and Mark, 5, and a friend, Cleave Arline, 29, all disappeared after the blast.

By the strangest of coincidences, a white family living next door to the bombed home decided to spend the night with relatives.

Marvin A. Burnett said he just "decided to spend the night at my brother's home about a mile and a half away." He insisted he had not known the house next door had been sold to Negroes.

Burnett told a reporter:

"One of the policemen on the case was a friend of mine and he knew where to find me. The explosion went off about 3:45 in the morning.

I found the house next door almost completely destroyed. The foundation was blown completely out about three or four inches all the way around. The front door was missing. The house was mainly a mess of loose boards and splinters. You could smell the powder in the air."

Burnett said the bomb must have been placed in the basement in the left front corner under the living room.

"It tore an enormous hole in the floor above and a piano fell down in the hole. I'm sure surprised that those colored people in the house weren't hurt bad," he said.

Thirteen houses in the area have been purchased by Negroes have only one has been occupied, without violence, possibly because of an around-the-clock police guard was placed on the house.

Window, Splintered By Rock, Not Felt Part Of "Bombing"

Daily World P.1 Wed. 3-28-56 Atlanta, Ga.

The window of a Hightower Road home was shattered by a huge rock late Monday night, but police say the incident has no connection with three previous bombings in the immediate Baker Road area.

The Negro occupants of the house were preparing to move out when the brick was thrown. The property has been sold to another Negro, police reported.

The house, located at 256 Hightower Road, was occupied by Jessie Knox, 67, and his niece, Mrs. Florine Ray, 26. The new owner of the dwelling was listed as James D. Wall.

Police found foot prints leading off from the rear of the house.

Lt. R. F. Jordan and R. H. Sumpter indicated that Mrs. Ray is by marriage the niece of Will Ray whose Railroad Employees Recreation Club was raided Saturday night. The officers suggested that the rock throwing may be connected with the raid.

"BOMBING" VIOLENCE TO BE INVESTIGATED BY FULTON COUNTY GRAND JURY TEAM

Daily World Tues. 3-13-56 Atlanta, Ga. P.1

Three recent bombings of homes of Atlanta Negroes in "biracial' 'areas provoked the Fulton County Grand Jury to commission a special committee to investigate the violence.

The committee Monday began investigating several bombings reported by Atlanta police.

Two of the explosions occurred in the 2400 and 2500 blocks of Baker Road just back of the Lincoln Country Club in Northwest Atlanta. The most recent bomb was ignited in the 200 block of Flora Street in North East Atlanta.

Several residents of the Baker Road area were called before the committee.

Daily World P.1 Wed. 3-28-56 Atlanta, Ga.

LATEST BOMBING IN DISPUTED AREA — Atlanta persons after a Negro family occupied the Daily World staffer Bill Culbreath, points to the dwelling in the all-white neighborhood. — blown out area of the house at 506 Woods Dr., (Perry's Photo) N. W. that resulted from a bombing by unknown

Home occupants narrowly flee death in 4th Atlanta bombing

Afro-American Baltimore, Md.
Sat. 4-7-56

ATLANTA, Ga.—Occupants of a frame dwelling narrowly escaped death last Sunday morning as their home was seriously damaged by an undetermined explosive.

The third bombing in the Baker Rd. area and the fourth recent Atlanta bombing was apparently set off by a professional, police revealed.

The explosion ripped the floor and tore out underpinning of the recently-purchased home of Mrs. Jeanette Howard, 506 Woods Dr., NW, as her family and a visitor slept.

* * *

OTHERS NARROWLY escaping injury in the explosion were the young woman's two children, Selona, 11, and Mark, 5; her mother, Mrs. Eddie Mae Cooper; and a visitor, Cleave Arline of a Fair Lane Place address.

Officer W. E. King said he heard a loud noise and found the explosion had occurred just two blocks away.

"I drove to where the noise came from," he said, and "saw where some of the foundation of the house had been blown into the front yard."

* * *

A PINAO AND other furniture crashed through the floor of the shattered home.

Sgt. R. E. Little said it was only a miracle that Mr. Arline was not killed. He had been sleeping on a sofa located near where the explosives were packed.

In addition to extensive damage to the foundation of the house, gas lines were torn loose, walls were cracked, a lamp was blown into the ceiling, and furniture, glasses and other property were shattered.

* * *

THE OCCUPANTS of the damaged dwelling moved out some four hours after the explosion.

Police said a search is being made to determine the type of explosive used. The area has been processed for fragments to determine the type of container in which the explosives were placed.

* * *

TWO OTHER HOMES in the immediate area of West Atlanta were bombed several weeks ago. Another bombing occurred on Flora Street in the Northeast section.

The latest bombing also did minor damage to the home of a white family which lived next door. The colored family had moved in two days earlier.

38c Ga

—Associated Press Wirephoto

RUINS OF ATLANTA NEGRO'S LIVING ROOM
. . . occupants of house were blown out of bed

Five persons were asleep in the house. Officers said some of the occupants were literally blown out of their beds but none was injured.

"We believe dynamite or powder of some type was used," Sgt. C. C. Hamby of the Detective Bureau said.

The left front corner foundation of the white frame structure was shattered by the blast. A hole was ripped in the living room floor and an upright piano toppled into the cavity.

A floor lamp was blown through the ceiling.

Officers said the house was virtually knocked off its foundation.

Occupants of the structure were listed as Jeanette Howard, 28, her children, Gloria Howard, 11, and Mark Howard, 5; Eddie Mae Cooper, 49, mother of Jeanette Howard; and a friend, Cleave Arline, 29.

A neighbor's home, owned by a white man, was damaged by the blast.

Hamby said all of the Negroes left the wrecked home within a few hours of the explosion. He said none have returned.

No arrests have been made. Hamby said an investigation of the incident is continuing.

Several similar explosions have occurred in the same general area of Atlanta during the past month, Hamby reported. He said the blasts apparently were made with the intention of driving Negroes from neighborhoods predominantly occupied by white residents.

It apparently was set off by a professional, police said.

The explosion ripped the floor and tore out underpinning of the recently purchased home of Mrs. Jeannette Howard 28, as her family and a visitor slept.

In addition to Mrs Howard, others narrowly escaping injury were the young woman's two children, Selona, 11, and Mark 5, her mother, Mrs. Eddie Mae Cooper, and the visitor, Cleave Arling, 29.

Officer W. E. King said he heard a loud noise and found the explosion had occurred just two blocks away. "I drove to where the noise came from," he said, "and saw where some of the foundation of the house had been blown into the front yard."

A piano and other furniture crashed through the floor of the shattered home.

MIRACLE

Sergt. R. E. Little said it was a miracle that Mr Arling was not killed. He had been sleeping on a sofa located near where the explosives were packed.

In addition to extensive damage to the foundation of the house, gas lines were torn loose, walls were cracked, a lamp was blown into the ceiling, and furniture, glasses and other property were shattered. The occupants of the dwelling moved out some four hours after the explosion.

Police said a search was being made to determine the type of explosive used.. The area was searched for fragments to determine the type of container in which the explosives were placed.

Two other homes in the immediate area were bombed several weeks ago. Another bombing occurred in Northeast Atlanta.

The latest bombing also did minor damage to the home of a white family who lived next door to the colored family. The colored family moved in two days earlier.

Blast Wrecks Negro Home in White Area

Herald P. 7-A Tues. 3-27-56
Miami, Fla.

ATLANTA — (AP) — City police reported Monday they "have no leads" in an explosion which heavily damaged a home recently purchased by Negroes in a white neighborhood of northwest Atlanta.

The blast occurred at 4 a.m. Sunday. Police said the explosion shook the neighborhood.

4th Bombing In Atlanta Of Negro Homes

Informer
Sat. 4-7-56
Houston, Texas

ATLANTA (NNPA) — Colored occupants of a frame dwelling narrowly escaped death at 4 o'clock Sunday morning as their home was seriously damaged by a bomb.

This was the third bombing in the Baker Road area and the fourth recent bombing in Atlanta.

EXPLOSION WRECKS HOME—Five colored escaped injury in Atlanta, Ga. recently when an explosion of undetermined origin wrecked the home into which they moved last week. Most of the damage was confined to the living room. At left an upright piano rests on ground beneath house after falling through hole made by explosion. At right an unidentified policeman and spectators view damage to house's exterior. A neighbor's home, owned by a white man, suffered minor damage from the blast.

Home "Bombed" While Owners Slumber

Daily World Atlanta, Ga. Sat. 3-10-56

A third Atlanta explosion early Friday morning damaged the front of a Flora Ave., dwelling while the occupants of the house slept.

What appeared to be dynamite was set off in the front yard of the home of Earnest Simmons, of 206 Flora Ave., N. E., police reported. The early morning bombing tore loose the underpinning of the front porch, and shattered glasses in the front door and windows of the house

Det. M. W. Blackwell asserted that the Simmons family had lived in the bombed dwelling only two months. Occupants of the damaged house said they had experienced no previous trouble from neighbors and that they were in bed sleep when the incident occurred.

In other recent house bombings, explosives were ignited on the front lawn of the newly purchased home of Jewell Stewart, Jr., 31, 2540 Baker Rd., and a follow-up bombing damaged an unoccupied dwelling bought three days earlier by Mrs. Alfred E. Stephens, 2431 Baker Rd. N. W.

The Baker Road bombings were part of a planned protest to prevent other Negroes from buying homes in the previously all-white section.

Efficient detective work exposed persons responsible for agitating the already sore spot and averted costinued demonstrations in the contested area. The latest explosion was in the Northeast section of the city.

Bombing Victims Expected At Meeting Tuesday Night

Daily Herald P.1 Sun. 4-22-56 Atlanta, Ga.

Victims of bombing attacks on homes they bought in the northwest section of the city are expected to be present and tell of their experiences during the disorders when citizens of that area gather at the West Hunter Street Baptist Church Tuesday night.

The meeting is being sponsored by the Westside Voters League of which Atty. Cassandra Maxwell is president and it begins at eight o'clock.

A league officer stated to the World that three of the persons who have been affected by the attacks have called since the announcement of the meeting yesterday and stated they would be present. Mrs. Gertrude Anderson whose home suffered the latest bombing stated that she would be present and make a steatment.

Jesse O. Thomas who is head of a special committee named by the league to look into the activitity regarding the housing attacks stated to the World Saturday at his committee would make an investigation into the matter and see if it can find a way to help Negro citizens with th ehousing problems.

Speakers will include Jesse O. Thomas, director of the Voters Registration Committee; C. A. Scott, editor and general manager of the Atlanta Daily World, who will discuss some of the recent developments in the area which affect the welfare of the citizens in general and Prof. C. A. Bacote also of the Registration Committee, Rod Harris, an official of the league, will speak on the importance of the ballot.

League officials are especially asking all citizens who have been affected by the bombings to appear with the view of seing if their problems have been satisfactorily adjusted.

One official of the group told the World that the mass meting will also discuss and take some action in protesting the action recently taken regarding the leasing of twelve of the state parks to private individuals.

Dynamite Rips Hole In Old Know Rd. Pavement

Daily Herald P.1 Sat. 4-14-56 Atlanta, Ga.

BY SAMUEL ADAMS

A dynamite explosion near the newly purchased home of two Negro women left two houses considerably damaged early Friday at 2576 Old Know and 2584 Old Know.

Police said the explosive was apparently hurled at the home of Mrs. Gertrude Anderson and Miss Eleanor Anderson, but rolled down an embankment and exploded in the street. A hole was torn in the street; the Anderson home and that of a white resident across the street were damaged.

Some weeks earlier, three such explosions occurred on Baker Rd., one block South from Friday's bombing site Targets of the explosives have been homes bought or moved into by Negroes.

At the time of the explosion, the Anderson home was occupied by Walter Smart and Miss Anderson nephew and daughter of Mrs. Anderson. The trio recently came to Atlanta from Birmingham

The home of Guy M. Maxwell, 32, (white) appearently suffered greater damage than that of the intended victims.

Added intrigue came shortly after the 1:23 a. m., explosion. A mob consisting of some 100 white residents of the area, after observing a Negro man investigating the excitement, chased him one block to where his car was parked and then proceeded to stone the vehicle, breaking the glasses.

A white man, hospitalized with jagged glass cuts on his arm sustained his injuries, police theorized, while trying to reach in the car to grab the fleeing man. He escaped unharmed.

Mr. Maxwell said a "for sale" sign is displayed in his front yard, but community residents have tried to get him not to offer his home for sale to Negroes.

His wife said: "I don't know who could have done it. I wouldn't have the heart to do that kind of hing. Those people (Negroes) are nice and don't bother anybody."

The couple has lived in the community six years and have a son, age three and a daughter, age five.

While waiting for an insurance adjustor to okay carpentry and window repairs, Smart, the young Social Worker student, recalled the jibes and threats hurled at them after the blast.

In addition to calling them insulting names, he said, one woman member of the crowd gathered on his lawn said:

"They (whites) asked them three or four times to move, and another answered: 'They are still in there?'

"Yeah," came the retort, "They are in theire and they say they're gonna stay."

Mrs. Anderson told of rumors she believes helped to encourage violence. These rumors persist Negroes are asking a fabulous price for the house; they refuse to move; and they are trying to make a test case. They have no foundation of fact, she added. She indicated incident does not frighten her.

The Westside Improving Association, organized to buy property in the area, is negotiating with the Andersons but have not met price demands. Mrs. Anderson believes money spent traveling to and from Alabama in order to make the purchase also is capital invested in her home.

In addition to broken window glasses, both of the damaged dwellings have nails pushed through wall surfaces. Maxwell temporarily placed cardboard over his windows to keep out cool air, but the Andersons said they would have the windows replaced before night.

The Maxwells said they expected the explosion because they were told to move to the far side of the house because it might happen anytime.

Police launched an investigation and began a search for clues that would lead to the arrest of those responsible for the crime.

Atlantan Indicted In Incident Near "Bombed" Residence

Daily World Sat. 4-28-56 Atlanta, Ga.

A young white man accused of attempting an attack on a Negro shortly after a house bombing on Old Know Road was indicted Tuesday by a Fulton County Grand Jury on two misdemeanor charges.

Allen Oglesby is charged in separate indictments of simple assault and malicious mischief. The documents allege Oglesby assaulted Edward L. Burton by striking at him with his fist "with intent to commit a violent injury."

Oglesby is also accused of damaging Burton's Pontiac automobile by breaking a glass out of the door and striking the vehicle with "some instrument to the Grand Jurors unknown."

The incident leading to the Grand Jury's action occurred April 13, subsequent to an explosion that damaged frame dwellings at 2576 and 2584 Old Know Rd. (It was the fourth bombing in the area, apparently intended to chase Negro owners of newly purchased homes from the previously all-white area.)

Following the last explosion, police reported that Oglesby was hospitalized with jagged cuts on his hand and arm. Police said witnesses told them he injured himself trying to pull a Negro from a car.

The driver of the car explained that he went to the scene of the loud explosion out of curiosity but was forced to flee when a group of white persons stoned him and his automobile and attempoed bodily assault on his person, police reported. Damage to the vehicle was estimated at $700.

The Grand Jury also returned a "true bill" against Luther Clay, Jr. for the April 15 stabbing of Agnes Smith, R-343 Merritts Ave. NE. Clay is charged with "assault with intent to murder."

3d bombing in Atlanta

Afro-American
Baltimore, Md.

ATLANTA (ANP) — A third Atlanta explosion early Friday morning damaged the front of a Flora Ave. dwelling while the occupants of the house slept.

What appeared to be dynamite was set off in the front yard of the home of Earnest Simmons of 206 Flora Ave., NE, police reported. The bombing damaged porch underpinnings and door and window glasses.

Sat. 3-24-56

DET. M. W. BLACKWELL asserted that the Simmons family had lived in the dwelling only two months.

Occupants of the damaged house said they had experienced no previous trouble from neighbors and that they were in bed asleep when the incident occurred.

* * *

IN OTHER recent house bombings explosives were ignited on the front lawn of the newly purchased home of Jewell Stewart Jr., 31, 2540 Baker Rd.

A follow-up bombing damaged an unoccupied dwelling bought three days earlier by Mrs. Alfred E. Stephens of 2431 Baker Rd., NW.

The Baker Road bombings were believed to be a part of a planned protest to prevent other colored from buying homes in these previously all-white section.

Blast set off in Negro-white area of Atlanta

News P. 1
Fri. 4-13-56

ATLANTA, April 13—(AP)—Dynamite, apparently thrown at a Negro-occupied house in a white neighborhood, exploded in the street and damaged two houses early today.

Detective Sgt. R. E. Little said no one was injured in the blast about 1:30 a.m. A small hole was torn in the street and windows were shatered in the two houses.

The area, in Northwest Atlanta, is near a section where Negroes have moved into houses formerly occupied by whites. However, the home of Eleanor N. Anderson was the only one in the immediate area occupied by Negroes, officers said.

The Anderson house was more heavily damaged than that of a white man, Guy W. Maxwell, across the street. Maxwell, his wife and two small children were showered with broken glass but escaped injury.

Candidate Al Roberts

Courier L. 3 Sec. 2
Pittsburgh, Pa.
Sat. 9-8-56

Blames Solicitor's Office in Bombings

ATLANTA, Ga.—The present solicitor-general's office of Fulton County is "directly connected with the house bombings in this area," according to Al Roberts, East Point Mayor and candidate for Solicitor General. The incumbent was charged with this connection during a speech at Union Baptist Church.

38c

Mr. Roberts in leveling the blast at the administration of the office pointed out "not one of the guilty parties has been brought to trial.

"I say that there is a direct connection between the bombings and the solicitor's office," he further charged.

■

THE BOMBINGS referred to were the Baker Road Northwest bombings of early March. A series of explosions damaging newly purchased homes occurred while occupants slept.

The first home to be bombed was that of 31-year-old Jewell Stewart, 2540 Baker Rd. Follow-up bombings damaged an unoccupied dwelling bought by Mrs. Alfred E. Stephens, 2431 Baker Rd. and 506 Woods Dr., N. W. A fourth explosion damaged the front porch of 206 Flora Ave., N. E.

A special committee of the Fulton County grand jury conducted an investigation, but no indictments were returned.

Several residents of the area were called before the committee.

Meanwhile a group of white citizens formed a corporation and repurchased the homes in the neighborhood owned by Negroes.

38c 1956

GEORGIA

Bombings To Be Investigated; Park Leasing Protest Launched

Daily World Wed. 4-25-56 P.1

Atlanta, Ga.

After hearing several speakers last night the Westside Voters League took two principal actions. The group, meeting at the West Hunter Street Baptist church voted:

1. Two authorize the executive committee headed by Prof. B. T. Harvey to investigate the developments relating to the housing bombings and disorder that have occurred in the Baker Road area.

2. It instructed the same committee to release a protest to the recently announced leasing of twelve state parks to private interests.

38c

PUBLIC OPINION

Jesse O. Thomas pointed out how even the court has been influenced by public opinion and stressed the importance of the ballot. He said the status of women has been raised since woman's suffrage.

C. A. Bacote also spoke to the meeting. Mr. Bacote, chairman of the All Citizens Registration Committee said the campaign was progressing and estimated that 5,000 more persons are expected to register by the May 5th deadline.

Mrs. Gertrude Anderson, the sister of the Rev. A. F. Fisher pastor of the church where the meeting was held, told of her experiences in the area where there developed tension. She said she bought in the area, the only place she had found the type and priced house she wanted.

She expressed regret that the committee dealing with the problem did not consult closer with the new home owners before agreeing to terms of reselling to a corporation set up by white people.

REQUESTED AID

C. A. Scott, of the Atlanta Daily World, told how the purchasers of two houses in the contested area had called the paper and requested whatever assistance they could get. Scott described the situation as simply one of law and order and deplored the fact that what he considered as one of the most basic rights of our people was not protected adequately.

COMMITTEE NAMED

B. T. Harvey said his committee would look thoroughly into the housing problem and would seek to determine how many Negroes on the westside who were desirous of buying homes. Persons concerned were requested to call Mr. Harvey or President Cassandra Maxwell.

Rev. M. L. King spoke out in protest of the bombings and expressed the belief that it might have been possible to prevent the necessity of the citizens reselling their newly purchased homes if the issue had been taken up by the people earlier. Mrs. Anderson had stated that about twelve homes had been sold in the area to Negroes and that she believed all these homes had been resold to a white corporation.

Al Alston told of similar attacks in the Cairo Street area last year.

Rod Harris paid tribute to the Rev. M. L. King, Jr., of Montgomery and told of the importance of the Negro voters sticking together and demanding protection of their rights. He seconded the motion regarding the leasing of the state parks.

W. G. Mitchell of the Fairview Terrace Civic League said he wanted closer cooperation between the various organizations on the westside.

President Maxwell mentioned the possibility of the housing problem becoming more acute when an expressway development comes in that section.

Daily World P. 4

MASS MEETING THURSDAY NIGHT

A mass meeting sponsored by the Mozley Park Civic Association, will be held at the Union Baptist Church Thursday night at 8 p. m. This meeting will deal mainly with registration and voting.

Dr. Albert N. Whiting will preside over the program and direct questions from the audience. A special feature of the meeting will be a discussion of the problems involved in the bombing of homes in the Northwest area. Music will be furnished by Marcus Williams, of the Mozley Park Advisory Council and Community Center.

Death Narrowly Missed In New House "Bombing"

Daily World Atlanta, Ga. Tues. 3-24-56

Negro occupants of a frame dwelling narrowly escaped death at 4 a. m. Sunday morning as their home was seriously damaged.

The third bombing in the Baker Road area and the fourth recent Atlanta bombing was apparently set off by a professional, police revealed. The explosion ripped the floor and tore out underpinning of the recently purchased home of Mrs. Jeanette Howard, 28, 506 Woods Dr. NW, as her family and a visitor slept.

P. 1

Others narrowly escaping injury in the explosion were the young woman's two children, Selona, 11, and Mark 5, her mother, Mrs. Eddie Mae Cooper, and a visitor, Cleave Arline, 29, of a Fair Lane Place address.

Daily World

Ptl. W. E. King said he heard a loud noise and found the explosion had occurred just two blocks away. "I drove to where the noise came from," he said, and "saw where some of the foundation of the house had been blown into the front yard."

P. 1

A piano and other furniture crashed through the floor of the shattered home.

Sgt. R. E. Little said it was only a miracle that Mr. Arline was not killed. He had been sleeping on a sofa located near where the explosives were packed.

In addition to extensive damage to the foundation of the house, gas lines were torn loose, walls were cracked, a lamp was blown into the ceiling and furniture, glasses and other property were shattered.

The occupants of damaged dwelling moved out some four hours after the explosion.

Police said a search is being made to determine the type of explosive used. The area has been processed for fragments to determine the type of container in which the explosives were placed.

Woods Drive is located just three blocks from Hightower Road going East on Baker Road. Two other homes in the immediate area were bombed several weeks ago. Another bombing occurred on Flora Street in Northeast Atlanta.

The latest bombing also did minor damage to the home of a white family who lived next door to the Negro family. The Negroes moved in two days earlier.

These Bombings Should Be Stopped

About two o'clock Friday morning a stick of dynamite was thrown toward a home purchased and occupied by a Negro family in the Northwest section of the city. The blast was considerable, doing damage to its main target and also another house occupied across the street. Daily World P. 6

Yesterday's blast was the fourth such brutal attack that has been made on homes purchased by Negroes in this area since February 25th. Sat. 4-14-56

We share with the people a growing alarm over these unwarranted and illegal actions against citizens solely on the basis of race. Apparently there is no federal jurisdiction at present over such action, but they are clearly in violation of state law and local and county authorities have a duty to act.

It is reliably learned that a recent Grand Jury questioned several white citizens of that area regarding the disorders that have occurred earlier this year. Atlanta, Ga.

If some definite and firm action is not immediately taken by the authorities we fear a continuation and perhaps an intensification of the terror tactics.

Race relations in this city are good and we want to see that condition continued. But bombings of peaceful citizens while asleep in their homes is a thought that is most disturbing to us.

Let us all hope that law and order will be upheld and those responsible for these bombings will be apprehended and punished.

Police Probing New Bomb Blast In Mixed Area

Constitution P.13 Sat. 4-14-56 Atlanta, Ga.

Police Friday began an intensive investigation into the latest bomb-hurling incident in a mixed white and Negro section of northwest Atlanta.

The blast was set off shortly after midnight Thursday near the intersection of Old Know drive and Commercial avenue, NW. It shattered windows in houses on either side of the street, one occupied by whites and the other by Negroes.

Investigators located a Negro man whose auto windows were broken out immediately after the incident. He said, however, he heard the explosion, drove past to see what had happened and the car windows were broken when he became blocked in traffic.

A white man appeared at Grady Hospital for treatment of a cut arm soon after the blast, police said. He was treated at Grady and transferred to a private hospital.

The address given by the man at the hospital was a considerable distance from the Old Know-Commercial section.

Staff Photo—Bill Young

CROWD OF 500 TO 700 GATHERS NEAR HOUSE OFFERED BY NEGRO REALTOR

Noisy Throng Forms on Commercial street, NW, Near Scene of Blast

Negro Quits Home Here After Blast

Constitution
Mon. 2-27-56
Atlanta, Ga.

A Negro man who moved into a white neighborhood Saturday morning told officers he would sell the house and move "first thing Monday morning," records showed.

The Negro, Jewell Stewart Jr., who bought a home at 2540 Baker Rd., NW, made the statement Saturday night to Patrolman Lamar Harris.

Harris and Patrolman B. F. Bennett went to the address to investigate an explosion in the front yard. They found 200 persons gathered before the home.

The explosive was believed a large firecracker, police said. Stewart left his newly purchased home shortly after patrolmen arrived

About 500 to 700 persons congregated Sunday afternoon in the 500 block of Commercial street, NW, near Baker Road. Some were just curious, others protested the offering of homes in the area by Negro realty men.

Negroes Sell Corp. Homes In White Area

Constitution P.1
Wed. 4-25-56
Atlanta, Ga.

The West Side Development Corp. has raised $30,000 and purchased nine white area homes recently sold to Negroes, it was disclosed Tuesday night at a meeting of the Grove Park Civic League.

Mayor Hartsfield, addressing approximately 250 persons in the Lena H. Cox school auditorium, told the audience, "We are hopeful the situation is now stabilized."

He congratulated them by saying, "You have gone about this matter in a legal manner, and we are proud of the way the situation has been adjusted."

The mayor said he held a $100 subscription in the corporation.

Resentment of white persons against the Negroes moving in resulted recently in several incidents of dynamiting.

Ray Gary, president of the league, said the nine properties had been vacated by the Negroes. He added election of officers is slated for the near future.

Bombed Victims Problems To Be Aired Tonight

Daily World
Tues. 4-24-56
Atlanta, Ga.

Atty. Cassandra Maxwell said last night she expected good attendance at the meeting tonight to hear discussion of the housing problem and bombing attacks as a result of Negro citizens moving into the Hightower-Baker Road area. P.1

The meeting, sponsored by the Westside Voters League, will be held at the West Hunter Street Baptist Church and begins at eight o'clock.

All the persons who bought homes in the bombing area are expected to be present for the purpose of determining what course of action is to be taken to help the citizens to their problem.

Speakers will include: Jesse O Thomas, C. A. Scott, Prof. C A. Bacote and Rod Harris. Mrs. Gertrude Anderson, one of the purchasers of a home in the area, said she would make a statement to the group.

Blast Damages Negro-Occupied Home In Atlanta

Advertiser
Tues. 7-3-56
Montgomery, Ala.

ATLANTA, July 2 (AP)—An explosion early today heavily damaged a Negro-occupied house in a predominantly white neighborhood and broke six windows in a white-occupied house next door.

Carl Haynes and his wife, who rented the house and moved in Saturday were in bed when the dynamite blast ripped portions of the front porch and the walls of two front rooms shortly before dawn. They were not injured, according to police reports.

About 5 minutes after the explosion, Mrs. Dennis George, occupying the damaged house next door said she received a phone call from a man who warned her "You will be next" and then hung up.

Negro Dwelling In Atlanta Bombed

Evening Star
Washington, D.C.

ATLANTA, July 3 (AP).—An explosion early yesterday heavily damaged a Negro-occupied house in a predominantly white neighborhood and broke six windows in a white-occupied house next door. P. 7-A

Mr. and Mrs. Carl Haynes, who rented the house and moved in Saturday, were in bed when the dynamite blast ripped portions of the front porch and the walls of two front rooms shortly before dawn. They were not injured, according to police.

Officers found a wire leading from the side to the front of the house and concluded it was used to detonate the explosive.

About 45 minutes after the explosion, Mrs. Dennis George, occuping the damaged house next door, said she received a phone call from a man who warned her "you will be next" and then hung up.

Negro Home Dynamited

Herald P. 9-A
Miami, Fla.

ATLANTA — (AP) — An explosion early Monday heavily damaged a Negro-occupied house in a predominantly white neighborhood and broke six windows in a white-occupied house next door.

Mr. and Mrs. Carl Haynes, who rented the house and moved in Saturday, were in bed when the dynamite blast ripped portions of the front porch and the walls of two front rooms shortly before dawn. They were not injured, according to police reports.

Officers found a wire leading from the side to the front of the house and concluded it was used to detonate the explosive.

About 45 minutes after the explosion, Mrs. Dennis George, occupying the damaged house next door said she received a phone call from a man who warned her "you will be next" and then hung up.

GEORGIA HOUSING CASE REMANDED

Times-Picayune
Sat. 12-1-56
New Orleans, La.

Dismissal of Anti-Segregation Suit Reversed

The United States Fifth Circuit Court of appeals has ordered back to a Georgia federal court a case in which 18 Negroes seek to restrain public housing officials from maintaining a policy of segregation in public housing projects in Savannah, Ga. P. 15

The court reversed and remanded an action of the federal district court for the southern district of Georgia which dismissed a suit against the Savannah housing authority.

In another phase of the case the court of appeals, in an opinion by Judge Wayne G. Borah, sustained the district court's action in dismissing a suit against the public housing authority and its Atlanta field office director. That phase of the case was dismissed by the lower court on a motion for summary judgment filed by the PHA.

Dismissed by District Court

The district court had dismissed the action against the Savannah housing authority also on grounds that the plaintiffs were afforded equal though separate housing facilities and their civil rights were not violated.

In upholding the dismissal as to the PHA and its director, the appeals court held that neither the PHA nor its director acted under any color of state law.

The opinion further points out that the plaintiffs' case against the PHA is based on the proposition that the regulation and control exercised by the federal agency is so extensive and the relationship between the federal agency and SHA "so intimate that the actions of the one must be deemed to be the acts of the other and pursuant to state law or custom."

The opinion added that it clearly appears that the PHA and the director acted in accordance with federal statutes and not under any state law.

Judge Borah Disagrees

Judge Borah disagreed with the district court's dismissal of the action as to the Savannah housing authority on the ground that the plaintiffs failed to state a claim upon which relief could be granted.

He said, "we think the complaint sets forth a claim under the civil rights statute and that claim is: that appellants were nor permitted to make application for any project limited to white occupancy, that they are denied to lease housing facilities provided by public funds under conditions set forth in the statute and equal to those imposed upon white families, and that such action on the part of SHA and its officers constituted a deprivation under color of state law . . . of the rights guaranteed to them by the Fourteenth amendment to the constitution and the federal housing acts."

Concurring in Judge Borah's opinion were Chief Judge Joseph G. Hutcheson Jr., and Judge John W. Brown.

38c 1956

ILLINOIS

War Or Peace At Trumbull Park?

Defender Sat. 5-5-56 Chicago, Ill. P3

Top Cop, Housing Boss Don't Agree

A wide difference of opinion exists among city officials as to the current status of race relations in Trumbull Park, where for almost three years Negro families have been subjected to pressures ranging from a subtle war of nerves to outright terror and violence.

Kean said that "the fact that it is necessary to maintain a police force is persuasive evidence that the racial tension problems have not been sufficiently alleviated. . ."

38c

O'Connor's note of optimism was in reply to request from religious and community leaders that Mayor Daley set up a meeting of city leaders to seek a solution to the three-year-old race problem.

The idea was adopted at a meet-

One view came from Police Commissioner Timothy O'Connor, who declared Tuesday that "we have not had a disturbance in Trumbull Park in six months."

An entirely different feeling about t he troubled area was revealed in a letter from Gen. W. B. Kean, executive director of the Chicago Housing Authority, to Mrs. E. M. Brown, 10717 Yates ave., who was the spokesman for a group of residents seeking to hold a meeting in the project.

ing sponsored by the National Christian Protective association at which a panel group discussed the situation and ways in which it might be remedied.

On the panel were Ald. William H. Harvey (2nd); Ald. Ralph H. Metcalfe, (3rd); State Rep. Charles Skyles (5th); Fritz Pollard, Chicago Commission on Human Relations; Frank Brown, Trumbull Park resident; the Rev. John S. Thurston, 44th Street Baptist Church; the Reverend E. R. Williams, South Parkway Baptist Church, and other civic and religious leaders.

Pollard pointed out that only some 100 police are posted in the area, compared to more than 1,200 at the height of the disorders.

On the less encouraging side, Kean's letter to Mrs. Brown was in answer to a letter addressed to Harvey Peck, manager of Trumbull Park. In addition to Mrs. Brown, other signers were Mrs. R. Levy, 10602 S. Yates; Mrs. C. Page, 10660 S. Oglesby; Mrs. S. Scott, 2522 E. 107th st., and Mrs. L. Williams, 10613 S. Eglesby.

They requested permission to hold a meeting, which non-residents would be allowed to attend, to "discuss how the tenants of the project can work together on a community educational program."

In reply, Kean said:

"It appears that a major purpose of the proposed conference is to discuss racial problems in the project and surrounding community . . . . . Under normal cicrumstances, I would be only too pleased to grant the permission you request . . ."

"I have some very strong reservations, however, about the property of the gathering you have in mind at the present time. An outside meeting at Trumbull Park homes, under existing circumstances, might invite disturbances of the peace. . .

"As you know, a substantial number of police are still in attendance on an around-the-clock schedule to protect tenants and protect property. The fact that it is necessary to maintain a police force is persuassive evidence that the racial tensions have not been sufficiently alleviated to justify the holding of an open meeting, particularly one which revolves around the very issues that require the maintenance of a police protective force."

As the weekend neared, there was no indication what steps Mayor Daley would take in response to the request for a meeting on the Trumbull Park matter, but there is the certainty that something should be done to bring agreement between city officials on just how serious the problem is.

WINDOW of Mahalia Jackson's home damaged by BB pellets.

38 c 200 Defender P.1 Sat. 5-5-56 Chicago, Ill.

ONE OF TARGETS of racist vandalism is newly purchased, $45,000 home of singer Mahalia Jackson at 8348 Indiana ave. in Chatham Village section of Chicago. Other homes recently purchased by Negroes have been attacked, two set afire causing $2,000 damage in one instance. Special detail of police has been assigned to meet rising anti-Negro sentiment in area.

To Drop Suit Against Chicago Housing Body

Call Fri. 5-11-56 P.2

Kansas City, Mo.

CHICAGO. — (ANP) — Attorneys for Donald and Betty Howard, the first Negro tenants at Trumbull Park Homes, filed a stipulation in the circuit court of Cook county to dismiss a suit entered last year against the Chicago Housing Authority, six of its officials, and five Chicago newspapers.

Suit was brought by the Howards, seeking a total of $1,700,000 in damages for conspiracy and libel, after the family had been evicted from the CHA Housing development for failure to comply with the Authority's regulations.

The court dismissed the complaint and ruled there was no basis for the liability charge, but gave the plaintiffs an opportunity to file an amended complaint. This step was never taken, and consequently no hearings were held.

Entry of the Howard family to Trumbull Park Homes touched off numerous disturbances in the neighborhood surrounding the CHA project protesting the presence of Negro tenants in the area.

Howard was recently arrested and charged with disorderly conduct after allegedly destroying furniture in his home and threatening his wife.

Cardinal Stritch Assails Trumbull Park Violence

Defender Sat. 6-23-56 P. 10

Chicago Ill.

By ETHEL L. PAYNE

Samuel Cardinal Stritch, Archbishop of Chicago last week attacked racial bias, which is still causing tension in Chicago's Trumbull Park, when he declared:

"Anything which is in violation of peoples' rights is wrong. We have no word of sympathy or mitigation for the use of violence or discrimination by those who are practicing it."

The Roman Catholic prelate broke a five year silence when he held a press conference in the Chancery offices at 719 N. Wabash ave.

In answer to a question on whether the church was doing anything to ease the tension in that troubled area, the Cardinal replied:

"We are very much aware of the problem. We have been working for sometime on it and are continuing to do so.

STRONG CATHOLIC AREA

Trumbull Park is in the heart of a strongly Catholic area, many of whom belong to the Polish National Catholic church, which is a separate entity from the Roman Catholic church.

Although many of the rioters and the agitators in the disturbances have been identified as Catholic, this is the first time the church has taken any official position on the matter.

Lately, the tension has been easing somewhat and some Negro families are attending Catholic churches in the district. The large police force kept on hand to maintain order has been reduced to 72 and may be completely withdrawn soon, according to Police Comm. O'Connor's office.

The conference was called by the Cardinal to announce plans for the welfare and assistantance to the rapidly increasing Puerto Rican population in the city, which now numbers around 20,000.

June 24 has been proclaimed by Mayor Daley and the Cardinal as the special observance of San Juan day (Knights of St. John) who is the patron saint of the Puerto Ricans. A special mass will be said by the Cardinal at Holy Name Cathedral with a day long festival to follow at the Chicago Arena.

In addition to the Puerto Ricans, the committee is concerned with 30,000 Mexicans and 12,000 Filipinos in Chicago.

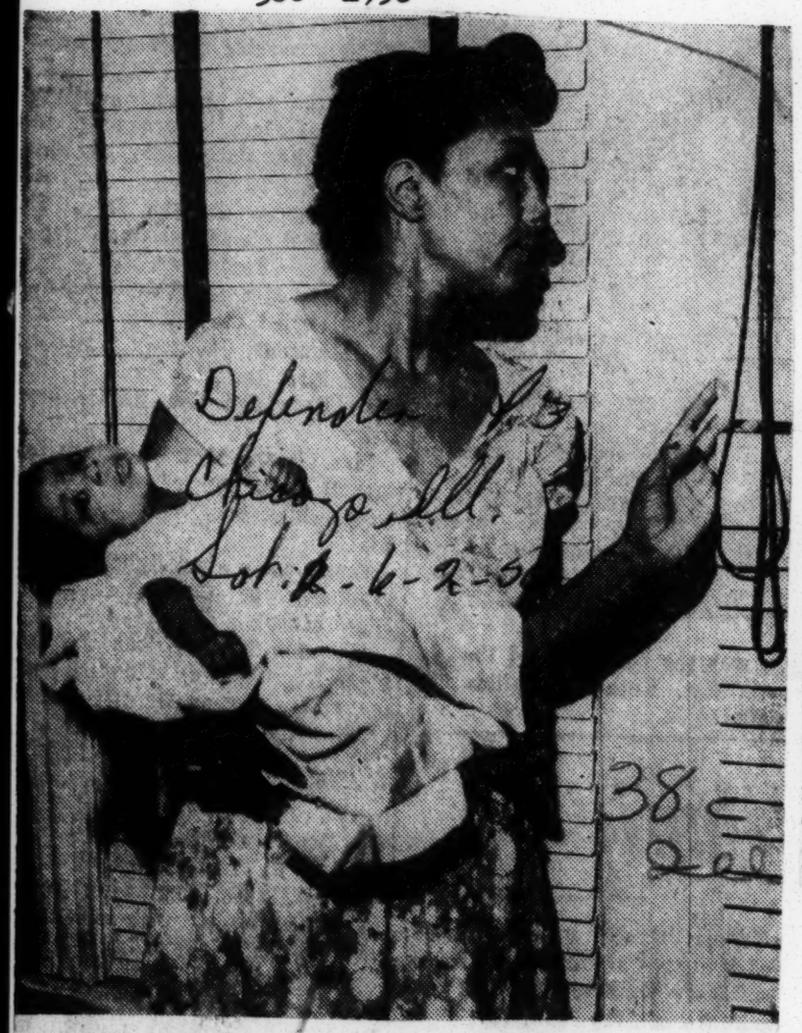
Cardinal Stritch said that the primary goal is the integration of these groups into the normal pattern of living in the city, and to prevent the creation of more ghettoes.

TRANSITION BRINGS SHOCK

Asked if a similar policy and program was planned for Negro Catholics, including newcomers to the city from the South, the Cardinal said, "We are trying to do everything we can. The transition from the plantation lands of Mississippi to urban life is a shock to the individual.

"We are providing educational facilities and other services to assist in adustment as much as possible. But always, we are keeping in mind that this is a part of the transition period, and the ultimate goal is full integration into the total life of the city."

To assist the Puerto Ricans who have not yet learned to speak English, two centers have been set up to offer religious services in Spanish.



HOLDING ONE of her three-month-old twins, a wary Mrs. Laura Nelson cracks her blinds to peer out window into night. Hoodlums placed a burning crosstie against her home at 6026 S. Bishop. An alert neighbor spied the flames and called police, who put out fire. Defender staff photo by Lyles.

Arsonists Strike Chemists' Home

Defender Sat. 6-2-56 p.3

An alert neighor is credited with preventing the possible destruction by fire of the home of Dr. and Mrs. Luke Nelson, 6026 S. Bishop, after unknown vandals placed a burning crosstie against the house.

Mrs. Elizabeth Herndon, who lives at 6028 S. Bishop saw the flames and called police, who extinguished the blaze before any serious damage could be done. A rear wall of the house was damaged.

Mrs. Nelson could give no motive for the act. She told the Defender that she and her husband moved into the neighborhood last November and had not been molested or threatened.

The neighborhood is changing, with white families leaving at the rate of one a week, according to Mrs. Nelson. She said that most of the residents in the block are Negroes.

The attempted arson occurred during one of the rare times when no one was in the Nelson home. Mrs. Nelson, who has three-month-old twins, was away visitng relatives, and her husband had gone out on business.

They were not informed of the incident until Wednesday afternoon some 17 hours after it happened. Police have been unable to find any clues to the culprits or the motive.

Dr. Nelson, who is engaged in private practice, is also a chemical engineer for the Ford Motor company.

Mrs. Emma Jackson, mother of Mrs. Nelson, is staying at the Nelson house to look after her daughter, who recently suffered a heart attack.

Mrs. Jackson said one of the neighbors reported that white children have been shouting racial ephitets at Negro residents recently.

Mixed six appeal cafe fracas fines

Afro-American Sat. 7-7-56

CHICAGO — The case of six members of an interracial group found guilty of disorderly conduct as the aftermath of their efforts to secure service at Jennie's Cafe, 658 E. 79th St., on May 11, has been appealed to the First District of the Appellate Court of Illinois.

Judge Alexander J. Napoli in Boy's Court found the group guilty on June 19 and fixed their fines at $100 each. Bond was set at $200 each when Howard T. Savage of the NAACP legal staff and attorney for the defendants announced his intentions of appealing the ruling. A stay of mittini was granted until July 3.

"It is my intention," said Mr. Savage, "to take the appeal to every court of last resort available until the issue is either determined in favor of the victims of prejudice or until there is no court but God's court to go to."

IN FINDING the group guilty, the court held that because the defendants had some skepticism about being served before they went to the restaurant, then elected to stay and insist upon their rights, they were guilty of disorderly conduct.

Judge Napoli held that they should have sought redress through civil action rather than remain in the restaurant. The defendants, all members of the Chicago Committee of Racial Equality, were Mrs. Katheryn Fields, John Corney, Mrs. Jeanne Wesson, Fred Fields, Dale Drews and John Forbes.

A seventh person, Joffre Stewart, arrested along with the group, was scheduled for a separate trial on June 28. Prior to that he was in the Bridewell Hospital where he staged a hunger strike. Warden Sain said he was being fed through his veins.

Negro Drops Suit In Housing Row

Star 5-33-A Tue. 3-4-56

CHICAGO, May 4 (AP).—A Negro whose move into a Southeast Side public housing project touched off disturbances has dropped a $1.7 million suit against five Chicago newspapers and the Chicago Housing Authority.

Donald Howard and his wife and two children moved into the Trumbull Park project in the summer of 1953. They were the first Negroes in the project. A police detail has been maintained there since to insure order. Other Negro families moved in later.

Mr. Howard, who moved out of the project May 3, 1954, charged in his suit that officials of the authority, which operates the project, and the newspapers libeled him and his family and conspired to oust them.

His attorneys, it was ascertained yesterday, filed a stipulation in the court April 27 agreeing to drop the suit. Newspapers that had been named are the News, Tribune, Sun-Times, American and Daily Calumet.

1,500 Mob Couple Host To Negroes

Defender Chicago Ill. Sat. 8-25-56 p.1

Police late last week still were patrolling an area on Chicago's westside where Monday 20 squads of police were called to disperse a mob of 1,500 which gathered when a rumor spread that a white family planned to sell their home to Negroes.

The crowd increased to nearly 1,500 persons by the time police dispersed it around midnight Monday.

It formed while Santos Le Verde and his wife, Josephine, of 2900 W. 38th st., were entertaining Mr and Mrs. Paul Nunn of Seattle, Wash.

The Le Verde family formerly lived in Seattle. When they left that city they invited the Nunns to visit them in Chicago.

Monday the Nunn family stopped in Chicago on their way to Louisiana and decided to accept the LeVerde invitation.

Brighton Park Police said they arrived at the Le Verde home around 1 p.m. and remained for a few hours.

Police asserted word of their presence spread and the crowd began forming while the visitors still were in the home.

The numbers increased as other persons returned home from work and heard the news.

By 7 p. m:, the crowd had reached such proportions that plan 2 was put into effect. About an hour and a half later, plan 5 was sounded and the 20 squad cars responded.

Police said Tuesday the situation was "quiet" but suggested that a Defender reporter not try to visit the Le Verdes for an interview because it might "aggravate" things.

Sun. 8-13-56

Police said the crowd assembled on the basis of a groundless rumor that a Negro family planned to move into a white neighborhood on the southwest side.

The demonstrators were dispersed by a detail of 60 policemen. Before things quieted down, three windows in the home of Santo J. Loverde, white, at 2900 28th st., were smashed by stones, and the automobile of a policeman who lives in the neighborhood was damaged.

Police said the disturbance apparently was touched off by a friendly visit paid to Loverde by seven members of a Negro family he had met while he was on military duty in Seattle, Wash., in 1946.

Loverde said the visitors, en route from Seattle to West Virginia, were Viola Barnes, her five stepchildren, and her son-in-law.

After the demonstration began, Loverde, a city Water Department employe, took his guests to the Illinois Central railway station, escorted by a squad of police.

The damaged automobile belonged to Policeman Ronald Failson, a son-in-law of Mrs. Loverde, who was on duty at the Democratic convention hall, the International Amphitheater, when the trouble began.

Anti-Negro Rumor Sparks Demonstration by 2000

Post & Times Herald Washington D.C.

CHICAGO, Aug. 14 (AP)—A throng of 2000 engaged in an anti-Negro demonstration last

Police Break-Up Anti-Negro Mob Near Site Of Democratic Natl. Convention

Advocate 7.7
Jackson, Miss.
Sat. 8-18-56
38c

Mob Aroused By Rumor Of Negro Family Moving In

Chicago, Ill., Aug. 15.—A throng of 2,000 engaged in an anti-Negro demonstration Tuesday night less than two miles from the Democratic National Convention.

Robert Ryan, deputy chief of the uniformed police said the crowd assembled on the basis of a groundless rumor that a Negro family planned to move into a white neighborhood on the southwest side.

The demonstrators were dispersed by a detail of 60 policemen. Before things quieted down, three windows in the home of Santo J. Loverde, white, at 2900 W. 38th St., were smashed by stones, and the automobile of a policeman who lives in the neighborhood was damaged.

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Sat. 8-18-56

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Chicago Has Anti-Negro Protests

Post-Herald
Birmingham, Ala.
Wed. 8-15-56

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38c 1956

ILLINOIS

Teen Hoods Stone, Beat Trumbull Park Tenant, 29

Defender Sat. 2-4-56 p. 10 Chicago, Ill.

A reduced police detail in Trumbull Park last week was the signal for race haters to step up their violence against Negro tenants in the area.

Bearing the brunt of the violence was Melvin Williamson, 29, of 10524 S. Oglesby st., who was severely beaten and stoned by a mob of from 15 to 20 white lads ranging in age from 13 to 16.

Williamson who works for the Reeman's Beverly Auto Service at 1817 W. 103rd st., as a handyman, said he alighted from the bus at 103rd st., and crossed the street to Trumbull Park where the youths were standing in the park and they immediately began throwing rocks at him.

He began to run, he said, and one of the rocks struck him in the center of his back knocking him to the pavement. While he was down, the boys all jumped upon him, kicking him on the legs, back, face, ribs.

When he was able to scramble to his feet, he ran to the nearest house and pounded on the door. Williamson explained that a woman came to the door and without opening it, told him to go away. When he shouted for her to call the police, she yelled back that she did not have a telephone.

By the time the police arrived, the boys, pursuing him, reached the porch and all of them began kicking and clawing at him again. At that point, a man looked out of the door and told all of them to get off his porch.

He also hollered to Williamson that the police had been called. The gang of boys then yelled back that if he let Williamson in his house, they would break out all of his windows.

By that time, Williamson stated, the youngsters had vanished.

Police later picked up two lads but because of the darkness and the large number in the gang, Williamson said he could not identify them as his assailants.

Williamson was treated at South Chicago hospital and then confined to his home for several days. His right hand was badly injured, he said, when one lad jumped on it while kicking him.

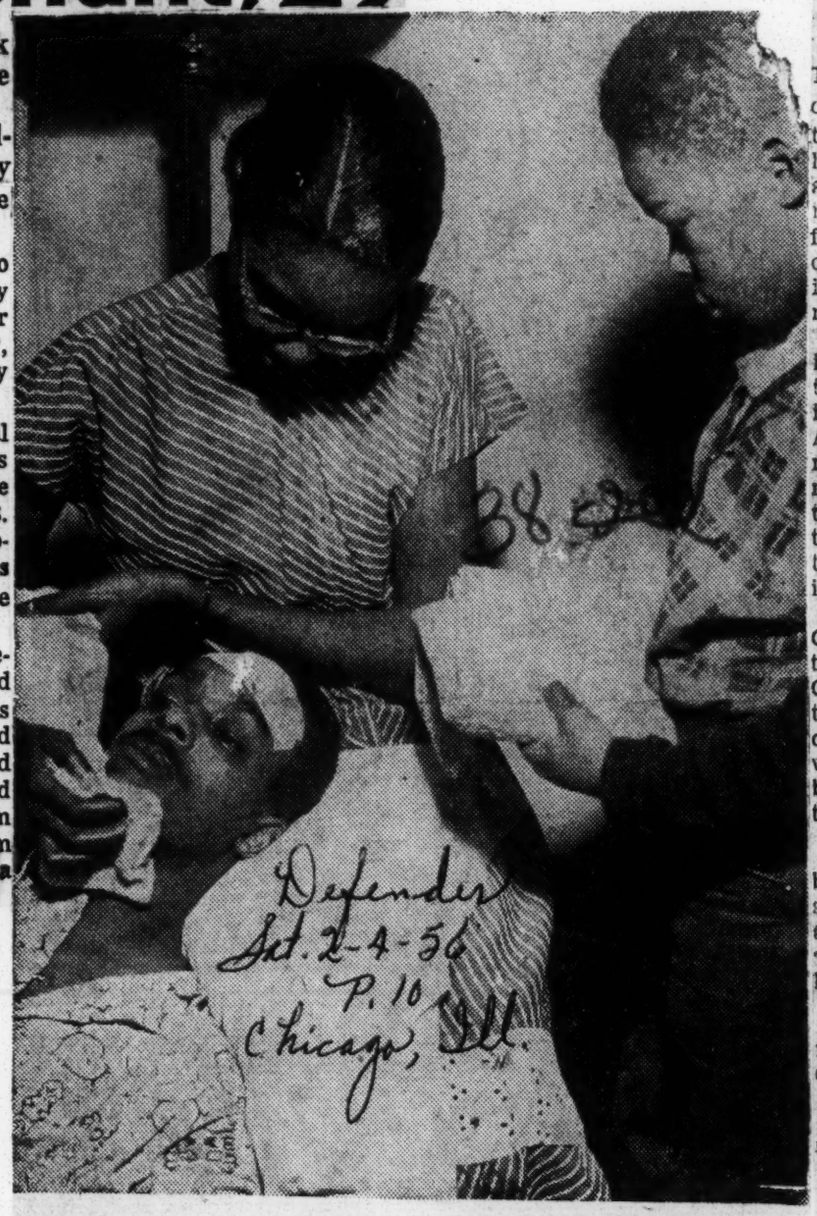
Police are still investigating the incident.

During the past two weeks, two Negro families, who said they could no longer bear the terror and violence in the community, moved out of the project. They are:

Mr. and Mrs. Robert Dowdell who moved out of 10741 S. Yates on Jan. 10. and Mr. and Mrs. Lee Bogan of 10742 who left on Jan. 8.

During the past 2 1-2 years approximately 35 Negro families have moved into the project. There are 27 families left.

With the cut in police detail, Negro residents must use the squad cars to go to andf rom their jobs right on schedule or be delayed for at least a half hour. Squad cars take them to the bus and escort them to their homes from the bus line when they return from work in the evening or from a visit in town.



Defender Sat. 2-4-56 P. 10 Chicago, Ill.

BEATEN BY TEEN-AGE toughs in Chicago's troubled Trumbull Park housing project, Melvin Williamson, 10524 Oglesby, is comforted by his wife, and son, Robert, 9. Williamson was attacked by young hoodlums as he left the bus at 103rd and Oglesby, enroute home from work. He was cut and bruised about the head, hand and back.

Negro Tenants To Use Streets In Trumbull Park

Daily World Atlanta, Ga. Wed. 4-11-56

CHICAGO—Negro tenants in the Trumbull Park Homes Project will on or before April 1 "begin using the public streets in that area heretofore untraveled by them," according to a letter to Police Commissioner Timothy J. O'Connor from Willoughby Abner, President of the Chicago Branch of the National Association ofr the Advancement of Colored People.

"The NAAC recognizing that this is their legal right has no choice but to stand four-square behind them in the exercise of of its rights," said Abner in declaring that "it is the responsibility of the Police Department of the City of Chicago to protect Chicagoans in the exercise of their legal rights. The NAACP holds the Police Department and you as its head to this responsibility."

Abner pointed out to the Police Commissioner that if he followed through on his commitment of last October "to open certain streets in the Trumbull ark Area and to sit down with the Negro tenants and work out a plan of increased mobility, we would not be faced with this precise situation today"

Abner added, "nor would Mr. Robert Williamson have been brutally attacked by the hoodlums in the area while using Oglesby (the back street to the project) on his way home from work."

"It is my sincere hope that it is not too late," wrote Abner to O'Connor, "to implement the prior agreement for planned increased mobility for the Negro residents of the Trumbull Park Project." and added that "in any event, the responsibility of the Police Department, yourself, as its Commissioner, and the Mayor of Chicago is clear and unmistakable in protecting the rights of citizens to walk the public streets of Chicago."

Copies of the communication to Commissioner O'Connor were sent to Mayor Daley and to Alderman Harvey, Metcalfe, Holman, Despres, Jones and Campbell.

See Another Trumbull Park In Chicago's Euclid Park

Defender P. 16 Chicago Ill

Unless Chicago officials and residents of the Euclid Park community evolve a concrete plan for improving race relation in the area, the city soon may be faced with another Trumbull Park situation.

The community, situated near the Princeton Park housing development, has been the scene of spasmodic outbreaks of racist acts since Negroes first became residents some three years ago.

38c

The incidents follow in many respects those of Trumbull Park. The main difference in Euclid Park is that the residents are property owners.

Attention has been focused on the community in the last few weeks because of several vandalistic acts which have seen one family abandon their home and others suffer damage to their property.

The situation has reached such propositions that Captain William Hennessey of the Gresham police district which covers the area has taken several steps to improve relations.

The police official has assigned a squad of police to patrol the area and a one-man detail has been stationed at 9543 Lowe ave., the home of Mr. and Mrs. Curtis Harmon and son. The Harmon family fled the site almost two weeks ago after a "concrete object" was thrown through a front porch window. This act followed a series of others which included the setting afire of a wooden unit on the rear of the property.

The situation came to a head earlier this week when vandals, riding fast moving autos, went on a rampage and smashed windows in about a dozen autos parked outside the homes of Negroes.

Some officers said that this was not a racist act; however, this was disputed by colored persons who said only their cars were damaged. Autos belonging to white residents, which were parked along with those of Negroes, were not touched, according to the Negroes.

An auto, reported stolen last Sunday, was found abandoned Monday night. Identified as one of the autos used in the vandalistic acts, the auto was found damaged and containing bricks like those near the scene of the incidents.

When interviewed by a Defender reporter residents of the community said the racist acts occur during the warm weather. Asked what form these acts take, they said teenagers will ride by their homes and shout derogatory names at them.

This, the residents said they could take. What disturbs them is the homemade bombs which are tossed at them. They described these bombs as being made of gasoline, kerosene and a lighted fuse. The bombs are tossed at their homes and explode when they land, they say.

One housewife said nights are nightmares. She asserted the disturbances start about midnight and last until around 4 a. m. She said her main fear is that a homemade bomb might explode and set her home afire before she can put it out.

Def. 4-14-56

Mrs. Robert Bush, of 9614 Normal, said efforts of the Commission on Human Relations, Catholic Interracial Council and the American Federation of Churches to improve relations have not been too effective.

An interesting sidelight to the incidents is that the families move about the streets free of trouble. Mr. and Mrs. Bush said their children attend school without any incidents.

This is in contrast to Trumbull Park where colored residents rarely venture outside public housing project. And their children are subject to insults and harassments.

Despite the racism which now faces Euclid Park residents, the consensus is that none will move away. This is understandable when you are told that most Negroes helped construct their homes.

Commenting on this, one resident said:

"I may be forced to send my family away, but I will never leave. My wife and I spent many hours working on our home to leave it."

POLICE OFFICER stationed at home of Mr. and Mrs. Curtis Harmon at 9543 Lowe ave., shows Defender reporter Jim Foree windows smashed by vandals in Euclid Park area. The Harmons moved from the house shortly after the window breaking incident.

Defender P. 16 Sat. 4-14-56 Chicago Ill.

38c

JOSEPH NORRIS, 40, of 9638 Normal ave., examines property damage done by vandals to his car windshield. Norris was one of several residents of the Euclid Park area whose autos were damaged this week in outbreak of violence against Negroes.

TRUMBULL PARK HELD QUIETEST SINCE JULY, 1953

Daily Tribune Sat. 5-31-58

Police Commissioner O'Connor said yesterday the situation at Trumbull Park homes, 106th st. and Bensley av., now is the best since racial disturbances broke out there in July, 1953.

Chicago Ill.

Currently only 93 policemen are detailed there, he said. There were 250 detailed at the project most of last year. At one time, shortly after the outbreak, there were 1,200 policemen in the area. About 600 men were there during the last half of 1953.

There are 35 Negro families in the project. Some residents still ask police escorts when they arrive or depart, O'Connor said.

Housing Speakers Suggest Boycotting Areas That Are Segregated; Seeing Owners

Bystander Des Moines, Iowa Thurs. 11-8-56

NAACP workshops at the recent seventeenth annual session of Iowa State Conference of Branches featured speakers on the subject of "Improved Housing for Minorities," with Dr. Robert Johnson as moderator.

"Usually when we speak of 'segregated' housing, we think of only how it affects minority groups, but I don't think that this is the case in housing," spoke Mrs. Rose Mary Bruner, member of the Voluntary Housing Committee." Here the white community also is segregated and suffers from it.

"Where in the city of Des Moines can a white family move so their children can have a good interracial experience?" Mrs. Bruner queried as she listed a number of areas which are considered as blighted areas of the city.

'What's Wrong?'

"What's wrong with these areas? We all know—run down schools, lack of recreational facilities; in some cases, no sewer or water, ramshackle houses.

"In other words, generally blighted and undesirable areas for anyone."

The speaker informed that "we tried one of these areas when we first moved to Des Moines because we felt it was important for our child to have the opportunity of playing and living with children of other races but after a year, we moved from the area for the same reasons that any of you who live in these neighborhoods want to move."

Want Democratic Living

"There are many families who want their children to have good experiences in democratic living and they, like we, discover that it is impossible," Mrs. Bruner stated.

She stated that "it is impossible" because "segregated housing is profitable business for real estate men."

Mrs. Bruner explained to the conference that "as soon as a community grows, housing areas move farther and farther to the edge of the community.

"Thus the housing closest to the hub of the city becomes the least desirable because it is old, usually has less yard space, and is now located in an area that is zoned commercial—in other words, not very desirable for raising families.

"If the property is not wanted for industrial or commercial sites there is critically no market for it. Therefore, a market is artificially created by refusing homes to minorities in strictly residential areas.

Market Created

Thurs. 11-8-56

"Soon," the speaker continued, "not only is a market created but it also becomes a good market, because there are many competing for few homes at prices higher than the same housing would bring anywhere else in the community, and by maintaining segregated housing, a constant market is kept."

In a solution to the housing problem, Mrs. Bruner suggested that "we follow the example set in Montgomery, Ala. We boycott. We will refuse to buy from any realtor or into any neighborhood that segregates. We will refuse to sell through any realtor who favors or practices segregation."

The speaker said "this type of thing has been done in other communities," informing the a group in Philadelphia has formed a code of their housing practices and a Declaration of Intentions was published with 875 signatures in the Friends Journal.

"A similar declaration has appeared in the Champaign, Urbana, (Ill.) papers, and in one city a real estate agency was establishd by a group of like-minded citizens to deal with the problem.

"We must not let Des Moines and Iowa lag in this area. The problem is ours and only we can solve it," Mrs. Bruner said.

Mr. Harris Speaks

Edward Harris, supervisor, Iowa Children's Home Society, in his message, stressed "that segment of the Negro population in Des Moines who want housing suited to their particular convenience — and — consistent with their needs, their tastes, their ambitions and their abiilties to pay.

These individuals, Mr. Harris pointed out, "are continually confronted with the same old cliches—'you wouldn't be happy in that neighborhood,' 'there are no Negroes in that block,' and 'I'm sure you want to live with your own people,' or, 'if you will hold off we are going to have a new area opening up soon.'

'Heard Them All'

"I am sure that all of you recognize these as having their origin with real estate persons and not home owners or sellers," said Mr. Harris, who added, "I know because I have heard them all."

Harris presented the following suggestions to Negro families who want improved housing, suited to their particular conveniences:

"First, it will do Negroes no good to contact any of the real estate professions. They can't help them under their present 'code of ethics.' This code does not apply to the needs of Negroes.

"Second, Negroes will be eventually contacted by real estate men who perhaps will offer them a home in a 'new area that has just opened.' This is one where despite everything the real estate professions could do, a Negro family has gotten into a previously all white block. Negroes should resist the urge to accept homes in such areas, since this is only an effort to perpetuate Negro areas, discrimination and confinement.

"Third, that Negroes direct their efforts towards the independent seller, who is interested in selling his home at a fair price.

"Fourth, that when a Negro family is interested in buying, it should realistically evaluate its resources, consider homes consistent with its resources, approach only the owner, and not as someone looking for a cheap house, but as one willing to play fair and pay a fair price."

Solution

As a solution to the problem, Harris said:

"Nothing will be acceptable to me short of the acknowledgement of my right to purchase real estate according to my needs and ability to pay, and the unrestricted opportunity to exercise that right."

Harris informed that a committee the NAACP is working to compile a list that will show families who want to sell their homes to Negroes and a list of prospective buyers.

"Already we have had a number of people who have phoned that they want to sell and a list will help bring buyer and seller together.

Other speakers on the housing panel were Albert H. Hall, president of the Des Moines Real Estate Board; Howard W. McKinney, American Friends Service Committee.

Annual D.M. Institute on Human Rights at Drake U., Public Forum Jan. 9 and 10

The annual Des Moines Institute on Human Rights will be held Monday and Tuesday, Jan. 9 and 10 on the Drake University campus.

Sponsored by the Des Moines Commission on Human Rights, with the cooperation of the National Conference of Christians and Jews and more than 25 other organizatioins, the institute is a public forum devoted to strengthening human relations in the community.

Dr. Irwin Sobel, department of economics, Washington University, St. Louis; Dr. Herman H. Long, immediate past president, National Association of Intergroup Relations Officials; and Dr. Ed. Olsen, National Conference of Christian and Jews, Chicago, will be among those providing outstanding leadership.

In addition to notable addresses, there will be ample opportunity for discussion at panel and workshop sessions.

Call for Elimination of Racial Bias in Areas of Housing and Employment

BY EVELYN SPRIGGS TURNER

"There has been a virtual revolution in this country within the last ten years culminating in the Supreme Court ruling of May 17, 1954, to end segregation in public schools," spoke Dr. Herman H. Long of Nashville, Tenn., Monday morning as he addressed the opening session of the two-day Institute on Human Relations.

Director of race relations department, Congregational Christian Churches, Dr. Long told the integrated group of about 50 persons assembled at Drake University Lounge that "A long-waiting national policy has emerged in clear and demanding perspective.

"The national policy of our democratic nation sanctions nothing less than the full and equal citizenship status of all its people, and considers odious to democratic and constitutional doctrine any form of public practice which makes a distinction."

Keynote speaker at the eleventh annual Des Moines Institute on Human Relations held at Drake Universitiy Monday and Tuesday was Dr. Herman H. Long of Nashville, Tenn, director of race relations department of Congregational Christian Churches, of the American Missionary Association, Fisk University and immediate past president of Natioinal Assocation of Intergroup Relations Officiails.

Healthy Sign

The opening session of the eleventh annual Human Relations institute was welcomed by Dr. Henry G. Harmon, president of Drake University, who pointed out that it was "a healthy sign" when members of mixed groups could meet and discuss their problems ratioinally with the aim to improve relationships.

James B. Morris, Sr., chairman of Des Moines Commission on Human Rights, called attention to existing conditions and practices in Des Moines, then introduced the keynote speaker, Dr. Long.

Keynote Speaker

DR. HERMAN H. LONG

Dr. Long warned against the defeatest attitude, especially on the part of the minoritiy, saying that "improvement suffered from defeatism."

"Only strong will and persistent effort on the part of individuals within and without the distinctive minorities would improve group relatons"

Provides Direction

Dr. Long said legislation provides direction for private and public practice. In declaring that employment and housing "were yet the most difficult areas," the speaker pointed out that the myths, stereotypes and false notions" responsible for group discrimination, though still persisting, have been proven groundless and are being torn apart for all to see.

"The job of building understanding and enlightment remains a paramount need," Dr. Long emphasized and added, "but the problem is being tackled on all fronts in the home and family, the school and the church."

Advised Churches

The speaker advised that churches to take " a more active, a more firm, and positive stand in leadership, shepherding the people in the practice of true brotherhood."

Panel Talks

In the panel discussion which followed his speech, Mrs. Jay E. Tone, Sr., representing the League of Women Voters and the United Nations Association, commented as follows:

"The housewife and mother has the greatest opportunity in the world to shape our dedmocracy into the true and beautiful policy that it should be. She is the first to set policy—bringing up the nation's children with fair-mindedness—guiding their attitudes, innately fair-minded, into wholesome outgoing fair-play."

James McDonnal, director of community service for the Des Moines Industrial Union Council, recommended a survey to be made in Des Moines similar to those made in other cities.

Hess T. Sears, assistant vice-president of the Equitable Life Insurance Company of Iowa, said that private business, still-lagging in its responsibilities to the community, should take postive, immediate action.

Dr. Curtis Page, English professor at Drake University, acted as moderator

Dr. Irvin Sobel, professor of economics at Washington University, St. Louis, Mo., opened the Monday afternoon lectures. Under the subject of "The Impact of Discrimination on Employment and Income," he told of the lag between job opportunities available to Negroes and the steadily improving educational qualifications which they have today.

Wilfred C. Leland, Jr., executive secretary of the Minnesota Fair Employment Practices Commission, at St. Paul, addressed the afternoon session on the subject of Promoting Merit Employment—Oversations of a Fair Employment Practices Commission."

Campaign in Iowa

He said: "I would like to see a campaign in Iowa to get a state fair employment practices law enacted. It would focus on this problem the attention of those who make employment policies in Iowa industry.

"It would bring to their attention the favorable experiences of those who have solved this problem and industry here would do likewise."

Leland said that under the Minnesota law, which became effective last July, the state will probably concentrate on fair employment practices in the suburban and smaller communities. Commissions already are operating under city ordinances at Minneapolis, St. Paul and Duluth.

Leland said that employers asking how to integrate Negroes into their organizations were told "just go ahead and hire and wait until they become acquainted with the other workers."

'Gap Maintained'

"I have never heard of anyone in Minnesota leavinig his job because a Negro was hired," he said. "We have told employers that if any problems did arise in this regard to call us in but none has yet found it necessary to do so."

"In general," Sobel said, "the Negro is barely standing still in his efforts to advance his positiion in Amercan life. He is not advancing education-wise. The gap between education and jobs is being maintained."

Sobel said this condition exists, in part, because white workers are advancing in jobs at a speed disproportionate to the Negroes because of discrimination.

"The Negro has to advance faster just to stand still," Sobel commented.

St. Louis, Mo.

"The Negro's income nationally is much lower—about 60 per cent that of whites and he has only about one chance to the white's three chances of getting a higher work classification"

Sobel told of studies on Negro discrimination made in St. Louis, Mo. The survey revealed that 57 per cent of those Negroes who were college-trained were working as machine-operators or in jobs with lower classifications.

Discrimination from the economic standpoint is bad, but even worse,

Sobel said, is the effect that such a practice has upon the personality of the individual who is discriminated against.

Group Discusses 'Racial Prejudice In Jobs'

One of the typical discussion groups during the eleventh annual Des Moines Institute on Human Relations was like this Monday afternoon workshop session, assembled at Drake University Lounge, which exchanged thoughts and facts on the subject of "Racial Prejudices in Jobs." At extreme left is Dr. Herman H. Long of Nashville, Tenn., director of the race relations department of the American Missionary Association. At extreme right (profile) is the discussion leader, C. J. Eastland of Des Moines, manager of the Iowa State Employment Service. (Photo courtesy of Des Moines Register).

Find Segregated Housing Is 'Crux' of Race Relation Problems in the North

The initial meeting of what is expected to be a permanent committee of citizens concerned with improving housing opportunities for minority groups was held Wednesday in the offices of the Des Moines Commission on Human Rights.

In explaining the purpose of the committee, Robert C. Sweet, Commission Secretary, declared that it was not the intention that the committee should serve in pushing integration in housing. He noted that in spite of a multiplicity of restrictive measures, a substantial degree of integration is already going on within the city.

Basic Objective

Sweet said, additionally, that the committee should not be primarily concerned with the speed at which further integration takes place.

The basic objective, he said, was that the problem be looked at thoroughly and objectively with the hope that through sound planning there may come increasing opportunities for minority group families and a greater understanding and acceptance of non-segregation throughout the city.

'The Crux'

Segregation in housing was described as "the crux of race relations problems in northern cities" because the physical separation it provides prevents the means of communication that are necessary for a vitalized community organization. Housing was also seen as an area in which the pace change has occurred much more slowly than in other phases of intergroup relations and as involving considerations not present in other aspects of the problem.

Further Consideration

While the committee made no decision on what action it might take, it did propose that further consideration be given to the following subjects:

1. Research projects concerned with determining attitudes toward, and experiences with integration.
2. Strengthening existing FHA and VA non-discriminatory policies within the state.
3. Providing opportunities for "grass roots" discussion of housing segregation.
4. Adoption of a non-discriminatory code to be observed uniformly by realtors, builders, and lenders.
5. Efforts directed toward stabilizing neighborhoods into which Negroes have recently moved.

Open-Occupancy

6. Possibilities for developing an open-occupancy housing project.
7. Inclusion of housing topics within a series of radio or TV educational programs.
8. Aiding religious institutions in their attempts to bring moral conviction to bear upon current problems.
9. Enactment or enabling legislation to make possible the existence of public housing in Des Moines.

The next meeting of the committee is scheduled for August.

The Braden Case Again

State Press

White Man Who Protected Negro Tried On Charge of Dynamitin' Negro's Home

Little Rock, Ark

Fri. 11-16-56

Louisville, Ky.—State's Attorney A. Scott Hamilton has advised defense counsel that he will try Vernon Bown on Nov. 20 on the charge of dynamiting the home of a Negro couple, Mr. and Mrs. Andrew E. Wade IV, in June, 1954. The house still lies in ruins in a so-called white neighborhood in suburban Shively.

Bown is a white man who moved in with the Wades to help protect the family from violence by neighbors and hoodlums. He was indicted in September, 1954, during a grand jury session which Hamilton turned into an inquiry into the political beliefs and reading habits of white supporters of the Wades.

Hamilton told Harry S. McAlpin, local Negro leader and chief counsel for Bown, that he didn't have enough evidence to convict Bown but he had to try him anyway because a lot of people were asking why he had Bown indicted in the first place.

Last February, Police Chief Carl Heustis of Louisville testified that James I. Rone, the builder of the house, or his son was the chief suspect in the Wade bombing. The younger Rone has been a leader in the White Citizens Council, and was an incorporator of the WCC state organization. Heustis and Rones are among two dozen witnesses the defense is summoning for Bown's trial.

The prosecutor admitted to McAlpin that he couldn't convict Bown unless he was allowed to introduce evidence similar to that used at the sedition trial of Carl Branden in December, 1954. Braden is a white man who bought the house and transferred it to the Wades after they were unable to purchase the property themselves.

Hamilton obtained the conviction of Braden by introducing hundreds of books seized from his home and then having paid informers testify that only a Communist would have such books in his possession. Similar books were seized at Bown's home.

The prosecutor charged that the purchase and bombing of the house were part of a Communist plot to stir up racial strife and bring about a political revolution, leading to the overthrow of the government of Kentucky and the U. S. by force and violence. That was the basis for sedition and conspiracy indictments against Bown, Braden and his wife Anne, and four other white supporters of the Wades. Most of these charges are still pending.

During Braden's trial, anti-Negro feeling and the Red scare were raised to a high pitch in the community, resulting in a 15-year prison sentence and a $5,000 fine. Braden served eight months in jail and prison. Last June the Kentucky Court of Appeals reversed his conviction.

State Press

Little Rock

McAlpin said he will fight strenuously against the introduction of any material not pertaining directly to the bombing at Bown's trial. The defense attorney pointed out to Hamilton that a repetition of the Braden trial might do great harm to race relations in Louisville, where schools have just been desegrated and other forward steps taken.

Bown's attorneys have filed with the court sworn statements of three persons who said he was with them in Milwaukee at the exact moment the house was bombed. An electronics expert testified at Braden's trial that Bown's radio could have been used to set off the dynamite, but the battery would have died within half an hour after it was rigged to the explosive.

Other defense attorneysare Bishop C. Ewbank Tucker of the AME Zion Church, who is head of the Kentucky Bureau of Negro Affairs, and Robert W. Zollinger, noted criminal lawyer. Both represented Braden at his trial.

ed if Bown came to trail. Bown was charged with causing the explosing that wrecked Wade's home.

CONVICTED IN 1954

Braden, a former Louisville newspaper man, was convicted in December, 1954, of advocating sedition in connection with the blast He was given a 15-year prison term and fined $5,000.

However, his conviction was reversed by the court of appeals, Kentucky's highest tribunal, after the U.S. Supreme Court ruled only

7 Kentuckians Freed In Case Where Negro's Home Bombed

Advertiser Montgomery Ala.

Wed. 11-21-56

LOUISVILLE, Ky., Nov. 20 (AP) —Criminal Court Judge L. R. Curtis today dismissed all remaining indictments against Carl Braden and six others stemming from the bombing of a Negro electical contractor's home two years ago.

P. 10-A

The judge's ruling was made on a motion by commonwealth's attorney A. Scott Hamilton who had prosecuted Braden in connection with the 1954 explosion at the home of Andrew E. Wade IV.

The bombing was termed part of a plot to arouse racial antagonisms in order to achieve the political ends of communism.

Hamilton said he was asking for dismissal of all indictments because of a ruling earlier in the day by Judge Curtis which Hamilton said would prevent introduction of Communist theories as evidence of motive.

The judge ruled that any evidence of alleged membership in or related activities on the part of Vernon Bown would be excluded if the federal government could try persons for sedition.

The ruling was in the Steve Nelson case from Pennsylvania.

Hamilton said the state of Kentucky is unable to prosecute sedition and criminal syndicalism, "then it is useless to attempt to carve out of the whole picture some type of lesser offense to prosecute these defendants piecemeal for the sake of prosecution alone."

The others against whom indictments were dismissed were Braden's wife, Anne Braden; Larue Spiker; Louise Gilbert; I. O. Ford; Lewis Lubka and Bown. All were indicted for sedition except Lubka who was charged with damaging property to achieve a political end.

Judge L. R. Curtis dismissed indictments against former Newspaperman Carl Braden and six others.

P. 11

After the September 1954 Grand Jury investigation the blast at the home of Andrew E. Wade IV in a white neighborhood ,indictments were returned against seven persons.

Braden, Miss LaRue Spiker, Miss Louise Gilbert, I. O. Ford, Vernon W. Bown and Braden's wife, Mrs. Anne Braden, former Birmingham and Anniston newspaperwoman, were indicted for teaching or advocating sedition.

Bown was indicted for wilfully causing an explosion and contempt of court and Bown, Ford and Lewis Lubka were indicted for conspiring to damage property and to achieve a political end.

BRADEN HAD purchased a home for the electrical contractor in the all-white neighborhood.

The former newspaperman was convicted of teaching and advocating sedition in December 1954, and a criminal court jury fixed punishment at 15 years imprisonment and a $5000 fine.

Braden appealed the decision and the state court of appeals reversed it, basing its ruling on a U. S. Supreme Court decision in the Steven Nelson case of Pennsylvania.

That ruling held that state courts had no jurisdiction over cases involving sedition against the federal government.

Yesterday's dismissal came on a motion by Commonwealth's Atty. A. Scott Hamilton.

Hamilton said it would be difficult to establish a motive for the bombing unless he could go into the political activities of the defendants.

Sedition counts against Louisville group dismissed

News Birmingham Ala.

Wed. 11-21-56

LOUISVILLE, Ky., Nov. 21—(AP) — A two-year legal fight that stemmed from an explosion at a Negro's home ended here yesterday when Criminal Court

Charges Against Seven Louisville Defendants In Bombing Dismissed

Louisville, Ky.—Sedition, conspiracy, contempt, and bombing charges against seven persons were dismissed by Judge L. R. Curtis of Criminal Court Tuesday at the request of State's Attorney A. Scott Hamilton.

The prosecutor asked for dismissal of all charges after Curtis refused to allow him to introduce allegedly subversive books as evidence against Vernon Brown, who was scheduled to be tried on the charge of dynamiting a Negro's home in June, 1954 Harry S. McAlpin local Negro leader and chief counsel for Bown, had objected to the use of any evidence not directly connected with the explosion.

Hamilton had admitted he couldn't convict Bown unless he was allowed to use books and papers seized in two raids on Bown's home, both without search warrents. The prosecutor said he didn't have enough evidence to convict Bown of the bombing. McAlpin had filed sworn statements of three persons who said Bown was with them in Milwaukee when the house blew up.

Bown is a white truck driver who moved in with the Negroes, Mr. and Mrs. Andrew E. Wade IV, to protect the family against violence. He and six other white supporters of the Wades were indicted in September, 1954. The others included Carl and Anne Braden, journalists, who had bought the house in a previously all-white neighborhood and transferred it to the Wades.

Hamilton charged that the purchase and bombing of the house were part of a Communist plot to stir up racial strife and bring about a political revolution that would lead to the overthrow of of the government of the U. S. and Kentucky by force and violence. An old state sedition law was used for the first time.

Bown, the Bradens, and two others were charged with conspiring to dynamite the house, while Bown was accused of the actual bombing. Four of the conspiracy defendants and two other persons were charged with sedition. Bown was also accused of contempt of court.

Braden was sentenced to 15 years in prison and fined $5,000 in the sedition charge after a 13-day trial in December, 1954. Hamilton introduced hundreds of books and private papers seized in two raids on the Braden home. Paid informers testified that some of the books could have been found only in the possession of a Communist Party member. The head of the public library testified that he had many of them on his shelves. Similar books were found at Bown's home.

Last June the Kentucky Court of Appeals threw out Braden's conviction. This also affected the sedition, conspiracy, and contempt charges against the others, as well as the conspiracy charge remaining against Braden.

Other defendants were Miss Louise Gilbert and Miss LaRue Spiker, social worker; Lewis Lubka, former union stewart, and I. captain. Ford spent 6 months in O. Ford, 82, retired riverboat jail, Bown 5 months, and Braden 8 months as a result of high bail bonds. Bradens was $40,000.

Other defense attorneys included Bishop C. Ewbank Tucker of the AME Zion church; Grover G. Sales, an attorney in Kentucky for the American Civil Liberties Union, and Robert W. Zollinger and George Ambro, criminal lawyers. Louis Lusky, another ACLU attorney here, was an attorney for Braden on appeal. Leonard Boudin New York, general counsal for the Emergency Civil Liberties Committee acted in an advisory capacity throughout the case. Other attorneys in New York, Chicago, and Milwaukee also took part in the defense.

Wade, an electrical contractor, is still engaged in a court fight over the ownership of the $11,300 house, which still lies in ruins. Damage amounted to $5,500.

Ky Negroes File Suit For Unsegregated Public Housing

LOUISVILLE, KY - Eleven Negroes brought suit in the Federal District Court of Western Kentucky last week against the Louisville Municipal Housing Commission demanding a permanent injunction to keep the Housing Commission from enforcing a policy of discrimination in municipally operated housing projects.

Citing the due process and equal protection clauses of the 14th Amendment, and certain sections of the US Housing Act of 1937, the suit named the Municipal Housing Commission and ach member separately.

Contending that they have made application to and are eligible for admission to public housing units, the plaintiffs state that they have been denied admission to certain public housing solely because of race and color.

The plaintiffs maintain that the Housing Commission, acting under the statutes of Kentucky and the customs and usages of Kentucky, have adopted and thereby practices a policy of segregation and discrimination against them and against all Negroes.

The persons binging suit said that they have been awaiting admission to public housing for a long time because of the fewer vacancies in the projects limited to Negroes than those in the projects limited to whites, and that Negroes were not being placed in the white projects or vice versa.

They stated that the Commission maintains a strict neighborhood pattern policy in that same racial composition which exists in each neighborhood by the selection of housing projects.

According to J Earl Dearing, the attorney for the plaintiffs, the Louisville suit has its basis in decisions handed down by Federal Courts in Detroit, Mich, in 1953, and California in 1955.

7 Freed in Bombing Of Negro Home in 1954

LOUISVILLE, Ky., Nov. 20 (AP)—Criminal Court Judge L. R. Curtis today dismissed all remaining indictments against Carl Braden and six others stemming from the 1954 bombing of a Negro electrical contractor's home.

The judge's ruling was made on a motion by commonwealth's attorney A. Scott Hamilton, who had prosecuted Braden in connection with the explosion at the home of Andrew E. Wade IV.

The bombing was termed part of a plot to arouse racial antagonisms in order to achieve the political ends of communism.

Hamilton said he was asking for dismissal of all indictments because of a ruling earlier in the day by Judge Curtis which Hamilton said would prevent introduction of Communist theories as evidence of motive.

The judge ruled that any evidence of alleged membership in the Communist Party, sedition or related activities on the part of Vernon Bown would be excluded if Bown came to trial. Bowen was charged with causing the explosion that wrecked Wade's home.

Braden, a former Louisville newspaperman, was convicted in December, 1954, of advocating sedition in connection with the blast. He was given a 15-year prison term and fined $5000.

However, his conviction was reversed by the Court of Appeals after the United States Supreme Court ruled only the Federal Government could try persons for sedition.

Racial Bombing Case Dismissed

LOUISVILLE, Ky., Nov. 21 (AP)—Criminal Court Judge L. R. Curtis has dismissed all remaining indictments against Carl Braden and six others stemming from the bombing of a Negro electrical contractor's home two years ago.

The judge's ruling was made yesterday on a motion by Commonwealth's Attorney A. Scott Hamilton, who had prosecuted Braden in connection with the 1954 explosion at the home of Andrew E. Wade IV.

The bombing was termed part of a plot to arouse racial antagonisms in order to achieve the political ends of communism.

Mr. Hamilton said he was asking for dismissal of all indictments because of a ruling earlier in the day by Judge Curtis which Mr. Hamilton said would prevent introduction of Communist theories as evidence of motive.

Communist Evidence Barred

The judge ruled that any evidence of alleged membership in the Communist Party, sedition or related activities on the part of Vernon Bown would be excluded if Bown came to trial. Bown was charged with causing the explosion that wrecked Mr. Wade's home.

Braden, a former Louisville newspaperman, was convicted in December, 1954, of advocating sedition in connection with the blast. He was given a 15-year prison term and fined $5,000.

However, his conviction was reversed by the Court of Appeals, Kentucky's highest tribunal, after the United States Supreme Court ruled only the Federal Government could try persons for sedition.

Other Defendants Listed

The ruling was in the Steve Nelson case from Pennsylvania.

The others against whom indictments were dismissed were Braden's wife, Anne Braden; Larue Spiker, Louise Gilbert, I. O. Ford; Lewis Lubka and Bown. All were indicted for sedition, except Lubka, who was charged with damaging property to achieve a political end.

Housing Commission Challenges Bias Suit

LOUISVILLE, Ky. — (ANP) — The Louisville Municipal Housing Commission, a public housing projects agency, announced last week it has hired an Attorney to challenge a racial discrimination suit filed against it by 12 Negro families.

The lawsuit was filed against the commission Nov. 7 by attorney Earl Dearing in behalf of the families.

Housing Commission Chairman Mrs. Elsie Ahrens Lang said that commission's "segregation policy has been fixed from the beginning."

Leo T. Wolfard to contest the action of the Negro families.

The Housing commission hired Homes the Sheppard Square homes, College Court projects and land that has been acquired for another project.

Housing Agency Denies Negroes' Allegations

Courier Journal
P 1 Section 2 38c
Ky

The Municipal Housing Commission has filed in Federal Court a denial of allegations that it practices segregation and discrimination in the City's public-housing projects.

Twelve Negroes in a suit filed November 7 had alleged the commission denied them entrance to white housing projects that had vacancies, in violation of their civil rights.

The M.H.C. answer says none of the 12 plaintiffs are eligible for public housing: five have leased public-housing units, two are ineligible because they are unemployed, four others have been offered units but have subsequently become ineligible, and one has turned down a unit because of the location.

Discrimination Denied

The answer holds that Federal Court lacks jurisdiction because none of the 12 plaintiffs are eligible for housing.

The commission further denied it practiced a policy of discrimination. "The operation of these low-rent public-housing projects has been accomplished without any discrimination whatsoever against Negroes," the answer says. "Although the Negro population of Louisville is approximately 16 per cent of the total population, units in public-housing projects now occupied by Negro families total 2,006 and units now occupied by white families now total 2,503."

Negro housing projects listed are Beecher Terrace, 808 units; Sheppard Square, 423 units; College Court, 125 units, and Cotter Homes, 650 units.

White projects are Clarksdale, 786 units; Parkway Place, 653 units; Iroquois Homes, 854 units, and LaSalle Place, 210 units.

In denying that it practiced a policy of segregation in violation of the 14th Amendment to the United States Constitution, the commission said:

"The defendants contend that the method used by them has not simply followed a 'separate-but-equal theory', but that the Negro families have been located on a voluntary basis, which has proved to be a satisfactory method of operation, and this is the only possible realistic arrangement that can be made."

Says Separation Preferred

The commission contended that both white and Negro families have preferred to be separated and that there had been no complaints until the November 7 suit was filed.

Attorney for the 12 Negro plaintiffs, J. Earl Dearing, said no date had been set for a hearing on the suit.

Back Braden's Guilt, State Urges Court

Courier-Journal Louisville, Ky. Sun. 4-17-56

Aide Says Case Has Same Position As Before State-Sedition-Law Ruling

The Commonwealth yesterday asked the Court of Appeals to uphold Carl Braden's conviction on a State charge of advocating sedition.

The United States Supreme Court held April 2 that the Federal Government has pre-empted the field of prosecution for sedition from the states. But Assistant Attorney General Robert F. Matthews, Jr., said yesterday:

"Officially, Braden is still in the same position" that he has been in since his conviction in December, 1954; that is, his appeal—submitted to the Court of Appeals—must be disposed of by that court.

38c

Given 15 Years

After a two-week trial, Louisvillian Braden was given a 15-year sentence and ordered to pay a $5,000 fine. The former newspaperman was released from LaGrange Penitentiary last July under $40,000 appeal bond.

Matthews said the filing of the 129-page Commonwealth brief yesterday was normal procedure in answering Braden's appeal brief filed last December 10.

The Supreme Court's April 2 ruling stemmed from the conviction of Steve Nelson, Pittsburgh Communist, under a Pennsylvania antisedition statute similar to Kentucky's law.

Danger of Conflict

The Supreme Court said the enforcement of State sedition acts "presents a serious danger of conflict with the administration of the federal program."

Matthews said he was sure the Supeme Court's decision would have "great weight" with the Court of Appeals in its thinking on the Braden case.

"But whether it (the Supreme Court ruling) is controlling here or not—the Court of Appeals will have to decide that," Matthews said.

Will Ask Rehearing

In addition, Matthews said it is his understanding that Pennsylvania will ask the Supreme Court for a rehearing of the Nelson case. Thus, he said, it is possible the Supreme Court might reverse its stand.

Attached to the brief filed yesterday were the names of Matthews, Attorney General Jo M. Ferguson, A. Scott Hamilton, Commonwealth's attorney here who prosecuted Braden, and Hamilton's assistants, Carl T. Ousley and Laurence E. Higgins.

Denies Braden's Arguments

Under eight separate subject headings, the State's appeal brief denies all the arguments made in Braden's 330-page brief.

On the question of federal precedence, the Commonwealth's brief does not mention the Supreme Court ruling, but asserts:

"Federal legislation in the field of sedition has not preempted State's rights nor superseded the Kentucky statute."

In referring to this point, Matthews said:

"Reference to the Supreme Court ruling in the Nelson case was omitted because our brief already was in the hands of the printer when the decision was handed down."

Matthews said the Commonwealth "in all probability will file a supplementary brief" as to the effect of the Nelson case ruling on Kentucky.

The seven other denials of arguments contained in the defense brief are:

1. Constitutionally, the defendant was not entitled to a directed acquittal.

Braden's brief contended that he should have been given a directed verdict of acquittal because the State and U. S. constitutions forbid the imputation of guilt by association. There was no evidence, the defense brief said, of unlawful purpose in either Braden's alleged membership in the Communist Party or in his possession and circulation of literature.

The Commonwealth said: "... in view of the fact that the defendant was a C. P. (Communist Party) member, the necessary criminal intent . . . can be inferred by the jury from the very fact that he was a C. P. member. Being such, he was dedicated to the violent overthrow of the Government."

Cites New York Trial

Braden's attorneys also said he was entitled to a directed acquittal because the State and U. S. Constitutions forbid punishment for speech, writing, and assembly that do not create a "clear and present danger."

The Commonwealth said: "To say there is no clear and present danger in the Communist conspiracy is to argue abstractly with no basis in fact. . . . In the celebrated trial of Dennis and other Communists in New York, Judge Medina held as a matter of law that there was a clear and present danger to justify the suppression of this Communist conspiracy."

Courier-Journal

'Desegregation Not Issue'

2. Desegregation is not an issue in this case.

Braden's attorneys contended he also was entitled to a directed verdict of acquittal because the Kentucky sedition law does not forbid controversial action in the field of segregation.

Braden's indictment grew out of a grand-jury investigation of the June 27, 1954, dynamiting of the home of Andrew Wade, IV, on Rone Court. Braden and his wife, Mrs. Anne Braden, a white couple, had purchased the house in an all-white neighborhood and later transferred it to Wade, a Negro.

Commonwealth's Attorney Hamilton contended at that time that Braden's purchase of the home, his transfer of it to Wade, and the subsequent dynamiting were all part of a Communist plot engineered by Braden and others to stir up racial trouble.

'Strictly Sedition'

In its brief, the Commonwealth said: "There is no question but that this is strictly a sedition case . . . Andrew Wade's being a Negro is important only when tied in with the fact that Communists attempt to use racial issues in furtherance of the Communist plan."

3. An indictment which follows the language of the statute is valid.

The defense alleged the indictment was illegal because it did not detail the offenses of which Braden was accused, but simply followed the wording of the sedition statute.

4. The searches made of the defendants home and seizures that followed were legal.

In his appeal brief, Braden's attorneys contended that search warrents were not properly obtained.

Says Judge Erred

5. The integrity of the seized documents was not compromised.

Braden's brief said books and papers taken from Braden's home were mixed up with some seized from other persons also indicted but not yet tried.

6. No prejudicial errors were committed by the court in the admission or exclusion of evidence.

The defense allegation was that Trial Judge L. R. Curtis erred in many instances, especially in allowing Braden's political opinions to be "explored."

7. The instructions given the jury followed the wording of the statute and therefore were not erroneous.

The defense contended that Judge Curtis' instructions were "prejudicially erroneous, and so applied the statute as to render it unconstitutional."

The Commonwealth's brief concluded:

"There is no question but that Carl Braden had a fair trial and the evidence supported the verdict of the jury."

Carl Braden's Conviction Is Reversed

Courier-Journal Louisville, Ky. Sat. 6-23-56

Nelson Case Basis Of Sedition Ruling

The Kentucky Court of Appeals at Frankfort yesterday reversed the conviction of Carl Braden on a charge of advocating sedition against the United States and the Commonwealth of Kentucky.

38c

In an opinion only three pages long—in contrast to the mountainous record that went to Frankfort with Braden's appeal—the court held that "there is no logical way to distinguish the Braden case from the Nelson case."

In the Nelson case—involving Communist Steve Nelson, Pittsburgh—the U. S. Supreme Court ruled April 2 that the States have no jurisdiction over sedition against the Federal Government.

Convicted In 1954

Braden was convicted in December, 1954, after a 13-day trial. He was sentenced to 15 years in prison and a $5,000 fine.

It was Braden's appeal of that conviction that was ruled on yesterday.

Although the high court knocked out Braden's conviction, it held that the State can prosecute Braden for sedition against the State alone.

Judge Porter Sims, who wrote the unanimous opinion, said on this point:

"To be certain of making ourselves clear, we now state that this opinion does not foreclose the possibility of prosecution for the crime of sedition directed exclusively against the Commonwealth of Kentucky."

Follows Nelson Ruling

That followed the ruling of the Supreme Court in the Nelson case.

The Court of Appeals opinion did not touch on any other issues raised in Braden's appeal. These included allegations that the indictment was faulty, that the trial judge's charge to the jury was prejudicial, and that certain of Braden's civil rights had been violated.

State Attorney General Jo M. Ferguson said yesterday he and Commonwealth's Attorney A. Scott Hamilton—who directed Braden's prosecution here—will study the opinion carefully.

This study, according to Ferguson, will be made with an eye toward the possibilities of:

1. Asking the Appellate Court to reconsider its decision on Braden.

2. Proceeding against Braden in Criminal Court here on a charge of committing sedition against the Commonwealth alone.

Courier-Journal

Remainder Still on Books

If the latter course should be decided on, Ferguson said, Braden would have to be retried.

Ferguson said he believed that no change in the law would be necessary for a retrial because—while the portion of the State law covering sedition against the Federal Government has been knocked out—"the remainder of the law is still on the books."

Ferguson said it "is very unlikely" that he would ask for a rehearing by the court. However, he said:

Sat. 6-23-56

"I am gratified with the statement of the court upholding the right of the State to prosecute for sedition against Kentucky alone."

p. 12

Ferguson said he and Hamilton would probably reach a decision by "the latter part of next week."

May Issue Mandate

If a rehearing is not asked, the court will issue a mandate to Criminal Court here, where Braden was tried, according to Ferguson.

The mandate, according to the attorney general, would order Judge L. R. Curtis to free Braden and dismiss the indictment on which he was tried.

The Braden case stemmed from an explosion at the home of Andrew Wade, IV, a Negro for whom Braden bought a home in a white subdivision near Shively.

Braden was freed on $40,000 appeal bond last July after serving seven months in the jail in the State Reformatory near LaGrange.

The blast hit the Wade home nearly two years ago—early in the morning of June 27, 1954.

A grandjury that investigated the case three months later indicted Braden and six other persons, including Braden's wife, Anne, on sedition or related charges.

38c

Commonwealth's Attorney Hamilton contended that the property transfer was part of a plot to stir up trouble between whites and Negroes here—to further communism.

Besides Braden and his wife, others indicted were:

Miss Larue Spiker, Crestwood; Miss Louise Gilbert, now living in Philadelphia; Lewis Lubka, now living in New York; Vernon Bown, and I. O. Ford. All are free on bond.

Lubka Charge Different

Lubka was not charged with sedition as such, but with conspiring to damage property to achieve a political end—Communism. The others were charged with advocating sedition.

Braden, Mrs. Braden, Bown, Ford, and Lubka were also charged with conspiring to damage property for a political end.

In addition, Bown was charged with the actual explosion at the Wade home. He has submitted affidavits to show he was in Milwaukee when the blast went off.

Only Braden has been tried.

One Charge Involved

Ferguson said the Court of Appeals decision yesterday involved only the one charge on which Braden was tried, advocating sedition.

It does not affect the charge of conspiring to damage property, or any of the charges against the other persons.

The conspiracy charge against Braden and the charges against the others—with the exception of the "causing-an-explosion" count against Bown—all stem directly from the 1920 Kentucky sedition statute.

After the Supreme Court ruling in the Nelson case, Hamilton said these charges would probably be dismissed.

But yesterday Hamilton said that if it is decided to prosecute Braden further, the charges against the others might be kept alive, too.

The possibility of filing perjury charges against Braden will also be discussed, Hamilton said.

Louis Lusky, Louisville attorney who acted as cocounsel in Braden's appeal, said yesterday, "The American Civil Liberties Union views the reversal of Carl Braden's conviction as an important civil-liberties victory.

Braden Not Available

"The A.C.L.U. participated in the appeal by assigning me to serve as appellate cocounsel, because the conviction (and the Kentucky statute on which it was based) appeared to endanger basic rights and freedoms which mark the difference between our democratic system and totalitarian regimes. . . .

"These include the right to fundamentally fair procedure, such as specific accusations in criminal cases. They also include freedom for controversial viewpoints . . . so long as they are peaceably expressed."

After learning that his appeal was successful, Braden said:

"I hope this is the end of reprisals against my wife and me because of our sale of a house to a Negro family."

Wins Ky. appeal

Afro-American Baltimore, Md. 8-11-56

FRANKFORT, Ky. — The 15-year prison term and $5,000 fine imposed on Carl Braden for buying a house in a white neighborhood for a colored friend, was set aside Friday by the Kentucky Court of Appeals.

Braden, convicted under an ancient sedition law, was freed after the U.S. Supreme Court held April 2 that only the Federal Government has the power to prosecute sedition cases.

Free Braden Of Sedition In Wade Cases

Defender 8/18 Chicago, Ill. Sat. 8-11-56

FRANKFORT, Ky. — The Kentucky Court of Appeals has thrown out the 15-year prison sentence of Carl Braden, who was convicted of violation of the state's sedition laws after helping a Negro couple obtain a house in a white neighborhood.

Braden, his wife and five other white persons were charged after the house, sold to Andrew Wade IV, was dynamited on June 27, 1954. It is expected that charges against the other six persons will be dropped.

The Appeals court, refusing to pass on civil liberties issues raised by attorneys for Braden, based its ruling on a decision by the U. S. Supreme court that the federal government has exclusive right to prosecute sedition cases.

Kentucky Attorney General Jo M. Ferguson said it was not likely that he would ask the appeals court to rehear the Braden case. Braden spent seven months in jail and prison before bail was raised for him by the Emergency Civil Liberties committee.

Louis Lusky, civil liberties lawyer, who assisted in the appeal, said he viewed the court's ruling as an "important civil liberties victory."

There has been no prosecution in the actual bombing, although Vernon Brown, a friend of the Wades, was charged. However, three witnesses have declared that Brown was in Milwaukee at the time of the explosion.

Court Of Appeals Kills Case Against Braden

World Sat. 6-30-56 P.4 Birm., Ala.

FRANKFORT, Ky. — The Kentucky Court of Appeals has thrown out the 15-year prison sentence given Carl Braden because he and his wife helped a Negro couple obtain a house in a so-called white neighborhood near Louisville.

Charges against Mrs. Braden and five other whites persons indicted with the Bradens are expected to be voided as a result of the unanimous decision by Kentucky's highest court. All were indicted under a sedition law passed in 1920.

"The American Civil Liberties Union views the reversal of Carl Braden's conviction as an important civil liberties victory," said Lous Lusky, Louisville attorney who was appointed by the A C L U to assist in appealing the conviction.

The Appeals Court did not pass on many important civil liberties issues raised in a 330-page appeal brief filed by Lusky and Robert W. Zollinger, Louisville, who was Braden's chief counsel at his trial in December, 1954. The high court's decision was based, instead, on a ruling by the U S Supreme Court that the Federal Government has exclusive right to prosecute for alleged sedition.

Braden and the others were indicted on sedition charges after a grand jury investigated the dynamiting of the home of the Negro couple, Mr. and Mrs. Andrew E. Wade IV, on June 27, 1954. The house was half destroyed by white racists after the Bradens bought the house and transferred it to the Wades.

Commonwealth's Attorney A. Scott Hamilton, who prosecuted the case, declared that the purchase and bombing of the house were plotted by white supporters of the Wades in order to stir up racial strife and bring about a political revolution.

Vernon Bown, who had moved into the Wade home to protect Mrs. Wade and her small daughter from violence by hoodlums, was charged with the actual dynamiting. Three persons recently filed sworn statements in court at Louisville stating that Bown was with them in Milwaukee at the time of the explosion and for several hours before it happened.

Hamilton and State Attorney General Jo M. Ferguson had asked the Appeals Court to uphold Braden's conviction on the ground that he was guilty of sedition against the state as well as the Federal Government. They urged the Kentucky judges to interpose their authority between the Supreme Court and the citizens of Kentucky to keep the Supreme Court decision from being applied in the Braden case.

They said the Court of Appeals of Kentucky "is a supreme in its own field as the Supreme Court of the United States." They declared the Kentucky court "would be remiss in its duty if it accorded a broad interpretation to limitations on State power established by the Supreme Court, if those limitations were contrary to the view of the law entertained by this Court."

The Appeals Court decision implied rejection of the plea for interposition, but it did emphasize that it was not ruling out the possibility of State prosecution for offenses against the State. It said: "To be certain of making ourselves clear, we now state this opinion does not foreclose the possibility of prosecution of the crime of sedition directed exclusively against the Commonwealth of Kentucky."

Ferguson said he welcomed this passage in the opinion and would study the possibility of prosecuting Braden and the others for sedition against Kentucky alone. Braden told reporters: "I hope this is the end of reprisals against my wife and me because of our sale of a house to a Negro couple."

The attorney general said it was not likely that he would ask the Appeals Court to rehear the Braden case. Attorney Zollinger said it would be 30 to 60 days before the high court's ruling becomes final. When it is finalized, the Louisville court will release the $40,000 posted as bond for Braden to assure his freedom while the appeal was pending. Braden spent seven months in jail and prison before the money was raised, much of it through the Emergency Civil Liberties Committee. The bond was the highest ever set in Kentucky for any offense.

Zollinger said he would ask the Appeals Court to release hundreds of books and private papers seized in raids on the homes of the Bradens and the others indicted. The searches and seizures were one of the main points raised in Lusky and Zollinger's brief. It was one of the many issues that rallied wde support for the Louisville defendants. Besides the Bradens and Bown, those indicted were Lewis Lubka, Miss Louise Gilbert, Miss LaRue Spiker, and I. O. Ford.

"All the defendants jom me in thanking the thousands of individuals, organizations, and newspapers all over the world that made it possible for us to carry this case to the highest courts and obtain justice," Braden said. "Labor unions, church organizations, and student groups were particularly helpful. Of course, the main work was done by civil liberties organizations."

Court again voids Braden conviction

Afro-American Baltimore, Md. Sat. 8-11-56

FRANKFORT, Ky. — Carl Braden of Louisville, convicted of sedition against the United States and Kentucky in 1954, finally has succeeded in getting the courts to dismiss the indictments.

The case began in July, 1954 when Braden bought a house for a colored man, Andrew Wade 4th, in a white neighborhood. The house was bombed on July 27, 1954.

INDICTMENTS were returned against Braden and his wife and four others, charging the purchase of the house was a plot to advance communism by stirring up trouble between the races.

He was tried and convicted on the sedition charges, fined $5,000 and sentenced to 15 years in prison. The case of the others is still pending in the lower courts.

THE COURT OF Appeals reversed the decision of the Jefferson Circuit Court on June 22 in line with the opinion delivered by the Supreme Court on April 2 which stated:

States have no jurisdiction over sedition against the United States.

Commonwealth Attorney A. Scott Hamilton had until Friday before last to file for a rehearing. The mandate of the Jefferson court became automatic when he failed to meet the deadline.

'We are staying!' says besieged family

Afro-American
Baltimore, Md.
Sat. 1-21-56
38c Md

BALTIMORE,

"We're staying. If we run now we will be running the rest of our lives."

That was the answer given Wednesday by Mrs. Lillie Ogleby to four attacks on the home which they purchased last week in the formerly all-white 400 block of E. 27th St., and letter threatening the lives of the family.

The threatening letter, received through the mail on Wednesday morning, was the latest development in the six-day reign of terror for the family since they moved into the house on Jan. 5.

* * *

IT FOLLOWED four attacks on the house in which all of the windows were broken out, a huge firecracker and a brick thrown through a living room window, and a homemade smoke bomb thrown against the house after heavy mesh wire was nailed over the replaced windows.

After the smoke bomb incident, Northern District Police Captain Clarence German assigned a police detail to guard the house in the evening and at night.

After assignment of the guard, Mrs. Oglesby said, there were no further incidents until the letter was received on Wednesday morning.

THE LETTER, crudely printed on cheap notepaper, read:

"The police will not protect you forever. As long as you live in that house, your life will be in danger. So will that lousy, stinking Jew."

The house was sold to the Oglebys by Milton Sommers, a W. Baltimore St. real estate man, who said that he had received several threatening telephone calls after selling the house to the family.

* * *

"THEY SAID," Mr. Sommers declared, "that they were going to 'get' me and that they would damage every house that I owned so that no one would want to live in them."

The Oglebys have five daughters, Barbara, 13; Joan, 12; Joyce, 10; Brenda, 8, and Betty,

The family said that none of them have been approached or molested.

"However," Mrs. Ogleby said, "I see to it that all of the girls are in the house before dark, because there is no telling what someone might try. But at any rate, we are going to stay right here."

Afro-American
Baltimore, Md.
Sat. 1-21-56
38c Md

BESEIGED HOME—The home of Mr. and Mrs. Eugene Ogleby at 414 E. 27th St., has been under a virtual state of seige since the couple and their five children moved in on Jan. 5. After every window in the house was broken by vandals who objected to the colored family's moving into the formerly all-white block, the couple nailed heavy wire screens over all the windows as a safety measure.

Md.
38c

Afro-American
Baltimore, Md.
Sat. 1-21-56

THREATENED FAMILY—The family of Mr. and Mrs. Eugene Ogleby was warned Wednesday morning that "as long as they lived" in the home which they purchased in the formerly all-white block in Baltimore, Md., that their lives would be in danger. Although all of the windows in the house have been broken by vandals, the couple declared that they would remain in their new home. Left to right are Joyce, Joan, Betty, Mrs. Ogleby, Barbara, Mr. Ogleby, Brenda, and the dog, Jack.

County Maps Fight Discrimination Suit

Evening Star
Wash. D.C.
38c

The Prince Georges County Board of Commissioners has requested a bill of particulars in a suit charging the board with racial discrimination in denying a zoning application for a proposed Negro subdivision.

In a motion filed yesterday in Prince Georges Circuit Court, William L. Kahler, counsel to the commissioners, asked for names and addresses and the testimony of persons who spoke for the plaintiffs at the zoning hearing.

Attorney Harvey G. Machen, representing owners of some 126 acres near the Negro community of Glenarden, declared in the suit, filed November 4, that one county commissioner (not named) declared he would not recommend the site for a subdivision if it was to be developed for Negro housing. The land owners, listed in the suit are Mr. and Mrs. Lester M. Lewis, of 5131 Linnean terrace N.W., and Mr. and Mrs. Willard J. Hall, of 2745 Chesapeake street N.W.

THIS HOME-MADE bomb was thrown into a home at 414 E. 27th St., recently occupied by the Eugene Oglesby family. Bowen Jackson, NAACP executive secretary, holds bomb. Family appealed to NAACP and Northern police have provided police protection in the previous all-white block.

Family believed non-white makes profit from near riot

Afro-American Sat. 4-14-56 P. 8

Baltimore, Md.

DETROIT—"You ought to tell your folks that there is a colored person moving in."

This statement, attributed to a laborer with a moving firm, touched off a near riot Wednesday in a northwest neighborhood here.

The laborer, according to Det. Ed Boggs of the Detroit Police Department's special investigation bureau, made this statement to a resident of the neighborhood.

* * *

BEFORE A night had passed about 500 people congregated about the property of the new resident. They made nasty remarks and hurled stones at the house, breaking two windows.

The victims of the abuse were the members of the family of John W. Rouse, a retired policeman.

He insists that his family, wife, daughter and two grandchildren are white.

* * *

BECAUSE OF the resentment of his neighbors, Rouse, 70, sold the property to the Belmont Sub-division Association for $18,500, a $2,000 profit.

Mrs. Rouse, also 70, cried: "How do they know we are colored?

"We didn't even get out here until after dark Tuesday. I think there is something very wrong. I could expect something like this in a foreign country."

DETECTIVE BOGGS said that he and Sgt. Thomas Nickerson attempted to trace the source of the rumor that set off the demonstration.

"As near as we can determine," said the detective, "it started with the movers.

"One of the workmen moving furniture into the house told a boy 'you ought to tell your folks there is a colored person moving in.'

"It apparently started from there," the detective said.

* * *

THE RUMOR evidently passed by word of mouth mostly from one agitated neighbor to another, the officer said.

The police said that both grandchildren were registered as white. Rouse said he is part Cherokee Indian and that his wife is Scotch-Irish and French Canadian.

Robson Street, where the demonstration occurred, is composed of small residences of no specific architecture. Many of the houses are in the 15-year-old class or older.

The Rouse family moved into the controversial home from a mixed neighborhood on American Ave.

Rumor Fires Racist Mob; Force Family To Quit Home

Defender P. 1 Sat. 4-14-56

Chicago, Ill.

DETROIT—(ANP)—Racial prejudice and a rock-throwing mob of 500 persons won another victory Thursday as John W. Rouse bowed to his neighbors' belief that he and his family are Negroes.

Rouse, 70-year-old retired private policeman, insists hat he and the members of his family — wife, daughter and two grandchildren — are all white. He said he is part Cherokee Indian and his wife is Scotch-Irish and French Canadian.

The neighbors think otherwise. Although none admitted having seen or known the Rouse family, all said they knew they were Negroes.

Mrs. Rouse, also 70, said: "How do they know we are Negros. They haven't even seen us. We didn't even get here until after dark Tuesday. I think there is something very wrong. I could expect something like this in a foreign country."

While Mrs. Rouse talked, her husband was completing a deal with the Belmont Subdivision association to buy the house for $18,500, a $2,000 profit.

Two windows in the modest brick home were broken by rocks before police arrived and dispersed the mob which at one time numbered about 500.

Off and on all day, little children passed in front of the Rouse house giggling and occasionally yelling.

Large numbers of teenagers gathered in groups across the street from time to time while housewives sat on porches gossiping about the affair.

Two members of the special police bureau that deals with racial problems tried to trace the source of the rumor that set off the demonstration.

"As near as we can determine," said Detective Ed Boggs, "it started with the movers. One of the workmen moving furniture into the house told a boy, 'You ought to tell your folks there is a Negro moving in.' It apparently started from there."

The Rouse family moved to the northwest Detroit area from a mixed neighborhood on American avenue. The nearest non-white neighborhood is 3½ miles away.

38c 1956

MICHIGAN

Foreign leaders contradicts boastful Dearborn mayor

Afro-American P.16 Sat. 4-14-56 Baltimore, Md.

38c

DEARBORN, Mich. — Mayor Orville Hubbard has spent two weeks ducking reporters from the AFRO-AMERICAN ever since March 28, when he boasted in an interview with the Montgomery (Ala.) Advertiser that he has been mayor 15 years because no colored people are permitted to reside in Dearborn.

"They can't get in here", Hubbard is quoted as saying.

* * *

"WE WATCH it. Everytime we hear of a colored person moving in — for instance, we had one last year— we respond quicker than you do to a fire.

"That's generally known. It's known among our own people and it's known among colored people here."

Hubbard was quoted as saying that the population of Dearborn double since 1950 by a large influx of Poles and Italians who were "crowded out of Detroit by the colored people coming in.

"These people are so anticolored — much more so than you in Alabama, if you took a vote on it."

* * *

DEARBORN HAS a population of 130,000 and is the state's fourth largest city. It is the home of Ford's River Rouge plant that employes at least 15,000 colored persons.

The AFRO in attempting to to verify Hubbard's interview found him "not available" or "out of town" over a two-week span.

* * *

"MAYOR HUBBARD is absolutely wrong as far as I know anything about the Americans of Polish descent in my area," declared Rep. Thaddeus M. Machrowicz (Dem., Mich.).

The congressman's district, embracing Hamtranck as well as part of Detroit, is racially mixed though predominantly Polish.

"That statement is certainly not a reflection of the attitudes of these people," the congressman said.

* * *

LOUIS MIRIANA president of the Detroit Common Council said:

"Most of the Americans of Italian extraction in the city today were born and raised or Detroit's lower Eastside and they count among their friends many of our fine colored citizens.

"After all," Miriana was quoted as saying, "They (colored and Italians) went to school together, played games together, went to the university together and today many of them are doctors and lawyers and engineers.

Detroit Family Agrees to Move

Times-Picayune Fri. 4-6-56

DETROIT, April 5 (AP) — Aged John W. Rouse bowed Thursday to his neighbors' belief that he and his family are Negroes. P.1

Rouse said he had decided to sell and move—if the price is right—after a near race riot by nearly 500 people last night on quiet, tree-lined Robson ave. in Northwest Detroit. Two windows in the modest brick home were broken by rocks before police broke up the growing demonstration.

New Orleans, La.

Rouse, a retired private policeman, insists that he and all of his family, wife, daughter and two grandchildren, are white. The 70-year-old former watchman and members of the Belmont Sub-Division Association were to meet again Thursday night to settle details of the projected sale.

Mrs. Rouse, also 70, cried "how do they know we are Negro? They haven't even seen us. We didn't even get out here until after dark Tuesday. I think there is something very wrong. I could expect something like this in a foreign country."

While Mrs. Rouse talked, her two grandchildren, a boy 7 and a girl 10, were playing with a baseball in the backyard under police protection.

Family of Mixed Racial Heritage Stoned From New Home In Detroit

Call P.3 Fri. 4-13-56

DETROIT.— (ANP) — Racial prejudice and a rock-throwing mob of 500 persons won another victory Thursday as John W. Rouse bowed to his neighbors' belief that he and his family are Negroes and moved out of his home.

Rouse, a 70-year-old retired private policeman, insists that he and the members of his family — wife, daughter and two grandchildren are all white. He said he is part Cherokee Indian and his wife is Scotch-Irish and French Canadian.

The neighbors think otherwise. Although none admitted having seen or having known the Rouse family all said they knew they were Negroes.

Kansas City, Mo.

Mrs. Rouse, also 70, said: "How do they know we are Negro? They haven't even seen us. We didn't even get here until after dark Tuesday. I think there is something very wrong. I could expect something like this in a foreign country."

While Mrs. Rouse talked, her husband was completing a deal with the Belmont Subdivision Association to buy the house for $18,500, a $2,000 profit.

Two windows in the modest brick home were broken by rocks before police arrived and dispersed the mob which at one time numbered about 500.

Off and on all day, little children passed in front of the Rouse house giggling and occasionally yelling.

Large numbers of teenagers gathered in groups across the street from time to time while housewives sat on porches gossiping about the affair.

Two members of the special police bureau tried to trace the source of the rumor that set off the demonstration.

"As near as we can determine," said Detective Ed Boggs, "it started with the movers. One of the workmen moving furniture into the house told a boy, "You ought to tell your folks there is a Negro moving in." It apparently started from there."

The Rouse family moved to the northwest Detroit area from a mixed neighborhood on American Avenue. The nearest non-white neighborhood is 3 1-2 miles away.

Home of Suspected Negro Is Guarded

Courier P.2

DETROIT — Four police officers are guarding the home of the John W. Rouse family against further violence from Belmont Neighborhood gangs of self-styled "h[illegible]" in the wake of a mass demonstration. Mr. Rouse, "suspected" of being a "Negro" has denied the "charge" stating that he is of "Cherokee Indian" descent.

Pittsburgh, Pa.

Citizen Movement Gets Results—$6,500 To $17,500

Advertiser P.4-A Wed. 6-13-56 Montgomery, Ala.

Some weeks ago *The Christian Century*, a journal of great influence, complimented *The Advertiser* for its coverage of the virgin story of race disharmony in the Northern provinces.

For this, we were grateful, but it was nevertheless necessary to chide *The Century* for its dreamy approach to the harsh realities of Northern race strife. *The Century* deplored the fact that Dearborn, Michigan's fourth largest city, permits no Negro to spend the night within city limits. *The Century* opined that there must be a Christian movement started instanter to get rid of Mayor Orville Hubbard.

The Advertiser tried to pierce the gentle doctrinaire mists enveloping *The Century* with the observation that Mayor Hubbard was not the reason for this total segregation—what it had to get rid of was the citizenry of Dearborn which agrees with him. Anyhow, *The Century* has its citizen movement in action in Dearborn and yesterday the result came on the AP wire—

DETROIT, June 12 (AP) — Mayor Orville Hubbard of suburban Dearborn, pro-segregationist who says he has kept Negroes from living in Dearborn, was voted a salary increase from $6,500 to $17,500 annually yesterday.

Voters turned down similar increase for other Dearborn officials.

The issue was the first at the polls since Hubbard had been quoted as saying [in an *Advertiser* interview]: "I am for segregation one million per cent, at all levels . . . The people of Dearborn are behind me."

Bars Negroes From Housing, Gets Pay Raise

Defender Sat. 6-23-56 Chicago, Ill.

DETROIT — (ANP) — The Mayor of a suburban city here last week was voted a salary increase because "he has kept Negroes from living there." P.7

Receiving a pay increase from $6,500 to $17,500 annually was Mayor Orville Hubbard of suburban Dearborn, who recently was quoted as saying: "I am for segregation one million per cent, at all levels. I oppose forcing any race of people upon another because it is morally wrong to do so. The people of Dearborn are behind me."

The city of 130,000 is the home of the giant Ford Motor co. Although 15,000 Negroes are employed there, none reside in the city.

Family Mistaken For Negroes To Move Out Of Rock Torn House

Detroit, Mich., July 23 — The family of a man who was mistaken for a Negro was waiting last week to move out of the house it sold after being the target of an April 6 rock-tossing demonstration by neighbors.

According to John W. Rouse, "everything's OK now and everything is quiet. We're just waiting for people to move out of the house we bought."

Rouse, 70, a retired plant guard, said he is of French Canadian and Cherokee Indian descent.

The Rouse family blamed "rumors by one man" for stirring up the disturbance.

38c 1956 MICHIGAN

Family Claiming to Be White Bows To Neighbors' Belief It Is Negro

Herald Fri. 4-6-56 P. 2-C Miami, Fla.

DETROIT —(AP)— Aged John W. Rouse bowed Thursday to his neighbors' belief that he and his family are Negroes.

Rouse said he had decided to sell and move after a near race riot by nearly 500 people Wednesday night on quiet, tree-lined Robson Avenue in Northwest Detroit. Two windows in the modest brick home were broken by rocks before police broke up the growing demonstration.

Rouse, a retired private policeman, insists that he and all of his family, wife, daughter and two grandchildren, are white. The 70-year-old former watchman sold the house to Belmont Subdivision Assn. for $18,500 a $2,000 profit.

Under terms of the sale, Rouse has two months in which to move. In the meantime he has free rent.

Mrs. Rouse, also 70, cried "how do they know we are Negro? They haven't even seen us. We didn't even get out here until after dark Tuesday. I think there is something very wrong. I could expect something like this in a foreign country."

While Mrs. Rouse talked, her two grandchildren, a boy, 7, and a girl, 10, were playing with a baseball in the backyard under police protection.

"You know how children are," she said. "They don't know about things like this and I couldn't keep them in the house all day."

Sgt. Thomas Nickerson and Detective Ed Boggs, tried all day to trace the source of the rumor which set off the demonstration.

"As near as we can determine," said Boggs, "it started with the movers. One of the workmen moving furniture into the house told a boy, 'you ought to tell your folks there is a Negro moving in.' It apparently started from there."

The two officers said also their investigation showed that both grandchildren were registered at birth as white. Rouse said he is part Cherokee Indian and that his wife is Scotch-Irish and French Canadian.

AFTER NEAR RACE RIOT

Detroit Resident Bowing To Demands Of Neighbors

Advertiser Fri. 4-6-56 P. 1

Montgomery, Ala.

DETROIT, April 5 (AP) — Aged John W. Rouse bowed today to his neighbors' belief that he and his family are Negroes.

Rouse said he had decided to sell and move after a near race riot by nearly 500 people last night on quiet, tree-lined Robson Ave. in northwest Detroit. Two windows in the modest brick home were broken by rocks before police broke up the growing demonstration.

EDITORIAL PAGE

In Canton, Ohio, there is a segregated theater and a lawsuit. But Negro bridal pictures are used. By Helen Carringer of The Canton Repository *staff: ". . . Not in The Streets of Askelon."—IX.*

Rouse, a retired private policeman, insists that he and all of his family, wife, daughter, and two grandchildren, are white. The 70-year-old former watchman sold the house to the Belmont Sub-division Assn. for $18,500, a $2,000 profit.

Under terms of the sale Rouse has two months in which to move. In the meantime he has free rent. When the sale was completed a six-foot red-lettered sign appeared on the front lawn, reading "settled." It was taken down an hour later by the association. Police blocked both ends of the street, cutting off the steady stream of curiosity seekers who had been driving past.

"People think that (sign) means they're going to stay here," one member of the association said.

Mrs. Rouse, also 70, cried "how do they know we are Negro? They haven't even seen us. We didn't even get out here until after dark Tuesday. I think there is something very wrong. I could expect something like this in a foreign country."

While Mrs. Rouse talked, her two grandchildren, a boy 7 and a girl 10, were playing with a baseball in the backyard under police protection.

"You know how children are," she said. "They don't know about things like this and I couldn't keep them in the house all day.

"I did not want them in the front yard where the other kids could make hasty remarks."

Off and on all day little girls in Bermuda shorts and long hose passed in front of the Rouse house giggling and occasionally yelling, "There's a Negro in the crowd."

Large numbers of teen-agers gathered in knots across the street from time to time while housewives sat on porches in the warm sun gossiping about the neighborhood affair.

Oddly, a reporter ranging the street could find no one who admitted having seen or known the Rouse family, but all insisted they knew they were Negro.

Sgt. Thomas Nickerson and Detective Ed Boggs, members of the Special Investigation Bureau which deals with racial problems, tried all day to trace the source of the rumor which set off the demonstration.

"As near as we can determine," said Boggs, "it started with the movers. One of the workmen moving furniture into the house told a boy, 'you ought to tell your folks there is a Negro moving in.' It apparently started from there."

The grey-haired Mrs. Rouse said "I guess you know how all this started. I wish they had broken my dishes instead."

Boggs and the sergeant, in tracing the rumor, found it passed by word of mouth mostly from one agitated neighbor to another.

The two officers said also their investigation showed that both grandchildren were registered at birth as white. Rouse said he is part Cherokee Indian and that his wife is Scotch-Irish and French Canadian.

Advertiser

Mr. and Mrs. Rouse and their daughter, Mrs. Merle Evelyn Hickman, who is separated from her husband, are buying the house jointly. The original price was $16,500.

P. 6-A

Robson Street is composed mostly of small residences of no specific architecture. Many of the houses are in the 15-year-old or older class and all are carefully tended.

38c

There is nothing to distinguish the street from any of a thousand similar ones throughout the United States, except possibly the unusually large number of late model automobiles.

It is a street filled with children. The nearest nonwhite neighborhood is 3½ miles.

The Rouse family moved to the Robson home from a mixed neighborhood on American Ave.

Homeowner Says He's White, but He'll Move

Courier-Journal Louisville, Ky.

Sells Detroit House After Near Race Riot Results From Report New Neighbor Is Negro

By BEM PRICE
Associated Press Staff Writer

Fri. 4-6-56

Detroit, April 5.—Seventy-year-old John W. Rouse bowed today to his neighbors' belief that he and his family are Negroes.

P. 1

He sold his house, scene of persons last night on quiet, northwest Detroit. Two windows in the modest brick home were broken by rocks before police broke up the growing demonstration.

38c

The buyer was the Belmont Sub-Division Association. The price, $18,500, represented a $2,000 profit for Rouse.

Mich.

Has 2 Months To Move

Under the terms of the sale Rouse has two months in which to move. In the meantime he has free rent.

When the sale was completed a 6-foot-high red-lettered sign reading "settled" appeared on the front lawn. It was taken down an hour later by the association.

"People thing that (sign) means they're going to stay here," one member of the association said.

Police blocked off both ends of the street, cutting off the steady stream of curious that had been driving by.

'How Do They Know?'

Rouse, a retired private policeman, insists that he and his whole family — wife, daughter, and two grandchildren — are white.

Mrs. Rouse, also 70, cried, "How do they know we are Negro? They haven't even seen us. We didn't even get out here until after dark Tuesday. I think there's something very wrong. I could expect something like this in a foreign country."

Officers said their investigation showed both grandchildren were registered at birth as white. Rouse said he is part Cherokee Indian and his wife is Scotch-Irish and French Canadian.

The grandchildren, a boy, 7, and a girl, 10, were playing with a baseball in the back yard today under police protection.

"You know how children are," Mrs. Rouse said. "They don't know about things like this and I couldn't keep them in the house all day.

None Had Seen Family

"I didn't want them in the front yard, where the other kids could make nasty remarks."

Off and on all day little girls in Bermuda shorts and long hose passed in front of the Rouse house, giggling and occasionally yelling, "There's a Negro in the crowd."

Large numbers of teen-agers gathered in knots across the street from time to time while housewives sat on porches in the warm sun gossiping about the affair.

Courier —

A reporter ranging the street could find no one who admitted having seen or known the Rouse family, but all "knew" they were Negro.

Journal

Sgt. Thomas Nickerson and Detective Ed Boggs, members of the special investigation bureau that deals with racial problems, tried all day to trace the source of the rumor that set off the demonstration.

Fri. 4-6-56

"As near as we can determine," Boggs said, "it started with the movers. One of the workmen moving furniture into the house told a boy, 'You ought to tell your folks there's a Negro moving in.' It apparently started from there."

P. 24

House Cost $16,500

Mr. and Mrs. Rouse and their daughter, Mrs. Merle Evelyn Hickman, who is separated from her husband, bought the house jointly.

Mich.

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the houses are 15 years old or more and all are carefully tended.

It is a street filled with children. The nearest nonwhite neighborhood is 3½ miles away.

The Rouse family moved to its new home from a mixed neighborhood on American Avenue.

Detroit Mob Forces Out Family Rumored Negro

Constitution P. 2
Atlanta Ga. Tues. 4-6-56

By BEM PRICE

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38 C

PRIVATE POLICEMAN

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Under terms of the sale Rouse has two months in which to move. In the meantime he has free rent. When the sale was completed a six-foot red-lettered sign appeared on the front lawn, reading, "Settled." It was taken down an hour later by the association. Police blocked both ends of the street, cutting off the steady stream of curiosity seekers who had been driving past.

"People think that (sign) means they're going to stay here," one member of the association said.

Mrs. Rouse, also 70, cried, "How do they know we are Negro? They haven't even seen us. We didn't even get out here until after dark Tuesday. I think there is something very wrong. I could expect something like this in a foreign country."

YOUNGSTERS PLAY

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"I did not want them in the front yard where the other kids could make hasty remarks."

GIRLS GIGGLE

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RACIAL UNIT

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TRACE RUMOR

Boggs and the sergeant, in tracing the rumor, found it passed by word of mouth mostly from one agitated neighbor to another.

The two officers said that their investigation showed that both grandchildren were registered at birth as white. Rouse said he is part Cherokee Indian and that his wife is Scotch-Irish and French Canadian.

Detroit Family, Protesting It Is White, Decides to Move After Anti-Negro Attack

Times P. 10-C

DETROIT, April 5 (AP)—John W. Rouse bowed today to his neighbors' belief that he and his family are Negroes.

Tues. 4-6-56

Mr. Rouse said he had decided to sell and move—if the price is right—after a demonstration by nearly 500 persons last night on a quiet, tree-lined avenue in northwest Detroit. Two windows in the modest brick home were broken by rocks before the police dispersed the growing crowd.

Mr. Rouse insists that he and all of his family—his wife, daughter and two grandchildren—are white. The 70-year-old former watchman and members of the Belmont Sub-Division Association were to meet again to settle details of the projected sale.

New York,

Mrs. Rouse, also 70, cried, "How do they know we are Negro? They haven't even seen us. We didn't even get out here until after dark Tuesday. I think there is something very wrong. I could expect something like this in a foreign country."

N. Y.

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"You know how children are," she said. "They don't know about things like this and I couldn't keep them in the house all day.

"I did not want them in the front yard where the other kids could make remarks."

During the day little girls passed in front of the Rouse house shouting "there's a Negro in the crowd."

Large numbers of teen-agers gathered across th estreet while housewives sat on porches in the warm sun gossiping about the neighborhood affair.

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"As near as we can determine," said Mr. Boggs, "it started with the movers. One of the workmen moving furniture into the house told a boy, 'you ought to tell your folks there is a Negro moving in.' It apparently started from there."

The two officers said also that their investigation showed that both grandchildren were registered at birth as white. Mr. Rouse said he was part Cherokee Indian and that his wife was Scotch-Irish and French Canadian.

Judge Ends Segregation In St. Louis

Call Fri. 1-6-56 P. 2

Housing Authority Cannot Continue Separate Projects

Kansas City, Mo.

ST. LOUIS. — (ANP) — United States District Judge George H. Moore last week ordered an end to segregation in low-rent public housing in St. Louis.

He forbade the St. Louis Housing authority to refuse to lease to qualified Negro applicants and also enjoined the agency from maintaining a policy of segregating tenants because of race.

The Housing authority will consider the ruling at its next meeting and decide whether to appeal it.

The original suit was filed by a group of Negroes who said they applied for admission to a project in 1952 but had not been accepted because of their race.

Judge Moore said that a policy of segregating tenants by race is a "violation of the Constitution and laws of the United States."

He said that both whites and Negroes formerly lived in the areas now occupied by the projects and that the money for the projects came from taxes collected from both races.

The decision, handed down on Dec. 27, is the fourth such victory in housing won this year by the National Association for the Advancement of Colored People and the first in a southern community. Previous rulings against housing segregation during 1955 were secured in Detroit, Columbus, Ohio; and Camden, N. J.

Two women NAACP lawyers, Mrs. Constance Baker Motley of the national office in New York and Mrs. Frankie M. Freeman of St. Louis, aided by R. L. Witherson of St. Louis, handled the suit on behalf of 15 complainants who had been denied admission to a project set aside exclusively for white occupancy. The suit was filed on June 25, 1952.

The order issued by Judge Moore enjoins city and housing officials from refusing to lease to qualified Negro applicants any dwelling units because of race and from maintaining a policy or practice of segregating tenants in public housing projects on the basis of race.

The city had maintained two Negro and two white projects with the financial assistance of the United States Public Housing Administration. After the suit was filed and before this week's ruling, the St. Louis Housing Authority opened a fifth project on an integrated basis.

Commenting on Judge Moore's "ership" theme advised members to decision, Mrs. Motley said that it was "highly significant because integrated public housing in St. Louis will facilitate the efforts of the board of education to integrate public schools."

Judge Moore said his ruling applied to all four segregated projects in the city, and not solely to the John J. Cochran apartments, the only project involved in the suits in which the ruling was made.

The Cochran project, built in 1952, houses 704 families and is for whites only. The other three are Clinton-Peabody Terrace Apartments, 657 families, for whites only; Carr Square Village, 558 families, for colored only, and the Wendell Pruitt project, 1,736 families, for colored only.

A policy of nonsegregation already is being followed in the William L. Igoe Apartments, where about 300 units have been rented.

Judge Moore pointed out that the segregated projects were in neighborhoods where both colored and white families had lived.

He said the housing authority's practice of refusing to lease to eligible colored families certain units of public housing under its administration and in following a policy of racial segregation violated the Federal Constitution and laws.

His ruling was made in a suit in which several colored persons who claimed to be qualified applicants said they had been refused units in the Cochran project.

Judge Moore said he had investigated the cases of three of the applicants and had found each was qualified for occupancy of project units.

One case reviewed by Judge Moore in his findings was that of Charlie Miner, who now lives with his wife and seven children in a three-room apartment which has a toilet but no bath. Judge Moore said Miner was a World War II veteran who, in 1953, earned $2,719.

Missouri City Sues to Oust Negro Physician From Land

Block Dispatch p. 1

Oklahoma City, Okla.

ST. LOUIS.—(ANP)—The city of Creve Coeur decided it wanted a city park last week to be built on the property where a Negro physician is building a $55,000 residence and the dispute has led to a condemnation suit filed in St. Louis county circuit court. Fri. 11-9-56

The suit seeks to take over about eight acres of land for a baseball diamond and tennis courts. The petition affects Dr. Howard P. Venable, an eye surgeon who is building the house on the two-acre tract of land on Speede road north of Ladue road.

Dr. Venable said he bought the two one-acre tracts of land earlier this year from the Ashby Development Corp., and started building May 1. Dr. Venable was not named in the court action. The suit instead named Lawrence M. Michaelson, identified on tax records as owner of the property.

Dr. Venable said the suit was a "clear-cut case of racial discrimination." The doctor is opthalmologist-in-chief at Homer G. Phillips hospital and senior instructor in ophthalmology at St. Louis University School of Medicine.

City Attorney William H. Whne jr., of Creve Coeur, said the charge of racial discrimination was "ridiculous" and added that the persons named in the suit were listed as owners in tax records. He said the action would be amended to include Dr. Venable if a title search showed him to be an owner.

The doctor contended, however, that the city knew he owned the land. He said they issued him a building permit in April. He stated that since then he has been approached four times by an attorney representing a group seeking to buy his property.

He said amout 11 other Negroes, mostly professional men, had planned to move into the Speede Meadows area, but the others had withdrawn.

Construction on the doctor's three-bedroom ranch style house was halted in August.

38c 1956 NEW YORK

Ending Bias In Private Housing Most Urgent

Word p. 4 Birmingham, Ala.

38c

NEW YORK — Ending racial restrictions in privately owned housing was called by the Urban League of Greater New York today "New York City's most urgent unwon battle for democracy." The statement was made in the League's 46th annual report, "Building Together," and covering the period from June 1955 to June 1956.

The Urban League is a 46-year old interracial agency working to achieve equality of opportunity in employment, housing, education health and welfare services for Negroes and other minorities.

The report found greatly improved job opportunities for Negroes in interstate buses where Negro drivers were hired for the first time; in bakeries, which have just begun to hire Negroes as driver-salesmen; in railroads, where an increasing number of Negro brakemen have been hired and are enjoying union membership, and in dario and television, where an "unprecedented" number of Negroes have been employed in managerial performing, technical and administrative capacities.

More limited gains were reported with the nation's commercial airlines, which, the League said, still exclude Negroes from flight employment. The Negro longshoreman "remained low man on the waterfront," according to the working conditions, as well as general recognition of his "short rations." The report pointed out that Negroes were still excluded by management and unions from firemen's and engineers' jobs on the railroads, and were not, by and large, hired as announcers, newsmen or producers for radio and television.

"Important stride" were reported in breaking down discriminatory practices in publicly assisted housing, including the passage of legislation barring discrimination in any housing which receives local, state of federal assistance or mortgage guarantee.

"However," the report stated, "most private landlord ... refuse to rent or sell to Negroes outside of accepted 'Negro areas' such as Harlem." Legislation prohibiting discrimination in privately owned apt. houses, similar to existing statutes covering public and publicly assisted housing, was considered by the League a necessary "first step in breaking down discrimination" in such housing.

The report criticised "continued emphasis on building public housing in crowded all-Negro communities." It advocated the construction of public housing on vacant land sites "where there is opportunity both to build racially integrated communities and to effect a real increase in available housing."

It also criticised in available housing."

It also criticised relocation practices of Title I slum clearance developers and their failure especially in the Godfrey Nurse development in Harlem to actually build new housing.

The League reported progress in its effect to achieve racial integration in New York City's public schools and to improve the quality of education offered to minority children.

It described the formation by the League and the Council of Spanish-American Organizations of a joint Planning committee to "work cooperatively on mutual problems in housing, employment, education, civil rights, political representation as well as problems in intra-group understanding"

The report described the formation of a new membership department, the first in the National Urban League Movement

The League reported that nearly 400 families who wished to adopt Negro and Puerto Rican children were referred to adoption agencies by Adopt-A-Child, a partnership effort organized by the League and the public and private adoption agencies of New York City to increase adoption of minority children.

The League set as its goals for the next year:

"Negroes flying planes with every major airlines; Negroes and Puerto Ricans working on an equal basis with whites on New York's waterfront; an end to discrimination by employers and unions in firemen's and engineers' job on the railroads; complete integration in the radio and TV industries; establishment of the legal rights of minorities to housing without discrimination because of race; an end to all vestiges of discrimination in publicly assisted housing, where the legal right has been established; an effective city planning policy to build public housing on vacant land, rather than on overcrowded, segregated sites; a working policy of public school zoning for integration, and the establishment of a central school zoning department; an end to the inferior standard of education offered to minority children in our public schools; an end to the bottleneck in adoption of Negro and Puerto Rican children"

In its financial report, covering the year 1955, the League reported a total expenditure of $150,334.3[illegible] for its program in employment and career guidance, personal service housing, public education and research, fund raising and membership activities.

Man Convicted In Urging Boys To Stone Home

Advertiser P. 8-a Sat. Sept. 22-56

Montgomery, Ala.

NEW YORK, Sept. 21 (AP)—A 25-year-old plasterer's helper was convicted today of inducing three boys to break windows in the home of a Negro family which had moved into a white neighborhood in the Bronx.

William Pizzolongo was found guilty in Bronx Special Sessions Court. He is to be sentenced Oct. 15.

The three boys threw stones and broke windows last May at the home of Percy Hill, a Negro.

Richard Ferri, 16, testified that Pizzolongo urged him and two younger boys to throw the stones. Ferri is to go on trial Oct. 4. The cases of the younger boys were handled by the Bronx Children's Court.

SUBSIDY HOUSING FOUND BIAS-FREE

Times P. 9-C

Abrams Says State Laws Against Discrimination Are Workable and Effective

Times Sat. 9-22-56

New York

New York State laws barring racial discrimination in Government-aided housing have proved "workable, effective instruments" in helping minorities obtain decent housing, it was reported yesterday by Charles Abrams, chairman of the State Commission Against Discrimination.

He pointed out that nearly 300 Negro families in this city had recently acquired residence in Title I developments where the tenants were predominantly white. He said this integration had been accomplished with no friction. Title I projects are built by private developers with the aid of the city and the Federal Government.

Mr. Abrams also noted that there had been no reduction in construction because of state laws barring racial discrimination in housing insured by the Federal Housing Administration or the Veterans Administration.

The state law prohibiting discrimination in housing insured by the F. H. A. or the V. A. became effective in July of last year. The commission got jurisdiction over the law in July of this year. It has had jurisdiction over housing aided by the city and state for several years.

"Experience in the past," Mr. Abrams said, "has shown that if compliance with the law begins with the initial renting of the developments, few difficulties are experienced thereafter."

He said the fear of builders that first renting to minority families would discourage other families from living in the building had not been borne out in this state.

Moreover, he said, recent studies showed that the demand by Negroes for privately built projects was small and that the fear of whites that they would be "inundated" by Negroes was not justified by the facts.

He said the commission had received "widespread pledges of cooperation" from real estate men and builders that they would see to it that minority applicants were considered on the same basis as others. He said it was the commission's hope to obtain compliance with the law through voluntary cooperation.

Wagner Asks End Of Housing Bias

World-Telegram Sun P. 3

Sat. 10-13-56

New York

The complete elimination of all restrictions based on race, religion or national origin in private as well as public housing is the aim of his administration, Mayor Robert F. Wagner declared last night.

The Mayor, who is running for the Senate on the Democrtic ticket, spoke at a dinner of the National Committee Against Discrimination in Housing, attended by more than 300 persons at the Park Lane.

38c

"As a matter of morality, as well as law, all New Yorkers must have the right to bargain for their shelter in a freely open, competitive housing market," Mayor Wagner said.

Earlier in the evening, the Mayor made a 15-minute television address over a CBS statewide hookup. He said the Republican administration had failed to liberalize the immigration laws and had "sabotaged" the Refugee Relief Act.

When the act expires Dec. 31, he declared, there will be 45,000 unused visas because of the Eisenhower's administration's "tragic" handling of the program. He charged that Edward J. Corsi was fired as expediter because he "took his job seriously."

From the Park Lane dinner the Mayor went to a reception at the St. George Hotel, Brooklyn, given by the Italian-

American Professional and Business Men's Assn.

Today he was to go upstate for a speaking tour in the Albany area, returning to the city tomorrow morning.

His Republican opponent, Attorney General Jacob K. Javits, was also to go upstate today, but he, too, will be back in town tomorrow and very busy. Among other things he will watch the start of a football game between Iceland and Israel.

Finds democracy he preached abroad doesn't exist in U.S.

Afro-American Baltimore, Md. p. 3

Sat. 10-27-56

NEW YORK — "The thing that is happening to me is exactly what I have been telling audiences in Turkey, Yugoslavia, Italy and France couldn't happen to a colored person in the North.

"In the South, yes, but not up here."

That is what Robert Pritchard, young concert pianist just returned from a six-month tour of the Middle East and Europe, playing and lecturing on American democracy at the request of the U.S. State Department, told the press last week.

Last week Mr. Pritchard was battling in the courts and before the State Commission Against Discrimination for the right to live in an apartment at 926 Park Ave. here. He accused the owners of changing the lock on the door.

* * *

IN HIS FORMAL complaint to SCAD, he said he had paid a deposit, signed a lease, accepted the keys to the apartment, moved in his furniture and obtained telephone and utility services.

Learning of the vacancy last summer, he added, he and a friend, Regis Benoit, white, decided to rent the $165 a month apartment as co-tenants, so Mr. Benoit negotiated with the Pat Palmer rental agency while he went on his tour.

A $60 deposit was made on the three-room apartment in the names of both men and references were filed for both. In Pritchard's absence Benoit signed a lease naming both men as co-tenants and made arrangements for utilities.

* * *

WHEN THE QUARTERS were not ready for occupancy on Oct. 1 as scheduled, Mrs. Harold Gelfand who, with her physician-husband, is listed as owner of the building, suggested that the furniture be moved in nevertheless.

Mr. Pritchard quoted the superintendent as telling him:

"No N--o is going to move into this building, son. You're going to get in a lot of trouble," but he turned over the keys and Mr. Pritchard moved his furniture in anyway.

When he went to the Pat Palmer real estate offices on Oct. 2 to sign his part of the lease, Pritchard said, "Miss Palmer turned pale."

* * *

SHE ASKED HIM to give references again, told him he could not play his piano in the apartment (to which he said he agreed) and that he needed a regular checking account instead of a special one.

Finally she permitted him to sign the lease, he said, but he found afterwards that the lock on the apartment door had been changed when he sought to send other furniture there.

Miss Palmer vigorously denied that "race, creed or color" had anything to do with her actions or that the lock on the door to the apartment had been changed.

One of the owners of the apartment was summoned to magistrates' court.

Segregation In Suburbs On Increase

Post-Herald Tues. 11-27-56 B'ham, Ala.

Shift Of Families From City Seen Boosting Barriers

p. 20

ALBANY, N. Y., Nov. 26 (AP)—The movement of white families to the suburbs "is tending to create increasingly rigid patterns of residential segregation" in New York State, a housing study group reports.

Private enterprise has failed, the report said, to provide housing to meet the needs of Negroes and Puerto Ricans in the middle-income bracket.

The 41-member Housing Advisory Council to the State Commission Against Discrimination submitted the report, its first, to Gov. Harriman and the commission. The report was made public by the governor.

"It has become abundantly clear," the council said, "that better economic conditions alone cannot be relied upon to provide minority citizens with equal opportunity to meet their housing needs."

The council called the minority demand for middle-income housing "comparatively modest" and said an economic survey showed that integration "can be handled smoothly and without appreciable complications or difficulties to any individual developer" if the minority demand is well distributed over projects covered by anti-discrimination laws.

The report recommended a long-range educational program aimed at builders, managers, brokers and lenders involved in construction of housing covered by the laws, and at the "multitude of citizens who comprise the market for these units."

CREATING RIGID PATTERNS

Housing Report In New York Cites Residential Segregation

Advertiser p. 1 Montgomery Ala.

ALBANY, N.Y., Nov. 25 (AP)—The movement of white families to the suburbs "is tending to create increasingly rigid patterns of residential segregation" in New York state, a housing study group reported today.

Mon. 11-26-56

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"It has become abundantly clear," the council said, "that better enonomic conditions alone cannot be relied upon to provide minority citizens with equal opportunity to meet their housing needs."

The council called the minority demand for middle-income housing "comparatively modest" and said an economic survey showed that integration "can be handled smoothly and without appreciable complications or difficulties to any individual developer" if the minority demand is well destributed over projects covered by antidiscrimination laws.

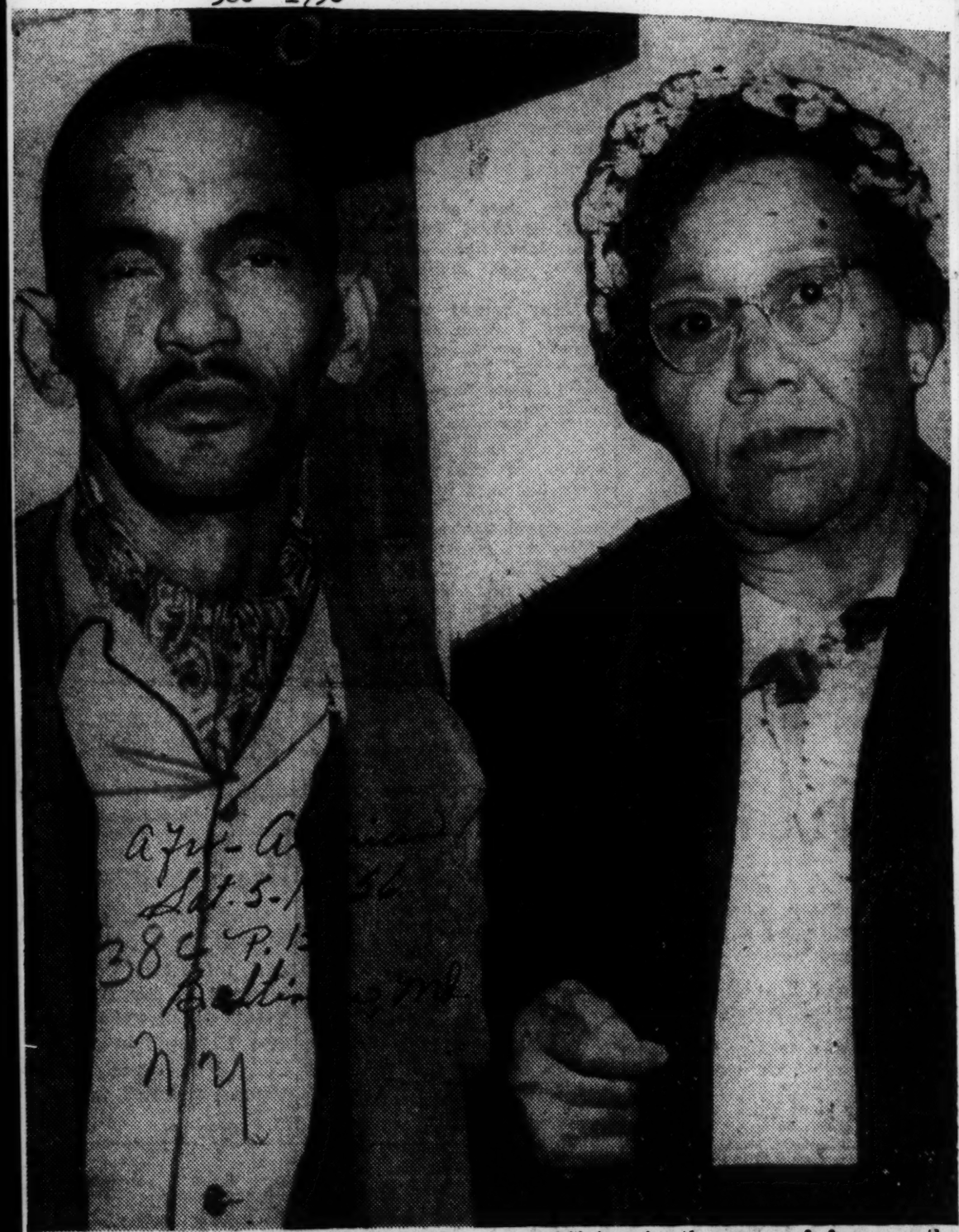
The report recommended a long-range educational program aimed at builders, managers, brokers and lenders involved in construction of housing covered by the laws, and at the "multitude of citizens who comprise the market for these units."

It urged, too, that the 1957 legislature provide the "minimun funds necessary" to make the state commission's "machinery for mobilizing citizen leadership effective in fact as well as in theory."

State law prohibits discrimination in multifamily housing or in sale of homes built in groups of 10 or more with the aid of FHA or VA mortgages if they were financed after July 1, 1955. The legislature assigned to the commission against discrimination the job of enforcing this law and a companion measure banning discrimination in public or publicly aided housing.

38c 1956

NEW YORK



PREJUDICE VICTIMS — Mr. and Mrs. Percy Hill, who moved into a $12,000 home in a predominately white neighborhood in the Bronx, stand outside Magistrate's Court, Thursday, after testifying in the case of four youths who allegedly threw rocks, covered with threatening notes, into their home the previous weekend. Two of the suspects have been held in $1,500 bail for a hearing later this week.

Stoning of Bronx home deplored

Afro-American Sat. 5-19-56

Baltimore, Md.

NEW YORK—Spurred by Mayor Wagner and Police Commissioner Kennedy, police are pressing their investigation to find the real reason for the stoning of a house purchased by a colored couple in the Bronx.

A stone was thrown through the window of the home of Mr. and Mrs. Percy Hill, 747 E. 183rd St., Sunday. Another smashed a window in the house the following night. The neighborhood is predominantly white.

POLICE SAID a 16-year-old youth threw the stones. Three other suspects have been arrested—William Pizzolongo, 20, unemployed chauffeur of 2309 Crotona Ave., and two 14-year-olds.

Two of the suspects were held in $1,500 bail for a hearing later this week.

New York's mayor commented acidly on the rock throwing incident. He called it "an affront to our great city and all its citizens."

* * *

THE HILLS, employed at the Hotel Shelton, moved into the $12,500 house in February. They say they encountered no trouble previous to the weekend attacks.

* * *

AN INVESTIGATING patrolman found a note wrapped around the stone which crashed the window. It threatened that the house would be burned if the Hills didn't move.

The NAACP and the New York Trades Council each sent telegrams to Mayor Wagner and Commissioner Kennedy demanding protection for the Hills. A 24-hour guard has been stationed at the house.

The note made it clear the thrower was motivated by hatred of colored people.

Mrs. Rose Desiro, 79, who has lived in the house next to that bought by the Hills for 35 years, said that Mr. and Mrs. Hill were "nice people."

"They do not bother anybody," she went on, adding, "I don't understand how people can treat other people in this manner. They are decent people. They have the right to live where they choose."

BRONX, LONG ISLAND

Advertiser P.1

Threats Follow Negroes Into Homes In New York

Fri. 5-18-56

Montgomery, Ala.

NEW YORK, May 17 (AP)—Police today kept a watchful eye over the homes of a Negro couple in the Bronx and a Negro widow on Long Island, where threats have been reported because they moved into predominantly white neighborhoods.

Bronx Asst. Dist. Atty. Mortimer Todal said a threatening letter and post card have been sent through the mail to Percy Hill, a Negro hotel elevator operator. Rocks were tossed through the windows of his new home in the Bronx last week.

A patrolman on the neighborhood beat was told to watch the house but no guards were placed on the home.

"When there's any kind of trouble in the neighborhood, we always have the beat man keep his eye on the reported area," said a desk sergeant at the Ryer Ave. station.

In a similar move, the state police radio patrol was told to keep tabs on the home of Gloria Fuller. She and her two daughters moved into a two-story frame house in North Bay Shore May 9 and set off a protest meeting of some 150 white neighbors.

The day before she moved in, police said, they had reports of threats to burn down her house and that of a white neighbor who paid the Negro widow a welcoming visit.

The protest meeting discussed possibilities of a petition to take legal action to oust the Negro family, but so far none has appeared in the neighborhood.

Todal told of the new threats against the Hill family in Bronx Adolescent Court at a hearing for Richard Farri, 16, who alledgedly tossed the rocks "for laughs and kicks," and William Pizzolongo, 25, who is charged with malicious mischief in the incident.

Ferri also is accused of penning the obscene note wrapped around one of the rocks. Police said the note was written in red ink and contained racial inferences and a threat to burn down the house.

Todal declined to discuss the contents of the threatening letter and postcard, but said they arrived at the Hill home since stones were hurled through the windows May 5 and 7.

Hearings for Ferri and Pizzolongo were postponed until May 28 at the request of defense attorneys. Two 14-year-old boys also are accused in the rock tossing and will be tried in children's court.

Hill and his wife, Cora, a domestic servant, bought the Bronx home for $12,450 after being evicted from a Harlem tenement that was condemned to make way for a public housing project.

At the time the first threats were received, he refused to move out of the neighborhood, saying "Where can we go? Our life savings are invested in the house."

The Fuller woman, an attendant at Pilgrim State Hospital in Brentwood, bought the Long Island home for $9,450 and moved there from Brooklyn with her eight and nine year-old daughters.

Mrs. William Dehner, the white neighbor who befriended her, said she has received more than 100 letters supporting her stand.

Stork Club Bars Negro Designers!

Courier 6-22

NEW YORK—The hallowed Stork Club—last of the Northern plantations where you are supposed to stay in your place—did it up good this time. Saturday morning, just hours before the scheduled fashion show and cocktail party of the National Association of Fashion and Accessories Designers, owner Sherman Billingsley cancelled the affair because he didn't like the newspapers bothering him nor did he care for the publicity attending the affair. He termed the show "a publicity stunt."

Telephone conversations between Billingsley and officials of NAFAD brought no other specific reason for the cancellation. To one member he reportedly stated: "I'm going to break you just like I broke Josephine Baker."

To another member who also sought an explanation, she stated he said: "You can't cross-examine me." Billingsley is also reported to have charged that "someone put you (NAFAD) up to this."

By 4 o'clock, guests holding $25 tickets to the affair were beginning to arrive at the Stork. They were told by the doorman that the party had been cancelled. Meanwhile NAFAD had made hurried arrangements to present their show at the Statler Hotel. They attempted to contact as many guests as possible about the change of plans. The show, presenting the work of the nation's most outstanding Negro designers, was given before a small audience in the Hartford Room of the Statler.

By 5 o'clock reporters and photographers had gathered in front of the Stork. A small detail of police was called.

One Negro reporter entered the club and sat at the bar. A male guest that she knew told her that it was rumored among the employes at the club that a $700 check from NAFAD had bounced. Mrs. Jeanetta Welsh Brown, general chairman and founder of NAFAD, immediately denied this, stating that Billingsley apparently had not yet deposited the two NAFAD checks since he had already offered to return them to her.

Negro Fashion Group 'Miffed' As Stork Club Cancels Show

Courier-Journal 6-19-56

New York, June 18 (AP) — A fashion organization composed mostly of Negro designers and teachers today was reported miffed at the Stork Club, claiming the swank night spot abruptly canceled a reservation for a fashion show.

The New York Post said the National Association of Fashion and Accessories Design charged it was canceled out of the club's banquet room by owner Sherman Billingsley last Thursday less than 48 hours before the show was to take place.

Billingsley had no comment.

The Post quoted Mrs. Jeanette Brown, founder of the organization, as saying:

"We arranged to rent the banquet room last March because it suited our needs for a fashion show. I talked to the banquet manager several times, and, as the time for the show drew near, everything was arranged, including the menu, the stage, and the lights.

Billingsley "Very Angry"

"Then last Tuesday, Mr. Billingsley called, very angry. We had sent our press releases announcing the show, as we have always done and as any organization naturally would do. He was getting calls from the press.

"What were we trying to do to him? he wanted to know . . . Late Thursday, less than 48 hours before our show, he called me and said he was canceling the affair."

The organization shifted the show to a hotel.

N.Y. Segregated Too, Hal Dumas Tells Rotary Here

Constitution Wed. 6-13-56 Atlanta, Ga.

Segregation in New York City is quite as real as it is in Atlanta, a former New Yorker, who is returning to Atlanta, said here Tuesday.

Hal Dumas, former president of Southern Bell Telephone and Telegraph Co., told the Atlanta Rotary Club that this city is the "finest, freest city I know anything about."

He called New York "the most painfully racial and religious clique-minded town in existence."

"I have never seen Negroes in many of the churches that talk down segregation; nor Negro society pictures in papers that support integration," he declared. He said transportation is an exception.

Dumas praised New York Mayor Robert Wagner, but he said the city needs to develop civic support from the businessmen of the city.

He left Atlanta in 1951 to become executive vice president of American Telephone and Telegraph Co.

After his retirement in a few weeks, Dumas will travel in Europe. He plans to make Atlanta his permanent home.

Racial clause in NEA tour application hit

Afro-American Sat. 6-23-56

NEW YORK — Roy Wilkins, NAACP Executive secretary this week expressed "distress" over reported exclusion of some members of the National Education Association from a tour sponsored by that organization "solely on the basis of their religion."

The NEA purportedly has informed applicants for a round-the-world tour to submit affidavits stating they are not Jewish because of religious discrimination in certain countries on the itinerary.

3 NAMED TO FIGHT CITY HOUSING BIAS

Times Thurs. 8-2-56

Mayor Appoints Advisory Group—2-Year Delay in Certain Areas Asked

New York

Mayor Wagner named a three-man committee yesterday to help the city formulate a public housing policy that will advance racial integration.

The committee is headed by James Felt, chairman of the City Planning Commission. The other members are Frank Horn, executive director of the city's Intergroup Relations Commission, and Stanley Lowell, assistant to the Mayor.

The appointments were announced after a conference between the Mayor and representatives of eighteen of the civic organizations belonging to the New York State Committee on Discrimination in Housing. The committee is not to be confused with the State Commission Against Discrimination, an official state agency.

In a statement presented to the Mayor, the committee asked for a two-year halt of new public and publicly assisted housing projects in areas of minority racial concentration. It suggested that projects be located on vacant land, preferably in areas such as Queens.

"Selection of the site," the committee contended, "will either promote or prevent the realization of non-segregated housing." Spokesmen for the committee told the Mayor that locating new projects in such areas as Harlem would merely extend existing housing segregation.

Racial Quotas Opposed

The committee suggested also that the city adopt a policy of public housing management techniques designed to develop racial integration without recourse to racial quotas.

Later in the day the Mayor held a long conference with representatives of business and community groups interested in slum clearance housing in Harlem. Assisting the Mayor in his discussion with these groups was Manhattan Borough President Hulan E. Jack.

Most of those at the meeting reiterated viewpoints expressed before the Board of Estimate on Thursday when the city's slum clearance housing program was under discussion.

The groups, said by Mr. Jack to represent responsible business civic and social sentiment in Harlem, asked that the city do more to alleviate the hardships caused by displacement and relocation of residential and business tenants on sites picked for housing projects.

The Mayor was told that the city and Housing Authority should step up their educational and public relations activities in connection with new housing projects in order to ease the fears and worries of residential and business tenants.

Harriman urges legislature to give SCAD power to ban JC in U.S. housing

Afro-American Baltimore, Md. Jan. 1-14-56

ALBANY, N.Y. (NNPA)—Gov. Averell Harriman called upon the New York Legislature Wednesday, to enact legislation to give the State Commission Against Discrimination power to enforce the law against discimination in Federally aided housing.

In his annual message at the opening session of the 1956 legislature, he said:

"In our ever-present struggle to wipe out racial and religious discrimination in all its forms, some notable steps forward were taken this past year.

"THE OFFENSIVE reference to color has been eliminated from motor vehicle operators' licenses and applications.

"Pursuant to my recommendations two laws were enacted at the last session affecting discrimination in housing.

"The first gave to the SCAD authority to enforce the existing private housing.

"The second law prohibited for the first time discrimination in the sale or rental of new housing built with FHA or VA mortgage guaranties.

* * *

"UNFORTUNATELY THE jurisdiction of SCAD was not extended to the FHA or VA housing.

"A committee which I appointed has been at work to promote compliance with this new law, both by disseminating information, and by attempting to secure the co-operation of the Federal authorities in encouraging compliance.

"But an informal committee is no substitute for effective enforcement machinery. I, therefore recommend the enactment of legislation which would give the SCAD authority to enforce the law prohibiting discriminaton in housing built with the asstance of Federally insured mortgages.

* * *

"IT IS MY hope that under the new chairman (Charles Abrams), one of the ablest men of my administration, the work of the commission in all fields will be carried on with increased vigor and determination.

"In spite of the progress that has been made there are still many areas in which equal treatment for persons of all religions is far from a reality.

"In order to assure that the commission can function effectively, I renew my recommendation of last year that it be given specific power to initiate investigations and regulatory action on its own motive in all fields under its jurisdiction."

ALBANY BILL ASKS HOUSING BIAS BAN

Times Fri. 1-20-56

Harriman Measure Would Apply to Projects That Involve Federal Funds

By RICHARD P. HUNT

Special to The New York Times.

ALBANY, Jan. 19—The Harriman Administration introduced a bill today to apply the state's anti-discrimination laws to housing built with Federal loans or mortgage guarantees. P. 42-C

The measure would empower the State Commission Against Discrimination to prevent discrimination because of race, creed, color or national origin in projects financed with Federal Housing Administration or Veterans Administration funds.

Although it would not authorize the commission to act on its own initiative, without waiting for a complaint, a separate bill to that end is being prepared at the request of Charles Abrams, chairman of the commission.

The measure introduced today would apply to any unit for three or more families constructed after July 1, 1956, with funds advanced by a Federal agency. The commission would have jurisdiction during the life of the loan.

New York

Democrats Want Credit

Contrary to Mr. Abrams wishes, the bill was sponsored by two Democrats, Senator Joseph A. Zaretzki of Manhattan and Assemblyman Bertram L. Baker of Brooklyn. N. Y.

He had sought bipartisan sponsorship, but was overruled by Democratic legislative leaders on the ground that the party had developed the program and should put its own label on it.

Under a law enacted last year, the commission has jurisdiction in housing projects built until financial aid from the state and local governments.

Among the other bills introduced were two that would carry out Attorney General Jacob K. Javits' request for mandatory clinical treatment of parolees convicted of narcotics charges.

The first measure, offered by Senator George T. Manning of Rochester and Assemblyman Ernest Curto of Niagara Falls, both Republicans, would authorize the State Parole Board to make the taking of treatments a condition of parole.

The second, introduced by Senator Fred J. Rath of Utica and Assemblyman Lucio F. Russo of Staten Island, both Republicans, would empower the State Health Department to set up experimental clinics with an appropriation of $100,000.

Two Other Bills Planned

Mr. Javits said that measures were being prepared to increase the penalties for narcotics violations and to establish a state "watchdog" agency on narcotics.

Two Queens Republicans, Senator Walter G. McGahan and Assemblyman Fred U. Preller, proposed a measure that would prohibit discrimination because of age in hiring practices.

Another bill, introduced by Senator Earl W. Brydges, Republican of Niagara Falls, and Assemblyman Stanley Steingut, Democrat of Brooklyn, called for permanently increasing state assistance to classes for retarded, handicapped and delinquent children from $800 to $1,600 a year.

Last year, the amount was increased from $800 to $1,528 for each class by a special appropriation. However, there was no provision to continue the higher payments.

P. 3

It said that New York is developing into a "two class" city, while the suburbs are suffering "tremendous problems" as a result of the exodus from the metropolis.

The state committee recommended the following:

1. Bar the use of any federal housing aids to support or extend segregation.

2. Reappriaisal of site selection policies so as to insure adequate use of open and predominantly open sites for both public and private housing and to avoid use of densely populated areas of minority concentration.

3. Require the City of New York itself to assure responsibility to relocate families from whites which will be sold to private sponsors of projects. Okla. City

4. Provide trained personnel on the staff of local urban renewal proposals.

The housing group warned that the policy of clearing crowded slum areas instead of building on open sites and the relocation of slum dwellers into equally crowded areas "has resulted in the creation of new slums at a faster pace than the old ones are being eliminated."

At the same time, the statement pointed out, minority groups have found difficulty in obtaining suitable living quarters either in suburban areas or in desirable sections of the city because of discrimination.

Award $750 to mixed couple, right to flat

Afro-American Baltimore, Md. Sat. 2-4-56

NEW YORK — The state Supreme Court's award of $750 in compensatory damages to an interracial couple along with a permanent injunction against a realty firm that had sought to lock them out of an apartment they had rented was hailed by the local NAACP branch last week. P. 13

The award was made to Mr. and Mrs. Thurman Faulk of 18 Perry St. who had rented an apartment in a building at 588 West End Ave. from the Syltol Realty Corporation.

* * *

THE STATE Temporary Housing Rent Commission joined forces with the NAACP in bringing the case before the court.

Commenting on the action, Jawn A. Sandifer, NAACP attorney, declared:

"This is the first instance to our knowledge where the courts and the rent commission have indicated such a positive and direct position against this form of discrimination.

* * *

WE HAVE made further inroads against discrimination in private housing where no question of federal, state or municipal funds are involved."

Russell Crawford, NAACP president, added:

"The NAACP will redouble its efforts to eliminate discrimination in all types of housing in New York City. The program for the coming year will be accelerated and intensified in this direction."

DISCRIMINATION SCORED

Times P. 30-C Sat. 1-28-56

Negroes Here Barred From Best Houses, Pastor Says

The Rev. James H. Robinson of the Presbyterian Church of the Master, 360 West 122d Street, charged yesterday that "there is no such thing as open occupancy" in the city's "higher-bracket housing."

Fewer than 100 Negro families of the "increasing number" who can afford it, he said, "have been permitted to live in first-class apartment houses."

Speaking at the Stephen Wise Free Synagogue, 30 West Sixty-eighth Street, Mr. Robinson paid tribute to the air transportation industry for its advances in the treatment of Negro passengers. But he added:

"Negroes are still limited to service personnel and red caps. There are no Negro pilots or stewardesses on any of the scheduled air lines of this country. Negro physicians are still barred from many of the voluntary hospitals of New York, some of which are affiliated with and influenced by the great religious bodies of our city."

Caught in Urban Squeeze

Negroes Are Victims in N. Y. Housing Changes

Dispatch Thurs. 1-12-56

NEW YORK—(ANP)—Negroes here have been caught in a squeeze brought on by the fact that New York is becoming a city "composed of the very rich and the very poor" as middle class white families flee to the suburbs for lack of middle income housing.

This is the gist of a report issued by the N.Y. State Committee on Distrimination in Housing, signed by 15 civic, educational, religious, social welfare and veterans groups.

The statement was presented to a House subcommittee investigating public housing.

Mixed Couple Wins Fight For Apartment In White Neighborhood

Yesterday P. 1

New York — (CNS) — Interracial couple Diana and Thurman Faulk won not only $750 in compensatory damages but a permanent injunction against a realty firm which had sought to lock them out of an apartment they had rented in a white fashionable neighborhood.

The award was won in a State Supreme Court decision and is believed to be the first one where the courts and the Rent Commission have indicated such positive action against this form of discrimination.

Mayor Wagner made his statement in a ground-breaking ceremony at 10:30 A. M. for St. Mary's Park Houses, a middle income project of the City Housing Authority.

3 Boys, A Man Held In Stoning Of Negro's Home

Courier-Journal Fri. 3-11-56 Louisville, Ky.

New York, May 10 (AP) — Three teen-agers and a 25-year-old man were arrested today in connection with rock and brick throwing into the house windows of a Negro couple living in a predominantly white neighborhood.

The incidents occurred last Sunday and Monday. Attached to one missile, police said, was a note containing obscenities,

Hurled Brick Warns Negro To Get Out

Herald Wed. 5-9-56 Miami, Fla.

NEW YORK —(AP)— A Brick with a threatening note wrapped around it was hurled through a window of a Negro home in a predominantly white neighborhood in the Bronx Monday night.

Police said the note warned Percy Hill, 44, and his wife, Cora, 52, to leave the neighborhood.

A stone was flung through a window of the Hill home Sunday night.

The Hills moved into the two-story, nine-room frame house last Feb. 27. Hill said the house cost $12,450.

Asked if he intends to stay, he replied: "What else can we do? I think we'll stay."

Hill is an elevator operator and his wife a hotel maid.

A policeman has been ordered to keep the house under surveillance.

4 Boys Seized, 3 Others Sought In Stoning of Negro's Bronx Home

From New York P. 33-C Thurs. 5-10-56

Four boys were taken into custody last night and three others were being sought by East Bronx detectives for the stoning on Sunday and Monday nights of a Negro couple's home in a predominantly white neighborhood.

No formal charges were made, pending questioning of the group by the Bronx District Attorney. Nor had the police yet determined the motive for the attacks, which broke the front porch windows of the home at 747 East 183d Street, between Crotona and Prospect Avenues. The boys in custody ranged in age from 13 to 20.

Mayor Wagner described the stonings yesterday as "an affront to our great city and all its citizens." He ordered Police Commissioner Stephen P. Kennedy to "pursue the matter vigorously as a crime against the city."

Mr. and Mrs. Percy Hill moved into the $12,450 home on Feb. 27 and lived there without incident until Sunday, when a stone was tossed through the window. Two more missiles were hurled Monday night. One of them was wrapped in a note containing obscenities, racial references and a warning to the couple to leave the neighborhood.

Mr. Hill, 44 years old, is an elevator operator at the Shelton Hotel. His wife, Cora, 42, is a chambermaid there.

Both the National Association for the Advancement of Colored People and the New York Hotel Trades Council, in telegrams to Commissioner Kennedy, urged immediate action on the matter.

Deputy Commissioner Walter Arm noted that the Commissioner had taken action before the receipt of the telegrams.

racial references, and a threat to burn down the house.

Percy Hill, 44, and his wife, Cora, 52, moved into their $12,450, two-story frame home in the Bronx February 27.

Police said 16-year-old Richard Ferri admitted throwing a brick at the Hill residence Monday night "for laughs and kicks."

Also seized were William Pizzolongo, 25, an unemployed chauffeur, and two 14-year-old boys.

Bricks Thrown At New York Couple's Apt.

Daily Worker Atlanta, Ga. Fri. 5-11-56

NEW YORK --(SNS)-- A Negro couple has been terrorized by a 25-year-old man and three teen-agers who threw bricks and rocks into their home, it has been disclosed.

P. 138 C

Police have arrested all four persons involved.

The incident is reported to have occurred Sunday and Monday. Attached to one of the bricks was a note containing obscentities and racial references, police said. There was also a threat to burn the house down. The couple lived in a predominantly white neighborhood.

BOMBING OF HOUSE FOLLOWS RUMOR OF NEGRO PURCHASER

Advertiser Montgomery, Ala. P. 5-A Wed. 6-20-56

UNIONDALE, N.Y., June 19 (AP)—A home-made kerosene bomb was tossed through the window of a house here today in an apparent protest against a rumored sale of the house to Negroes.

The bomb started a small fire in the dinette of the home of Mr. and Mrs. Kurt Masuck. They and their son and daughter, Alfred, 17, and Lillian, 11, extinguished the fire.

Mrs. Masuck said she probably was responsible for the rumor. The family had sold the house to a realty firm preparatory to moving. She said she observed to neighbors "when a realty firm can't unload a house, they usually sell to Negroes."

Negro Settles Housing Row Out Of Court

Advertiser P. 5-A Mon. 11-19-56 Montgomery, Ala.

NEW YORK, Nov. 18 (AP)—A 27 year-old Negro pianist has decided to drop his charges of discrimination against the owner of a Park Ave. Apartment house, it was reported here.

Commissioner Nicholas Pinto of the state commission against discrimination said Robert Pritchard the pianist, and Mrs. Harold Gelfand, co-owner of the house, had settled the dispute after discussing the issue in his office.

Pritchard had charged that Mrs. Gelfand would not let him and his 21-year-old white friend, Regis Benoit, move into the apartment because he was a Negro.

Mrs. Gelfand had told Pinto color was never an issue in the matter According to the commissioner, the landlord questioned whether the pianist and his student-friend could meet the rental of $165 a month.

Pinto said Benoit's father, a New Britian, Conn., doctor, guranteed that the rent would be met. The offer, the commissioner said, helped settle the issue.

Pinto said it was his understanding that Pritchard had withdrawn the charges he lodged against Mrs. Gelfand in Magistrates court. The commissioner said he also was expecting a letter from Pritchard dropping the charges he had lodged with the commission.

Neither Pritchard nor Mrs. Gelfand was available for comment

East Bronx Home Stoned 2d Day

Herald Tribune p. 1

Negroes Told to Move or Be Burned

Wed. 5-9-56

By Robert A. Poteete

Three stones, one wrapped in a threatening note, crashed out of the darkness on Monday night through the front windows of an East Bronx house recently bought and occupied by a Negro couple.

New York, N.Y.

It was the second successive night of stone-throwing at the two-story frame house, at 747 E. 183d St., a predominantly white neighborhood, into which Mr. and Mrs. Percy A. Hill moved on Feb. 27 after purchasing it for $12,450.

Burning Threat

The author of the note threatened to burn down the house unless the Hills moved out. It made clear the thrower was motivated by a hatred of Negroes.

On Sunday night, a single stone broke a small hole in one of the two living-room windows, but the Hills shrugged off the incident, assuming it had been a prank by youngsters.

Then, Monday night, just before 9 p. m., Mr. Hill was sitting in the living room with a caller—who had come to talk about renting one of the four rooms that the Hills intended to let in the nine-room house—when the three stones hurtled through the windows simultaneously, Mr. Hill said. Mrs. Hill was in another part of the house.

Calls Police

Mr. Hill ran outside, but saw no one on the street, he said. He then called police. It was a policeman who found the note—the Hills and the caller having overlooked it. Mr. Hill said the policeman had not permitted him to see the note, and that he did not know yesterday afternoon what was in it. Police, however, did paraphrase the note for reporters in a press conference.

A neighbor leaning out a window hanging her wash in an alley across the street when the stones were thrown told reporters she had heard the crash and the sound of two or more persons running eastward, but had seen no one. Police said another woman had reported seeing a youth of about fifteen running on the block—which is between Prospect and Crotona Aves.—at about the time of the attack.

The Bronx Branch of the National Association for the Advancement of Colored People started its own investigation of the incident yesterday, and sent telegrams to city officials urging protection for the Hills and an intense investigation by police and the Bronx District Attorney's office.

Herald Tribune map by John Fleck

Cross locates house on E. 183d St., the Bronx.

The New York Hotel Trades Council, in behalf of the unions in which Mr. and Mrs. Hill are enrolled, also sent telegrams to Mayor Wagner and to Police Commissioner Stephen P. Kennedy expressing "shock" at the incident, and demanding "complete protection" for the couple and their home.

Most of the neighbors and storekeepers on and near the 183d St. block said that they knew the Hills only by sight and that they seldom saw the couple. Mr. Hill, who is forty-four, is an elevator operator at the Hotel Shelton, 49th St. and Lexington Ave. His wife, Mrs. Cora Thompson Hill, fifty-two, is a chambermaid at the hotel.

All residents interviewed described the Hills as quiet and pleasant, and none could recall a similar incident. Without knowing the contents of the note, the neighbors were inclined to believe it had been the work of a crank or a prankster. They said they had heard no complaints about the couple. Police said there had been no such incident in the area in their memory.

Mrs. Rose Diserio, seventy-nine, who has lived for thirty-five years in the house next door to the Hill house, said the Hills were "nice people—they do not bother anybody. It's pathetic that a thing like this should happen in this country. I don't understand how people can treat other people in this manner. They are decent people. They have the right to live where they choose."

Cora and Percy Hill looking through broken window of their house at 747 E. 183d St., the Bronx.

Lehman Blames North For Housing Segregation

Evening Star Washington, D.C.

Mon. 6-4-56 A13-A

NEW YORK, June 4 (AP).—Senator Lehman, Democrat of New York, says the civil rights problem has "sharpened into a national crisis."

He said New York City's Harlem, a predominantly Negro and Puerto Rican area, is "illustration and proof" that the civil rights problem "is a Northern as well as a Southern one."

The Senator spoke in a Harlem church yesterday at the annual meeting of the Urban League of Greater New York. The league, whose members are both Negro and white, is dedicated to improving the lot of American Negroes.

The league cited Senator Lehman as "the conscience of the Senate and the Nation in the fight for full equality of opportunity for all Americans."

Harlem "a Ghetto"

"Harlem," said Senator Lehman, "is a community rich in tradition and culture . . . but Harlem is also a rebuke to us of the North, and a challenge to clean up our own backyard, even as we press forward with our efforts to bring justice and equality to the Negroes and other oppressed minorities in the South.

"Harlem is a ghetto. Harlem is an area of poverty, congestion, sub-standard housing, and substandard schooling. These conditions, rather than the race or national origin of the people who reside in Harlem, are primarily responsible for the high incidence of crime and juvenile delinquency in the area."

"We need residential integration in New York City. Housing segregation is responsible for the high incidence of school segregation in our metropolis."

Senator Lehman said prospects for passage of civil rights legislation at this session of Congress "are not bright."

Planners Are Criticized

"And if we are frustrated in Congress," he said, "I am prepared to carry the fight to the Democratic Convention in Chicago in August, and to the people, in the elections in the fall, regardless of whether I am a candidate for re-election or not."

Senator Lehman was critical of the "policies of our New York City planners" in public housing.

"We have built too many housing projects . . . on congested land," he said. "We have cleared some slums only to create new and worse ones. We have constructed housing projects which were, by their location, forced into a pattern of segregation."

He praised the Urban League and Charles Abrams, chairman of the New York State Commission Against Discrimination, for working toward a solution of the problem.

Herald Tribune photos by Nat Fein

A neighbor, Rose Diserio (left), chatting yesterday with Mrs. Hill in front of Mrs. Diserio's house.

After questioning more than 100 persons, including dozens of neighboring youths, detectives last night booked William Pizzolongo, 25, 2309 Crotona Ave., Bx.; Richard Ferri, 16, an office clerk of 2422 Prospect Ave., and two 14-year-old boys who allegedly accompanied the other two to the Hill home.

Police said Pizzolongo threw the rock and Ferri tossed the brick Monday night. Ferri was quoted as saying he did it "for laughs and kicks." They denied the Sunday stoning. One of the younger boys admitted being near the Hill house Sunday night, police reported.

Pizzolongo and Ferri were charged with malicious mischief. The 14-year-olds were held as juvenile delinquents.

The Hill home was under police guard since the Monday night terrorism. The Hills work at the Hotel Shelton, Lexington Ave. and 49th St. Mr. Hill is an elevator operator and his wife is a chambermaid.

Malicious Mischief Charged

Herald Tribune

Man, Boy Held in Stoning Of Negroes' Bronx Home

Fri. 5-11-56 P. 1

New York, N.Y.

A sixteen-year-old office boy and a twenty-five-year-old unemployed chauffeur were charged with malicious mischief in Bronx Magistrates' Court yesterday in the throwing of stones through windows of a Negro couple's home.

The youth, Richard Ferri, of 2422 Prospect Ave., the Bronx, who reportedly had said he threw a rock "for laughs and kicks," was also accused of sending a threatening and obscene note to another person. A note, using foul language and threatening to burn down the house if the tenants did not leave, was wrapped around one of the stones hurled at the home of Mr. and Mrs. Percy A. Hill, at 747 E. 183d St., Bronx, Monday night.

Ferri was released in $1,000 bail. His companion, William Pizzolongo, twenty-five, of 2309 Crotona Ave., Bronx, was released in $500. Hearings were set for next Thursday. Two boys under sixteen were also held in the incident, charged with juvenile delinquency, but their names were not disclosed because of their age.

Emphasizing that he was not prejudging the case, Magistrate Hyman Korn said, "It would be a sad day if we permitted conditions to exist where we couldn't live in peaceful and dignified relations with our neighbors. No matter what our religious faith, we still believe in 'Love Thy Neighbor.'"

Magistrate Korn commended Police Commissioner Stephen P. Kennedy as "the best we've ever had" and praised the police for the work in their case.

Commissioner Kennedy had deplored the stone-throwing as an "outrage" that would not be tolerated. Mr. and Mrs. Hill, both of whom work in a midtown hotel, had bought the two-story frame house in the predominantly white neighborhood on Feb. 27 for $12,450. A stone was thrown Sunday and three on Monday, breaking two windows.

The note that was thrown with a stone made the incident appear to be motivated by anti-Negro feeling. There have, however, been no similar outbreaks in the neighborhood where there are a few Negro families.

Rumor blamed for L.I. house bombing

Afro-American P. 3

Baltimore, Md.

NEW YORK — Mr. and Mrs. Kurt Masuck and children were awakened early Tuesday morning by the sound of glass crashing to the floor in the dinette of their Long Island home.

Sat. 6-30-56

A quick investigation by Mr. Masuck showed that someone had tossed a crude homemade kerosene bomb through the window in an attempt to set the house on fire.

Police blamed a rumor for the bombing which did little damage, due to the quick action to the Masuck family. Neighbors told police that it had been rumored the surburban home was to be sold to a colored person.

* * *

ONLY LAST Sunday, Mrs. Masuck told police that a man had stopped her on the street and threatened to kill her if the house was sold to a colored person.

Sal Loiacono, a neighbor, told police he was awakened by someone running across his lawn and after looking out, saw the Masuck's dinette window ablaze, and called the fire department.

* * *

THE MASUCKS quickly put out the small fire which was started by the bomb—a gallon jug of kerosene. A piece of wood and cloth on fire was tossed behind the jug, but failed to reach its destination.

Pilgrim Real Estate Agency bought the house last month but Mrs. Masuck said she did not know of any prospective colored buyers.

Hotels ready

P. 1

Afro-American

MIAMI BEACH, Fla. — This community, which normally forbids even colored domestics to stay overnight, has thrown open the doors of 30 hotels and apartments houses to delegates attending the AME General Conference.

Sat. 5-5-56

Baltimore, Md.

About 15,000 persons are expected. This is the first time that any large number of hotels have opened their facilities to colored guests. No protests have been made.

Josephine, of Pleasantville, N.J. She had seen Percy's picture in the paper, ending years of search.

Who then was the woman identified as Mrs. Hill in the stoning pictures? Cora Thompson, confessed Hill in court—"a girl friend of mine."

It had been eight years since he had seen Josephine, Hill said. At that time he was paying her $15 a week in support.

"How long has it been since you paid?" the judge asked Hill.

"Oh, it's a long time," replied Hill, "about eight years."

"You owe her a lot of money," the judge said.

Will the NAACP spring to Hill's rescue and pick up the marital tab for their new Gotham martyr? Will the ersatz Mrs. Hill lose face because her own martyrdom was without benefit of clergy? For the next exciting episode in this true-to-life drama of the Negro in the North, be sure to watch for the next "Heroes Of The Segregation Fight" handbill issued by NAACP.

But we'll lay odds Hill won't rate any billing, not even in the small type reserved for Eleanor Roosevelt these days.

House Bombed After Rumor of Sale to Negroes

Constitution

Atlanta, Ga.

Wed. 6-20-56

UNIONDALE, N.Y., June 19 (AP)—A home-made kerosene bomb was tossed through the window of a house here today in an apparent protest against a rumored sale of the house to Negroes.

The bomb started a small fire in the dinette of the home of Mr. and Mrs. Kurt Masuck.

Mrs. Masuck said she probably was responsible for the rumor. The family had sold the house to a realty preparatory to moving. She said she observed to neighbors, "When a realty firm can't unload a house, they usually sell to Negroes."

4 Held in Stoning Of Negroes' Home

World-Telegram and Sun

Thurs. 5-10-56

P. 10

Three teen-age boys and a 25-year-old man have been arrested in connection with the stoning of a Negro couple's home in the Bronx.

A rock was thrown through a living room window in the recently purchased home of Percy and Cora Hill, 747 E. 183rd St., in a predominantly white neighborhood last Sunday night. The following night, a rock and a brick to which an obscene note was tied were tossed through two more windows.

New York N.Y.

Askelonette

Advertiser

Wed. 5-30-56

It seems that the Askelon press may have covered the story of the stoning of Percy Hill's home a little too thoroughly—at least from Hill's viewpoint.

Hill, a 44-year-old Negro elevator operator, won considerable notoriety when his Bronx home was bombarded with rocks May 6 and 7. Hill, with a woman whom he identified as his wife, moved into the predominantly white Belmont section last February. News accounts of the subsequent stonings carried pictures of Hill. He became a sort of martyr of non-existent Northern race friction.

Montgomery Ala.

He is now another kind of martyr. Monday a woman appeared in front of his house, summoned a patrolman who served Hill a warrant charging non-support. The woman was his real wife,

USK. GEE INSTITUTE, A

Bombed—A bomb last week shattered the garage adjoining the almost completed home of Atty. John Pegg, located in a predominantly white area of Cleveland, Ohio. It was the second act of vandalism. Windows of the Pegg home and an adjoining house were shattered a month ago.—Myers Photo

Pair to enter home in spite of bombing

Plain Dealer 1-14-56

CLEVELAND — John W. Pegg, attorney, and his wife, Dorothy, say they will move into their new home in the Shaker area when it is completed despite a bombing by hoodlums that did $2,000 damage Tuesday.

"The neighbors are fine people," according to Mr. and Mrs. Pegg. The neighborhood was shaken early Tuesday night by a deafening blast from a black powder time bomb that ripped off the garage doors of the new home and ripped the walls of another house nearby.

The Peggs' $40,000 home had been under construction for several months and was nearing completion when the bomb went off. The house is located at 13601 Corby Rd. near the Shaker-Cleveland boundary.

Cleveland pair's house bombed

Afro-American Baltimore, Md. 1-21-56

CLEVELAND (NNPA) — The board of directors of a local loaning institution has adopted a resolution terming the recent bombing of a house being constructed for a colored couple as an "outrage."

John C. Pegg, prominent attorney, and his wife, the former Miss Dorothy Singleton of Washington, were building the house at 13601 Corby Rd., SE. Racial feeling is believed to be responsible for the act.

* * *

THE BOARD'S resolution also expressed its sympathy to Mr. and Mrs. Pegg and called on the mayor to keep police working on the case to catch the bombers.

Cleveland clergymen and neighbors helped clear away the debris. The Community Relations Board was enthusiastic about the cleanup work.

* * *

COUNCILMAN C. V. CARR said the "morons who do bombings get tactic encouragement from people high in society," adding:

"Pegg didn't know that he was not wanted there until he tried to get a loan and was turned down because of his race. He was successful at aother institution, however."

Lone Mother Defies Klan Cross Burners

Afro-American Baltimore, Md. Sat. 8-25-56

By WILHELMINA JONES

COLUMBUS, Ohio — "I told them I wasn't going anywhere."

That is how Mrs. Gwendolyn Lawson, 30, explained how she routed a mob of some 100 persons who burned a 10-foot cross on her front lawn in a previously all white neighborhood Tuesday about midnight as her two children slept.

Mrs. Lawson and her husband, George, 806 Josephine Ave., said they will not move from their home in Rosary Addition.

Her story follows:

"It was about 11:45 p.m. I had just gone to bed a few minutes earlier. My friend, Mary Belle Graves, 32, staying with me while my husband was on vacation, rushed in the house crying, 'they're burning a cross in your yard.'

"I got up and looked out. A huge cross was burning in the yard and I saw about 25 or thirty people. A friend, Howard Pace, who was bringing Mrs. Graves home, grabbed the cross and threw it in the street.

* * *

"I RUSHED TO THE phone to call police. The phone was dead. Right away I thought they had cut the wires. I wasn't afraid, I just wanted to get the police or sheriff. I went next door to use the phone, their wires had been cut too.

"I told Mr. Pace that we would be alright and for him to drive somewhere and call the police. The crowd was pouring kerosene across the lawn in front of the house and set it afire. One of the men threw a rock through a front bedroom window.

The kids, there were several of them, began throwing rocks at the windows.

"I was afraid for the children, I thought the glass would cut them (the children, Gregory, 7, and Darlene, 8, were asleep under the window that was broken) but the screen kept the glass from falling on them. They slept through it all.

"THE CROWD WAS SAYING all kinds of bad names. I wasn't afraid. I kept my head and let them do all the name calling and use bad words.

"I told them I wasn't going anywhere. The crowd began to move back so I could not recognize them. They started backing down the street when the sheriff had appeared except for a few who claim they were bystanders.

"We moved here in April and were not through moving the furniture before three men, drinking, dropped in and asked us to sell. Then, afterwards, we received a letter with a picture of the Ku Klux Klan mobbing a place with a note warning us to move.

"In June, one evening, a group of boys threw fire crackers around the house all evening.."

* * *

MR. LAWSON, 33, a postal clerk returned home Friday morning. "I couldn't believe it would happen after we had been here so long. I was really surprised. Of course we are still upset but we are going to stay. We are not going to move."

The cross was made of heavy two by four timber with kerosene soaked rags and set on a stand resembling a Chrismas tree stand.

LT. WILLIAM A. CURRY of the Franklin County sheriff's office denounced the demonstration as "un-American and subversive," adding:

"Violence such as this might be expected in Russia, but not here."

Sheriff's officers, fire marshal's deputies and inspectors from the Franklin Township Fire Department have been working around the clock on an investigation since the incident took place.

Lieutenant Curry promised that a guard would be placed around the house to protect the family and its property if necessary.

* * *

ACCORDING TO MRS. LAWSON, whose husband was visiting friends in Connecticut at the time of the incident, she had the advice and assistance of the NAACP and the American Friends Service Commission in her determination not to sell the house.

The couple bought the property, one of about 50 in the Rosary Addition, "in an effort to get a better house." They paid $14,000 for the property and soon neighbors began offering them as much as $18,000 to sell and get out.

When they refused to sell, the campaign of harrassment began, culminating in the cross-burning Tuesday night.

'WE WON'T MOVE' is the way Mrs. George Lawson expressed herself as she examined the ends of her telephone line that was cut by a mob of 100 in Columbus, Ohio. The mob also burned a 10-foot cross on the front lawn of her new ranch style home.

Cleveland Family Gets Threat Note

Afro-American Sat. 10-6-56

CLEVELAND, Ohio — James Jones, 39, who recently bought a home for his family on the East side of this city, told police Wednesday that a brick was thrown through their front window with a note attacher, telling them to get out of the neighborhood.

The district is predominately white. Jones said he, his wife and 21-year-old daughter were awakaned by the crash. Police said the note read "Get out, you niggers. We don't want you here—or else."

THREAT REPORTED

Ohio Negroes Plan To Move Following Window-Breaking

Advertiser Montgomery, Ala. Wed. 9-3-56

CLEVELAND, Sept. 4 (AP)—The 35-year-old wife of William Taylor said today she and her husband were looking for a new place to live becaus they do not want any trouble.

The Ttylors, who are Negroes, reported Sunday night that the windows in their first floor apartment were broken by a gang of youths who hurled rocks at the windows.

The apartment is one of four in the building, and the other suites are occupied by white families. It is in a factory area. The Taylor apartment is at the back of a The Taylor woman said they had lived there a year and had experienced no trouble with any of the neighbors.

But on Saturday, she heard a rock hit the side of the building. When she went outside she found a white youth of about 18 or 19 who told her he did not like Negroes, and threatened her, she said.

She said she thought about 15 or 20 youths took part Sunday in the window breaking. There was no repetition of the incident on Labor Day, and this morning her husband reported for work as usual at a pet hospital where he is employed.

Police reported that they were having a cruiser drive past the location as frequently as feasible to watch for any trouble that might develop.

'Get Out,' Note On Brick Tells Family of Negroes

Cleveland, Sept. 27 (AP)—Members of a Negro family who recently purchased a home in a predominantly white neighborhood on Cleveland's East Side reported to police that a brick with a note attached, telling them to get out, was thrown through their front window early today.

James Jones, 39, said he, his wife, and 21-year-old daughter were awakened by the crash, but were not endangered. The brick hit a Venetian blind and fell to the floor, he said.

Police said the note was printed in neatly blocked letters on white paper and read:

"Get out. Get out, you niggers. We don't want you here—or else."

Jones' wife, Mattie, 38, said the family was frightened by the incident, but is making no plans to move.

38a 1956

Doctor's Clinic "Bombed"

Daily World P.1

Four Escape Injury, Death

Sat. 3-31-56 38 Atlanta, Ga.

TULSA, Okla. — (INS) — Tulsa police Friday pressed an investigation into the dynamite bombing of a partially-built doctor's clinic as union leaders denied any knowledge of the incident, the fourth unsolved explosion laid to "labor trouble" in the city in the past two years.

Four persons in a nearby apartment building narrowly escaped death or injury when chunks of metal from the bomb, fashioned from cast iron pipe into which at least two sticks of dynamite were inserted, smashed through windows and walls early yeterday.

The clinic under construction for Dr. Charles M. Eitel suffered $3,000 to $5,000 damage when an eight-by ten foot picture window was blasted out, floors and wiring were ripped up and other glass was shattered.

A. B. Hawkins, contractor on the job, blamed the bombing on "labor trouble" although he said he had talked with "union officials of all kinds since I started this job and they had promised me nothing would happen."

The Tulsa Building Trades Council, central organization of the building crafts, obtained a district court injunction against Hawkins about a month ago when the project started, accusing him of violating a contract by use of non-union labor. However, a council spokesman said the injunction was never pressed because the unions felt the job was not big enough.

Daily World P.5

Jim Gillen, council secretary and president of the State Federation of Labor, said the council "probably" would add to a reward fund started with a $1,000 donation by the Tulsa Tribune.

Family Gets Threats But Will Not Move

Dispatch P.3 Fri. 12-7-56 Oklahoma City

The mother of an 11-year-old boy said Wednesday she and her husband had no intention of moving out of the house at 630 N. E. 11th that they purchased about seven weeks ago. Mr. and Mrs. Eoudis Martin have been harassed with telephone calls and a threatening letter since moving into the block on N. E. 11th, which was previously all-white.

"The voice on the telephone is always that of a woman," Mrs. Martin said, "and I believe it is only one woman. Our neighbors are very nice to us," she said. "I don't have any idea who it could be."

38c

Mrs. Martin, who works at Douglass high school, said that they started getting threatening telephone calls before they moved into the 11th street house. They formerly lived at 731 ..... E. 7th, and she said as soon as they purchased the place but before they moved in, they got threatening calls.

She said they appealed to the police department for help when they first began getting the calls, but there was nothing they could do then. They appealed to the police again Tuesday, and police say an investigation is underway. Postal authorities have also been asked to see if a federal violation has resulted from the threting letter.

The letter was signed by the initials T. C. and T. L., and read: "Negro, you had better start getting out of this block if you know what is good for you."

For the past five years, Negroes have been quietly moving into what were formerly all-white neighborhoods without many unsavory incidents. There have been several siuts brought by some white families to restrict Negroes from the neighborhoods, but all were soon dropped, and the Negroes continued to move in.

Jim Crow Dies

Defender 38c

CHESTER, PA. — Racial segregation in public housing projects, in affect since 1939, was ended here last week by action of the Chester Housing Authority. The move affects four projects.

Chicago Ill. Pa

38c 1956

SOUTH CAROLINA

Attorney won't continue fight on suspension

Afro-American p.5
Sat. 3-31-56
Baltimore, Md.

CHARLESTON, S.C. — U.S. District Court Judge Ashton H. Williams left pending last Wednesday a ruling on whether to order facilities at Edisto Beach State Park integrated.

In substance, Judge Williams indicated that if the state park facility is reopened, the court will promptly order it integrated. So long as it remains closed, as ordered recently by the state legislature, no decision or order will be issued.

* * *

STATE ATTORNEY General T. C. Callison argued for dismissal of the civil rights case brought against the Forestry Commission and park superintendent, contending that the issue was now "moot."

John H. Wrighten, attorney, urged the court to issue a definite order, "one way or the other" in the interest of the five plaintiffs.

Judge Williams who last summer advised colored citizens not to take advantage of recent federal court rulings, again disagreed with integration rulings but said his court was bound to abide by these.

* * *

HE SAID that all colored citizens needed to do toward integration of the other state parks was to apply for admission.

Assistant Attorney General James S. Verner told the court the state will close parks and schools before it will allow integration.

NEGRO IS PROTESTED AS PROPOSED BUYER

Commercial Appeal 4-38

Residents Want Store To Stay In White Hands

Memphis Tenn.

BEER QUESTION RAISED

Press. 3-15-56

A group of South Memphis white residents appeared before the City Licensing Commission yesterday to protest the sale of a sundry store to a prospective Negro buyer.

38c

The store at 471 East Olive, owned by Gilbert Wilbanks, has a license to sell beer to take out. Mr. Wilbanks told the commission he had been trying to sell the store for some time, but could not interest white buyers. He said S. W. Shaw, a Negro, had expressed interest in buying the store.

Police Chief J. C. Macdonald, commission member, interrupted to tell the big audience in the City Council chamber:

"What he wants to know is if he sells to a colored man would this commission transfer the beer license. My answer is no."

Round Of Applause

There was a big round of applause.

Commission Chairman Stanley Dillard told Mr. Wilbanks the commission had no jurisdiction over whether or not he sold his place, but added, "It's obvious the neighborhood out there doesn't want a colored man running the place." He advised Mr. Wilbanks to try to work out his problems.

E. A. Caldwell of 386 Bullington, speaking for the A. B. Hill Parent-Teacher Association, said the store is in a predominantly white neighborhood and there had been rumors the place was going to be sold to Negroes who planned to operate a "pool hall and beer tavern."

License Suspended

An indefinite suspension of the beer license held by Mrs. Nina Byrd, operator of Sonny's Place at 1283 South Lauderdale, was ruled after police testified Mrs. Byrd and her husband had a fight in the cafe.

The board suspended the beer license of Dupree's Dungeon Cafe, in the rear of 52 South Front, for two weeks because beer was sold to minors. The cafe is owned by Mrs. Dupree Thorpe.

Another two-week suspension was given Mrs. Bertha G. Engelberg, owner of New South Memphis Cafe at 2198 Florida, because of a fight in the cafe. Police said Mrs. Engelberg failed to call the police.

The commission set next Wednesday for a "full hearing" on the application of Clyde Thomas Brown to sell beer at 2161 Hernando Road. Mr. Brown appeared before the board, but Chief Macdonald pointed out "several hundred people" have protested the location. Commissioner Henry Loeb moved for the continuance "so both sides of the question can be heard."

Cross Burned In Front Of Home

Call 8-1 Kansas City, Mo.

MEMPHIS, Tenn. — A small cross about three feet high was burned in front of the home of Mrs. Helen Jackson, 1109 East Trigg avenue one day last week. The cross was soaked in kerosene.

Mrs. Jackson told police she knew nothing of the blaze in her front yard until told by a neighbor. "I've lived here a month with my husband and child and haven't had any trouble with the neighbors," she said.

Call 8-1 Kansas City, Mo. Fri. 9-7-56

"WE'RE GOING TO STAY." — Those were the remarks made by Mr. and Mrs. Lloyd G. Austin, who recently moved into a previously "all-white" block of North Judkins avenue in Fort Worth, Tex. Although the white homeowners called a special meeting designed to scare the family from the neighborhood, the Austins flatly refused to move. Pictured above are Mr. Austin, left; Mrs. Austin, right and holding their 17-months-old daughter.

Homeowners Are Tense As Negro Family Moves Into 'All-White' Block Of North Judkins Avenue

Call 8-1 Kansas City, Mo.

Fri. 9-7-56

FORT WORTH, Tex. — After the family of Lloyd G. Austin moved into a so-called "all-white" block of North Judkins avenue last week the white homeowners called a special meeting to map a plan of action against the Negro family.

38c

As groups of people gathered along the street, apparently to start a disturbance, police cars patroled the neighborhood.

Mrs. Marcia Austin, wife of Lloyd G. Austin, told newsmen, 'We're going to stay.' She said she and her husband and 17-month-old daughter had moved from 2102 East 4th. "That was an apartment, we wanted a home," she explained.

Circulars were printed and the first meeting was set for last Saturday and members were to have been contacted by phone as to where the meeting would be held.

The homeowner E. G. Brown said he had learned of the planned meeting when he noticed the knot of people in the street. Tensions have been pretty high," Brown said. "We've been trying to keep peace in the neighborhood, but it's pretty hard to do."

Brown said he didn't think there was any chance of court action. He said residents will "endeavor to reason" with the newcomers.

Mr. Austin said he had received two telephone calls prior to moving. One caller reminded him that a policeman lived directly behind their new home. The new home. The new family however flatly stated, "We're going to stay." "We always go to the Lord in these things."

Brown said he wasn't calling the meeting,' but said he knew there was to be one. "This problem is more upsetting than the one three years ago," he added. "It'll open up the whole thing.'

This same street was in the news in November, 1953, when several sticks of dynamite blasted the automobile of Lawrence Peters, Negro, after he moved into the 100 block of Judkins.

Police cars went to the area when the Austins notified officials that they planned to move in. The newcomers said they felt they had plenty of protection.

Police Chase Texas Mob Threatening Negro Home

Star Tele. 9-3-56 P.5-A

Washington Post

FORT WORTH, Tex., Sept. 3 (AP).—Police last night dispersed an angry, yelling mob of 150 whites who threatened a Negro family that had just moved into a previously all-white residential block in the Riverside section of Fort Worth.

38c

The crowd, yelling "Get those niggers," hung the effigy of a Negro in front of the North Judkins avenue home of Lloyd G. Austin who, sitting with a rifle at his front window, had kept the mob at bay most of the afternoon and night.

Shortly after the effigy was hung into place, a shot rang from the Austin home. When a youth claimed that the bullet had struck the hood of his car the crowd became a howling mob. Pop bottles were thrown at the house, but the crowd moved back when Police Chief Cato Hightower and a dozen officers arrived.

Cleared Area

Chief Hightower ordered all persons and cars cleared from the area. The mob quickly dwindled to a small group of about 35 persons that moved more than a block away beyond the police barricade.

The demonstrations started yesterday afternoon after a called meeting of residents of the neighborhood at the Riverside Elementary School. There E. G. Brown said the presence of the Negro family was part of a plot by the National Association of Colored People to get Negroes into the school district.

"The time has come for everybody to stick together and not let them come any further," Mr. Brown said. He cautioned against violence but said a peaceful demonstration would be all right to show the sentiment of the people.

Shouts of " let's go up and give those Negroes hell and talk about it later" interrupted his talk.

Mr. Brown then went to the Austin home to talk to the Negro and the demonstrators followed. While Mr. Brown and Mr. Austin conferred, the crowd of about 200, carrying signs "Stay Away Negro and Stay Alive" and "Put Me Down as No Nigger Lover," paraded in front of the house.

Offer Refused

Later Mr. Brown said he had offered to purchase the house from Mr. Austin on behalf of the citizens. He said Mr. Austin refused.

"I told them they were moving into a neighborhood where they would never be accepted as neighbors—and where they knew they were only causing trouble by staying," Mr. Brown said.

Mr. Brown also said he told Austin that he would not be a party to violence himself but would not guarantee the actions of other neighbors.

At the conclusion of the stalemate talk, a firecracker was tossed into Mr. Austin's car which was parked outside his garage.

Also taking part in the parley was Lawrence Peters, Negro center of a similar controversy in 1953.

While the milling mob kept out of range of Mr. Austin's rifle several houses down the street, a group of about 50 Negroes, in the other direction, some of them residents of adjoining block, stood and watched the demonstrators.

Doesn't Want Trouble

Most of the mob of 150 were teen-agers. A group of about 15 identified themselves as living in an area about a mile away.

Officers said they expected no immediate trouble but expressed fear there might be further disturbances later.

Newsmen and photographers, identifying themselves, asked Mr. Austin if they could come in and talk to him.

"I got nothing to say. I don't need any help. I am all right," he called out from the darkened house.

Earlier in the day he told reporters he was "trying to buy a home and live in peace. I don't want any trouble."

Fort Worth mob broken up by police

News P.4 Mon. 9-3-56

Birm. Ala.

BY IRWIN FRANK

FORT WORTH, Tex., Sept. 3—(AP)—Police last night dispersed an angry yelling mob of 150 whites who threatened a Negro family that had just moved into a previously all-white residential block in the Riverside section of Fort Worth.

The crowd, yelling "get those niggers," hung the effigy of a Negro in front of the North Judkins home of Lloyd G. Austin, who, sitting with a rifle at his window, had kept the mob at bay most of the afternoon and night.

38c

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SHOUTS OF "let's go up and give those Negroes hell and talk about it later" interrupted his talk.

Brown then went to the Austin home to talk to the Negro and the crowd of demonstrators followed. While Brown and Austin conferred, the crowd of about 200 carrying signs "stay away Negro and stay alive" and "put me down as no nigger lover" paraded in front of the house.

Brown said later he offered to purchase the house from Austin but that the Negro refused.

During the afternoon the crowd dwindled to about 50 persons but grew rapidly again after dark.

WHILE THE milling mob kept out of range of Austin's rifle several houses down the street, in the other direction, a group of about 50 Negroes, some of them residents of adjoining block, stood and watched the demonstrators.

Only two officers were present when the effigy was hung. When Capt. J. D. Dunwoody arrived he told the rioters "we can't run that Negro out of the house, it's his home."

Most of the mob of 150 were teenagers. A group of about 15 identified themselves as living in an area about a mile away.

Hold Mob From Texas Residence

Daily World Tues. 9-4-56

Atlanta Ga.

FORT WORTH, Tex. — (INS) — Three squad cars, armed with tear gas bombs, patrolled a barricaded block in Fort Worth's Riverside section Monday to prevent further demonstrations against a Negro family which has moved into the all-white area.

Assistant Police Chief R. E. Tarvan said the patrol cars were instructed to "maintain order" and keep all non-residents out of the block. The action followed a near riot last night when some 300 persons milled about the Negro's home after an effigy was hung in the front yard.

Tarvan said there was no activity around the house Monday afternoon, with the exception of a few curiosity seekers who were kept behind the barricades by police.

DEMONSTRATION

The demonstration was ended quickly by police after the Negro, Lloyd G. Austin, fired a rifle shot into the mob. The bullet struck a car but no one was injured.

Daily World

Austin moved into the house Saturday with his wife and their infant daughter.

P.2

Meanwhile, a spokesman for the Riverside Merchants and Home Owners Association, E. G. Brown said more "peaceful demonstrations" will be staged outside the home. Brown soid the Riverside group would meet "to see what further action we can take to have the family moved out."

"INSIDIOUS PLOT"

He called the presence of the Negro family in the block part of an "insidious plot" by the National Association for the Advancement of Colored People to get Negroes into the school district.

After a meeting with Austin in the home Sunday night at which time Brown was turned down in his offer to purchase the house from the Negro, Brown told the demonstrators:

"The time has come for everybody in Riverside to stick together and not let them come any further."

A police officer at the scene was quoted as telling the mob: "We can't run the Negro out of the house, it's his home."

Associated Press wireph

BOTTLES THROWN AT NEGRO HOME IN RACE PROTEST
. . . Fort Worth mob demonstration against Negro family moving into white

Negro's Gun Holds Mob at Distance 'Til Police Arrive

State Press P. 1

Fri. 9-7-56

Little Rock Ark.

In Fort Worth, Texas, police Sunday nite stopped a mob of angry whites who had gathered and threatened a Negro in his home. The Negro family had just moved into the home he bought in a previously all-white neighborhood in the Riverside section of Fort Worth.

The mob hung the effigy of a Negro in front of the home of Lloyd G. Auskins, who, sitting with a rifle at his front window, had kept the mob at a distance most of the afternoon.

Shortly after the effigy was hung by the mob, a shot came from the Negro's home. A youth in the mob, claimed that the bullet had struck the hood of his car. The mob let loose with all its fury, but stayed out of bullet range of the Negro's home. Pop bottles were thrown toward the house, and the mob never quieted down until Police Chief Cato Hightower arrived on the scene.

The police chief ordered all persons and cars cleared from the area. The mob of about 150 soon dwindled to about thirty who moved away from the police barricade.

The trouble started Saturday after a call meeting of residents of the neighborhood where the Negro had purchased a home and moved. E. G. Brown acting as spokesman for the residents, said the presence of the Negro family was part of a plot by the National Association for the Advancement of Colored People to get Negroes into the school district.

After Brown had worked the residents to mob actions, he then went to talk to Auskin. While he was in the house talking to the Negro, the mob put on a demonstration outside the Negro's home, but was careful and cautious enough to stay out of bullet range of the Negro's gun, and carefully watching some fifty Negroes who had gathered down the street a little farther.

Brown said he offered to purchase the home from Auskin, he finally agreed to sell. When the papers were drawn up for the sale, the Negro changed his mind and refused to sell.

Dallas Woman Will Sell Home To Negroes To 'Punish' Neighbors

Call Fri. 2-3-56 P. 1

Kansas City, Mo.

Cross Burned In Front Yard Of Big House

DALLAS, Tex. — (ANP) — In an attempt to scare Negroes out of buying the swank homes which Mrs. Cosette Newton offered for sale, white neighbors in the fashionable Highland Park area burned a cross here last Wednesday night in the front lawn of the 12-room house.

The cross-burning incident followed by several hours Mrs. Newton's announcement that she was offering the home for sale—to Negroes only.

The slightly-built woman, who holds five degrees including one to practice medicine, said she and her wealthy husband reached the decision to sell the property after conferring with representatives of the NAACP. Earlier Mrs. Newton announced that she had willed the property to the NAACP. But an NAACP spokesman in Dallas said his organization wanted nothing to do with the case and has adopted a "hands-off" policy

Battle Over Ship

Mrs. Newton and her neighbors have been battling 15 years because of a mock yacht in the backyard of the home. Neighbors said the ship —which measures 30 feet across the beam and 70 feet from stem to stern—was an "eyesore."

The ship was next to the Newton's private swimming pool. During the war Mrs. Newton entertained servicemen at dances. At war's end, she used it for an art gallery and to house flowers as well as to entertain her friends.

Despite a 10-foot fence Mrs. Newton erected around the ship, the case was taken to court.

Early in the 1950's, the neighbors sued to have the yacht torn down, contending it was a fire hazard. The Texas Supreme Court recently upheld a lower court ruling that the mock ship would have to be removed.

Mrs. Newton declined to say what she is asking for the house, which has been vacant since she and her husband moved out sometime ago. A neighbor, S. F. Cade, estimated property in the all-white suburb is worth from $40,000 to $60,000. She said the decision to sell to Negroes was not done in spite or bitterness.

Rifle Blast Causes 200 Whites To Flee

Houston Chron. Sat. 9-8-56

By JULIA SCOTT

FT WORTH — Following what almost erupted into a riot, Sunday, of whites who protested Negroes' entry into a white area, and the residents, a squad of Ft Worth policemen barricaded the recently purchased home of Lloyd G Austin, 209 N Judkins street, in the Riverside area, which is predominantly white (in that block).

The precautions were taken against interference of all visitors, especially the group of white citizens, members of the Riverside Merchant and Home Owners Association and their group, who organized in protest against Mr Austin, who moved in the community last Saturday afternoon.

Similar demonstration was exhibited in 1953 when Lawrence Peters moved into the Riverside area, 109 Judkins. At that time he was the first Negro to move in the area and whites attempted to intimidate him and his auto was bombed. He still lives at that address.

Mr Austin moved his wife and infant daughter into his newly acquired home. He moved from 2102 E Fourth street.

When the crowd gathered on Sunday afternoon, he was confronted by a group and the spokesman is reported to have asked him to sell the house and they would provide him with one in a "neighborhood where you be long". Mr Austin refused the offer. The crowd then became irrate and what was styled their "peaceful protest" changed to sneers the erection of caricatures an placards and even the hanging of an effigy.

Mr Austin armed himself with his rifle, after barricading himself in the house and "sat tight".

When some teenagers hung an effigy of a Negro in a tree in front of his house, he fired one shot in the direction of the crowd. None was hurt, but the shot reportedly hit the grill of a car belonging to one of the teenagers. Police then scattered the crowd and set vigilants around the house.

REPORTER REFUSED ENTRY

When this reporter arrived near the home of the Austins, police officers refused entry to the Austin home. One of the officers said, "the story is in the papers already, I don't see any need of you going down there". This reporter was very persistant, stating, "It is my privilege to get a story as well as any other reporter, and I notice, someone has talked with him." The officer replied "we have orders to keep everyone out, even OUR reporters."

At this point other officers gathered around peering at this reporters' credentials, which include identification cards from our paper, Dallas Sheriff and Dallas City Police Departments. An officer then stated they had no objections to an interview with Mr Austin, but that he would have to be contacted by telephone, and arrange to be met at some special place. This procedure was attempted, only to find out that Mr Austin did not have telephone service, as he had recently moved into the house.

Chief of Police Cato S Hightower was then contacted. He stated he had ordered no visitation made in that area. When asked the question of others getting in, he explained the other reporters went in Sunday, but since the barricades were erected no one had been permitted to go in.

He said, "things are pretty hot down there", and explained he took such measures to protect all the people and stated he felt any visitation in that area might be misunderstood.

TEEN-AGERS RIDE NEAR SCENE

While visiting other residents in the controversal area, several car loads of teenagers were seen driving down to the barricades and slowly turning around. They made no attempt to get out of the cars, but turned at the line of squad cars and paddy wagons. The officers sat calmly by their jugs of ice water as this was repeated several times. At intervals small groups of Negroes, both male and female, attempted to go into the forbidden area, but were immediately stopped and turned around.

The whites told reporters that they would take some measures to get Mr Austin out of the neighborhood, according to repots.

Houston Chron. 38c Sat. 9-8-56

LEFT PHOTO: Lloyd G. Austin, the lone man who faced more than 200 angered white residents of Ft Worth's once lily-white Riverside Addition to protect his home and family, is shown as he carried two high-powered rifles from his automobile to his recently-bought house in defiance of the mob's threats and violence. RIGHT PHOTO: Mr Austin's barricaded home is the target of the milling, race-hating throng. The brave, Negro sat at one of the house's front windows and dared the mob to trespass on his property. The photo was taken moments before the defiant defender fired at the mob, sending it in a hasty retreat.

Mob Chased From Ft Worth Negro's Home

Informer p. 5
Houston Tex.
Sat. 9-15-56

FORT WORTH — A crowd of some 250 whites gathered again at the home of Lloyd G Austin Tuesday, the third day of demonstrations in protest of the Negro moving into Riverside, once an all-white neighborhood.

There were rumors that the mob, angry because Mr Austin chased them with a rifle shot Sunday evening, planned to dynamite the home. But police chased the crowd before such plans materalized.

Mr Austin's home is just a block away from the home of Lawrence Peters, the first Negro to move into the community back in 1953. Mr Peter's automobile was bombed by protesting whites after a similar demonstration such as the one last night.

A group of white citizens tried Monday to get Mr Austin to sell and he agreed to do so. Later, he changed his mind.

E G Brown, a leader of the Riverside Merchant and Home Owners Association, said that his group will try to get Mr Austin and his wife fired from their jobs unless they move.

Brick Wall to Segregate Housing Project

Courier Sat. 11-24-56 P. 2

HOUSTON, Tex.—"We will build a brick wall to divide the two sections, both psychologically and psysically," said Fred Lucas, spokesman for a group responsible for suggesting that Negro and white families in a housing project be separated.

Pittsburgh Pa. 38

The Houston Housing Authority approved the measure unanimously although the development receives annual funds from the Federal Government.

The Public Housing Authority, a Federal agency which will grant about $404,870 to the HHA this year, said it would not necessarily hold back funds from Houston because of the "segregation wall."

The HHA also said it would attempt to increase white tenancy in the project from the present 64 per cent to 100 per cent.

IF THIS EFFORT FAILS, Lucas said, the white families will be moved into the west half of the project and Negroes would be admitted to the east half with the two parts separated by a wall "big enough to do the job."

Marshall Amis, regional director of the Public Housing Authority, said in Ft. Worth: "We would not necessarily hold back funds from the segregation arrangement. In a similar arrangement in Gilmer, Tex., we did not approve of segregation housing and turned them down on continued Federal funds.

"I don't recall the details of the Gilmer thing, that is to say, I don't recall our explicit reasons for denying them funds, but I do believe it was a matter of public relations."

38c 1956 VIRGINIA

FAR FROM TRUE When a sign appeared in front of 1512 W. 40th street, in the Lamberts Point section of Norfolk, declaring that Negroes would be unwelcomed as neighbors, white residents of the street were quick to say it was not the general feeling of the neighborhood. Some went so far as to say the offensive language of the sign spoke only for the man who put it in front of his house.

38c Va

The sign (arrow, inset) reads: "Notice. The people living on this street are unhappy because colored want to move in here with us. We like to live to ourselves. We cannot be happy in any other invivement (sic)."

The fact is that white residents are willing to have Negroes as buyers and neighbors, and do not approve of the sign.